Administration of Daman & Diu,
Department of Home

N O T I F I C A T I O N

No. DFS/DD/F.S. Rules/2004/366 **Dated : 04/10/2004.**

In exercise of the powers conferred by Section 35 of the Goa, Daman and Diu Fire Force Act, 1986 (Act No.9 of 1986), the Administrator of Union Territory of Daman and Diu hereby makes following rules, namely: -

CHAPTER – I

1. Short title and commencement-

(1) These Rules may be called the Daman and Diu Fire Force Rules, 2004. (2) They shall come into force at once.

2. Definitions- In these Rules, unless the context otherwise requires, -

(i) "**Act"** means the Goa, Daman and Diu Fire Force Act, 1986.

(ii) "**Government"** means the Administrator of UT of Daman and Diu.

(iii) "**Administrator"** means the Administrator of UT of Daman & Diu appointed by the President under Article 239 of the Constitution.

(iv) "**Director"** means the Officer appointed by the Administrator as the Director of Fire and Emergency Services of the of the U.T. of Daman and Diu under the Act;

(v) "**Services"** means the Daman and Diu Fire Services;

(vi) "**Member of the services"** means a person appointed to the post in the cadre of the Services;

(vii) **"Medical Board"** means the Board constituted by the Administrator, U.T. of Daman and Diu, which may include Doctors with specialization.

CHAPTER – II

3. Constitution-

(1) Subject to the provisions of the Act, the services shall consist of the following categories of officers, having such members as the Administrator may, by general or special order, determine.

(a) Gazetted Officer: -

(i) Director of Fire and Emergency Services.

(b) Non-Gazetted Officers: -

(i) Station Fire Officer.

(ii) Assistant Station Fire Officer.

(iii) Leading Fireman.

(iv) Driver-Cum-Pump Operator.

(v) Fireman.

2. The Headquarters of Daman and Diu Fire Force shall be at Daman. 3. The Director shall be assisted by Station Fire Officer.

4. Jurisdiction and Strength-

a) The Fire Station shall be the basic unit of the service and its normal jurisdiction shall extend to the district within which it is located or as determined by the Director. It shall be placed under the charge of a Station Fire Officer or Assistant Station Fire officer depending upon the number of Industries, residential high rise/commercial buildings within the district jurisdiction. One or more fire appliances and an ambulance may generally be attached to each fire station.

b) The strength of staff employed in the fire station shall depend on the number of fire equipment/appliances sanctioned for the station. The Administrator may determine the number of units and personnel for each station based on the recommendation of the Standing Fire Advisory Council, Government of India.

c) The fire station shall function round the clock and duration of shift duties shall be determined by the Director.

5. Pay and Allowances – Rates of monthly pay admissible to the incumbents of the various posts, whether substantive or in officiating capacity or as a temporary measure, shall be as applicable to the employees of U.T. Administration of Daman and Diu.

6. Uniform and Badges – All articles of uniform and kits for Director and Fire Service Officers and all other ranks shall be in accordance with the standard uniform as specified in the **"Schedule-II "**vide item 10 of the Fourth Standing Fire Advisory Council and vide item 18 of the Eighth Standing Fire Advisory Council and be issued free in accordance with the scales approved by the Administrator as specified in **Appendix I and II** to these rules, as the case may be. The uniform and badges worn by the members of the services shall be in accordance with the various ranks held by them as specified in **Appendix III** to these Rules.

7. Transport – The Director of Fire and Emergency Services shall be entitled to a Motor-Car and the Station Fire Officer for a Motor-Jeep/Gypsy. The Motor-Car of the Director will be fitted with a red flasher light on the top depending upon provisions of the Motor Vehicles Rules.

8. Posting and Transfer – All postings and transfers to the post of Station Fire officer and below shall be made by the Director of Fire and Emergency Services.

9. Drill – Drill and exercise shall be as prescribed in the Drill Manual prepared by the Central Government.

10. Discipline – The maintenance of discipline in the service shall be set out in the Daman and Diu Fire Force Sub-ordinate Service (Discipline & Appeal) Rules, 2004, as specified in **Appendix-VIII.**

CHAPTER – III

11. Appointments and Training - The Director or any other Officer so empowered in this behalf by the Administrator, shall appoint such person or persons as may be deemed necessary to the post of Station Fire officer, Assistant Station Fire officer, Leading Fireman, Driver-cum-Pump Operator, Fireman, Clerk, Sweeper, Peon and such other posts to be created in the administrative and ministerial establishment and to any other post created from time to time, as may be deemed necessary by the Administrator.

12. Appointment of Director – The Administrator shall, by notification in the Official Gazette, appoint the following Officer: -

(i) Director of Fire and Emergency Services.

13. Subordinate Service –

(i). The subordinate service shall consist of the following Officers/Officials.

1) Station Fire Officer.

2) Assistant Station Fire Officer.

3) Leading Fireman.

4) Driver cum Pump Operator.

5) Fireman.

(ii). A person appointed to subordinate service by direct recruitment shall possess physical standards and academic/technical qualifications, practical experience as specified in **Appendix IV & V** respectively to these Rules.

14. Appointing Authority in respect of Non-Gazetted Officers – The Director or any other Officer so empowered in this behalf by the Administrator shall be the Appointing Authority in respect of all Non-Gazetted officers.

15. Training – A probationer recruited direct from outside, shall during the period of probation has to successfully complete various standards of examinations and courses as specified.

16. Other Qualifications –

a) No person shall be eligible for appointment to categories specified in column (1) of the Schedule of Appendix IV to these Rules, unless he possesses the qualifications specified in the corresponding entry in column (8) of the Schedule of said Appendix.

b) Other conditions being equal, Home Guard Volunteers who have completed a period of 3 years in the organization/administration and if undergone training during the period of tenure satisfactorily, will be treated as having additional or desirable qualifications for recruitment to the post of Fireman.

17. Probation –

1. Every person appointed to a post in the services shall be on probation from the date he joins the duty-

a) If recruited directly, for a total period of two years on duty within continuous period of three years;

b) Special Test – Candidate will be required to pass the departmental examination on completion of the initial training of 6 (six) months during the probationary period. In case of failure, one more chance shall be given. The services of the candidate failing to pass the departmental examination on second attempt are liable for termination.

2. Probationers who have to undergo training will have to pass examination as specified below within the period of their probation: -

Probationer	**Course of Training**
Assistant Station Fire Officer recruited By direct recruitment.	Courses of initial training for a minimum period of six months at the Fire Service Training Centre, or any other recognized Fire Service Training Institution and pass the examination with the required subjects for the course. After the above course of training, for six months on duty with a fully trained Station Fire Officer before Independent posting to a Station

Leading Fireman, Driver-cum-Pump Operator selected by Promotion/ Direct Recruitment	Courses of initial training for a minimum period of six months at the Fire Force Training Centre or any other recognized Fire Service Training Institution and pass the examination in the subjects prescribed for the course. Training for one year at the Station as attachment.
Fireman	Course of training for a period of six months at the Fire Force Training Centre or any other recognized Fire Service Training Institution and pass the examination with the required subject for the course.

Special Test -

(a) The person appointed as Assistant Station Fire Officer shall within the period of probation, pass the following tests if not already passed:

(i) The course of training and standard of examination as specified under these Rules.

(ii) St. John's Ambulance Examination in First Aid.

(b) The penalty for failure to pass the tests as required by clause (a) above shall be by with-holding the increment until the test is passed, but such withholding of increment shall not operate to postpone the future increment if the test is passed;

(c) The details of the departmental test shall be indicated to the candidates directly as and when the examinations are to be conducted.

18. Reservation in Appointment/Promotion – The rule of reservation in appointment shall apply to all appointments by direct recruitment and promotion as per rules of Government of India.

CHAPTER – IV

19. Powers and Duties –

1. **The Director of Fire and Emergency Services: -**

(i) The Director of Fire & Emergency Services shall be the Head of the Department. He shall control and maintain the Fire and Emergency Services Organization in the UT. He shall be responsible to the Government for the efficient functioning of Fire and Emergency Services.

(ii) shall take all such necessary steps, as he may think fit, under the powers given to him under Act, for the protection of life and property from fire and to minimise its effects;

(iii) shall supervise serious outbreak of fire when the Station Fire Officer and the Assistant Station Fire Officer consider his presence necessary. When the Station Fire officer or the Assistant Station Fire Officer is in attendance at a fire, he shall be in supreme control not only of the Fire Force, but also all other forces and essential services including Volunteers from the public engaged in putting out fire.

2. **Station Fire Officer and Assistant Station Fire Officer: -** The Station Fire Officer shall be incharge of a Fire Station. He shall have under him staff attached to the Fire Station. He will be responsible for the maintenance of communication system, fire appliances, water resources including hydrants within his station area and shall be incharge of operations. He shall normally be in complete command of all operations in any serious emergency or

conflagration. He may be assisted by Assistant Station Fire Officer in high fire risk areas, who may be entrusted with one or more fire fighting units. He will keep a proper liaison with the officers of adjoining fire station in neighbouring district of Gujarat, Maharashtra and Dadra & Nagar Haveli.

3. **Leading Fireman: -** The Leading Fireman shall be the leader of fire crew and be responsible for the execution of orders of his officer and for the work of individual members of the crew.

His other duties includes:-

(a) to be available at the station to which he is posted.

(b) to obey implicitly all orders of his superiors and exact the strictest obedience and civility from those serving under him.

(c) to see that the men placed under him on duty are properly dressed and are assigned duties pertaining to the station, and fire appliances and such other duties that may be incidental to the efficient working of the station. He shall also be responsible for maintaining the station premises clean and tidy and appliances and equipments in neat and efficient working condition, and ready for about the same.

(d) to see that all equipments, gears etc, are properly accounted for and be responsible for the same. In case of any loss or damage of articles or equipments, uniform clothing etc. he shall immediately report to his next senior officer about the same.

(e) to keep his superior acquainted with all matters coming to his knowledge affecting the Fire Station staff or the general business of the Fire and Emergency Service Department.

N.B.- Any duties as may be asked by a Station Officer and/or Asstt. Station Fire Officer in addition to those specified above, shall be carried out by him.

4. **Driver cum Pump Operator:** They shall form members of the fire crew and perform duties assigned by the Leading Fireman or such other officer as may be in command.

Their other duties includes: -

(a) to be available at the station to which he is posted, while on duty.

(b) to obey implicitly all orders of his superiors and exact the strictest obedience and civility from those serving under him, if any.

(c) to be responsible for the proper upkeep and mechanical condition, maintenance and movements of the vehicle and pump under his charge. He shall also be jointly responsible with the Leading Fireman for the proper maintenance and stowing of equipments and gear that are carried on the fire appliances or kept at the Fire Station.

(d) to test atleast twice a day, the fire appliances in his charge to make sure that the same are in serviceable condition and to record the same with the officer on station duty, to report any defects immediately that he may come across to the Leading Fireman incharge and to the officer on station duty.

(e) to keep an inventory of all articles and equipments under his charge and to maintain a record of time at work, mileage, petrol and oil consumption etc.

N.B.- Any other connected duties relating to the maintenance, mobility and operation of fire appliances, motor vehicles, pumps or other fire fighting and rescue gears as may be asked by his superior officer or the Leading Fireman, in addition to those specified above, shall be carried out by him.

5**. Duties of Fireman:** They shall form members of the fire crew and perform duties assigned by the Leading Fireman or such other officer as may be in command.

Their other duties includes: -

(a) to be available at the station to which he is posted.

(b) to obey implicitly all orders of his superiors and hold himself in readiness to carry out all duties as may be assigned to him by superiors obediently, smartly and efficiently.

(c) to keep himself and his quarters, if provided neat and clean.

(d) to devote whole of his time and attention to the Fire Service Department while on duty.

(e) to set example to others by sobriety, cleanliness, promptitude, civility and general attention to his duty.

(f) to be responsible for keeping the station premises, such as appliance room, offices, drill yard, watch room, workshop, dormitory, drill tower, hose drying tower neat and clean by washing when necessary and appliances, equipments, gears etc. clean and tidy.

(g) to keep himself alert to attend to fires, special services, fire drills etc. in the shortest possible time on the alarm being sounded.

(h) to keep himself acquainted as far as possible with the topography of his own and adjoining areas, as well as fire risk in such areas.

(i) to carry out duties that may be assigned to him from time to time, and be responsible jointly and severally to the Leading Fireman of the Fire Units for the care, appearance, scrupulous cleanliness of the unit and all equipments therewith, correct upkeep, stowage and maintenance thereof. This shall include cleanliness of vehicles and polishing the several equipments on the vehicle and in the stores, scrubbing and washing of the hoses, floors, walls, doors and windows of the premises, garages and drill towers, smoke chamber, maintenance of garden, etc.

(j) to assist Driver cum Pump Operator in the proper maintenance of equipments and gears of the vehicles, perform guard duties, workshop duties, control room and watch room duties, duties of office orderlies and fire aides, despatch messengers etc.

(k) to thoroughly inspect the fire appliance and to report to Leading Fireman of having verified the same.

Fireman and other ranks accommodated in barracks or dormitory shall be solely responsible for the proper cleanliness, orderly arrangement of their personal belongings, etc. They will also be held responsible for the safety of the various fixtures, sanitary and electrical fittings in such premises.

(l) Fireman, when posted as guard or sentry by turns, or by other method as deemed fit by the Officer Incharge of the Station, shall not leave his post until he is properly relieved. He shall be in full uniform prescribed for him for the season. While on guard duty, the fireman shall be responsible: -

(i) to guard all properties, fixtures, fittings and other effects, both in the fire station premises and station surroundings.

(ii) to see that all persons entering upon the Fire Station premises are directed to the officer incharge and to see that they leave the premises immediately their business is finished.

(iii) to be aware and remain alert at all times.

(iv) to control the movements of incoming and outgoing vehicles to avoid accidents.

(v) to watch the garden and plants in station grounds.

(vi) In addition to the above, a fireman shall perform any legal duty, in the interest of the Fire Service, when ordered by appropriate authority.

20. Information of Fire – Any Officer in charge of Fire Station shall immediately on receipt of the information of occurrence of a fire, turn-out units to the place of occurrence, which shall take all necessary steps to extinguish the fire expeditiously. He shall immediately inform his superior officer.

21. Attendance of Ambulance at Fires – The ambulance shall be turned out as one of the fire units to all serious fires and other incidents where its services are necessary to remove casualty.

22. Report of Fire – Report of every fire which occurs within the respective area shall be submitted by the Officer-in-Charge/Crew leader of the Fire Station not later than two days following the fire, to the Station Fire Officer, who shall make such further enquiries, if any, and as he may deem necessary and shall furnish such report to Director of Fire &Emergency Services with in a week. Station Fire Officer shall also furnish a monthly return of all fires of the area to the Director of Fire and Emergency Services.

23. Right of Way -

1. When fire unit is in transit to the place of occurrence of fire, the fire alarm bell/hooter shall be sounded continuously.
2. On hearing the said fire alarm bell/hooter, every person and vehicles on route shall immediately draw to the extreme left, thereby providing a clear and unobstructed passage to the fire unit.
3. Whosoever contravenes the provisions of sub-rule (2), shall be punishable with a fine not exceeding Rs.500/-.

24. Preventive Measures – The trades which are likely to cause risk of fire shall be as enumerated in **Appendix VI** to these Rules. In respect of such fire risk and to all fire risk which are not covered by any enactments in respect of which a notification under Section 13 of the Act may be issued, any member of Fire Service of the area duly authorised by the Director in this behalf, may inspect any place where he suspects that such risk exists and direct compliance with such preventive measures as he may deem fit.

25. Good Service Entries –

(i) Fire Subordinates may be awarded good service ticket for conspicuous services such as rescuing life and property and suppressing fire daringly and exhibiting skill, courage and devotion to duties in the face of considerable risk to their person. The award will be granted by the Director to Fire and Emergency Services to his Subordinates under the recommendations of their respective Officers.

(ii) President's Fire Service Medal – President's Fire Service Medal for meritorious/distinguished service will be awarded to the Fire Service Officers in consideration of acts of exceptional skill and performance or for exhibiting conspicuous devotion to the duties.

26. Employment of Fire Service for the purposes other than Fire fighting within or outside the Union Territory – The Fire Service may be engaged for purposes other than fire fighting at the discretion of the Director or his authorised subordinate Officer in the following circumstances:

(i) Special services free of charge in case of all types of rescue of life.

(ii) Special Services which should be charged according to the rates fixed by the Government such as pumping out water, attending duties of fire protection at large assemblies or gathering subject to safe use of equipment, if it can be spared.

(iii) Services of all types rendered within or out side the union territories to be charged according to the rates fixed by the Government as shown in **Appendix VII** to these Rules.

27. Minimum Requirements of Fire Station – The Director shall take all necessary steps to ensure the maintenance of the minimum requirements of Fire Stations as specified for effective fire cover to the area.

28. Compensation to Members of Fire Service – The compensation payable to members of the service in case of accidents or to the dependents in case of death shall be in accordance with the scales laid down by the Government.

29. Statistics – The Director shall be responsibly for the maintenance of records of all fires and losses caused by such fires in form as laid down. Any person who requires the fire report shall be issued with a certified copy of the same after remitting an amount Rs.50/- (Rupees fifty only)in case of residential property and Rs.500/- (Rupees Five hundred only) in case of commercial/industrial property under the relevant head of Account.

30. Rewards –

(i) Form of Reward – Rewards may be in the form of money, clothes, Medals should not be given as rewards.

(ii) Sanction of rewards – The Director shall be competent authority to sanction cash award upto Rs.5000/- and Administrator beyond Rs.5000/- for exemplary performance involving skill and devotion in the job disregarding personal safety such as rescuing life and property, putting out fires, etc., in any one circumstance. The maximum amount of reward sanctioned by the Director to any one member shall not exceed Rs.500/- (Rupees Five Hundred only).

(iii) Rewards offered by private parties – Permission to accept special rewards from private parties may be granted by the Director. Whether the rewards should go to the individual concerned or to the Fire Service Benevolent/Welfare Fund or to any of the sports/recreation club or partly to individual shall be decided by the Director.

(iv) Rewards by other Government Departments – Rewards granted to subordinate Officers by Officers of other Departments may be disbursed to them directly, but the Director should be informed of the fact.

(v) Publication – The Details of awards given by the Administrator, other departments or Director shall be published and necessary entry in the records shall be made.

By order and in the name of the
Administrator of Daman & Diu
& Dadra Nagar Haveli.

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)

APPENDIX – I

Articles of Clothing and Equipment for Leading Firemen, Driver-cum-Pump Operator and Fireman in Fire Service Unit in Daman and Diu.

Sr. No	Articles	Scale of Supply	Period of Supply
1.	Shirt Khaki cellular, full sleeves	02 Nos.	Annual
2.	Trousers Khaki drill	03 Nos.	--do--
3.	Shorts Khaki drill	02 Nos.	--do--
4.	P.T.Vests white cotton 'V' necked half sleeves	02 Nos.	--do--
5.	Socks Khaki Woolen	02 Pairs	--do--
6.	Gum-boots black	01 Pair	--do--
7.	Boots ankle leather black Jodhpur type	01 Pair	--do--
8.	Shoes canvas brown	01 Pair	--do--
9.	Beret cap khaki woolen	02 Nos.	--do--
10.	Overall khaki drill	01 Pair	--do--
11.	11. Lanyard maroon plated	01 Nos.	--do--
12.	Belt black webbing with pouch and line of 12 feet white cotton cord	01 Nos.	Biennial
13.	Dhories	01 Nos.	Triennial
14.	14. Ground sheets water proof.	01 Nos.	--do--
15.	15. Water proof coat with hat cover/ Raincoat	01 Nos.	--do--
16.	Kit box/bag	01 Nos.	Decennial
17.	Firemen helmet (Conforming to IS:2745/1969)	01 Nos.	Triennial
18.	18. Blanket Army Pattern	01 Nos.	Quinquennial
19.	Jersy Khaki Woolen	01 Nos.	Biennial
20.	20. Axe Firemen with insulated handle	01 Nos.	As required
21.	Whistle thunderbolt type (For Leading Firemen).	01 Nos.	--do--
22.	Cap Badges for beret caps 'DDFS' white metal.	01 Pair	--do--
23.	23. Shoulder titles 'DDFS' white metal	01 Pair	--do--
24.	Badges of ranks, Leading Firemen and Driver Operator	01 Pair	--do--

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)

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APPENDIX – II

Articles of Clothing and Equipment for Station Fire Officer/Assistant Station Fire Officer or equivalent Ranks of the Fire Unit of Daman & Diu.

Sr. No.	Particulars	Scale of Supply	Period of Suply
1.	Shirts Khaki cellular, full sleeves	03 Nos.	Annual
2.	Trousers Khaki drill	03 Nos.	--do--
3.	Socks Khaki Woolen	02 Pairs	--do--
4.	Jodhpur boots brown with plain front toe	01 pair	--do--
5.	Black rubber Gum-boots	01 Pair	--do--
6.	Peak cap Khaki serge	01 Nos.	--do--
7.	Lanyard maroon plated	01 Nos.	--do--
8.	Belt brown webbing with pouch and pocket line of 12 feet white cotton cord	01 Nos.	As and when required.
9.	Water proof coat with hat cover/Rain coat	01 Nos.	Biennial
10.	Firemen's helmet (Yellow color) conforming to IS: 2745/1969	01 Nos.	Triennial
11.	Axe Firemen with insulated handle	01 Nos.	--do--
12.	Cap-badge for peak cap white metal	01 Nos.	As and when required.
13.	Whistle thunderbolt type chrome plated	01 Nos.	--do--
14.	Shoulder titles 'DDFS' white metal	01 Pair	--do--
15.	Badges of rank white metal (Impellers)	01 pair	--do--.

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)

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APPENDIX – III

Sl. No.	Rank/Designation	Badges of Rank
1.	Director of Fire and Emergency Services	Large impellar within laurel wreath with three small impellars above, arranged in a triangle made out of white metal, worn on both shoulder straps. Also on each Lapel of the undress uniform a gorget patch of maroon with a center cord of oak leaves embroidered in silver. The cap shall have 1" Maroon band round and two rows of silver oak leaves on peak.
2.	Station Fire Officer	3 small impellars ¾ " in diameter made out of white metal, placed one above the other, worn on both shoulder straps.
3.	Assistant Station Fire Officer/Sub-Officer	2 small impellar ¾" in diameter made out of white metal placed one above the other to be worn on both shoulder straps.
4.	Leading Fireman	One bar ½" wide and 1 ½" long with semi-circular cross section with a flat bottom surface and surface on top, made out of white metal to be worn ½" away from the bottom and of both shoulder straps.
5.	Driver-cum-Pump Operator	2" diameter 3 spoked steering wheel made out of white metal to be worn on the right sleeve, halfway between the shoulder and elbow.
6.	Fireman	Shoulder Titles.

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)

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APPENDIX – IV

In exercise of the powers conferred by the proviso to Article 309 of the Constitution read with Govt. of India, Ministry of External Affairs Notification No.F.7 (II)/62/GOA dated 25.07.1963 and in supersession of the existing recruitment rules for the posts and all other power enabling him in this behalf, the Administrator of Daman and Diu makes the following rules to regulate the method of recruitment to the posts of Station Fire Officer, Assistant Station Fire Officer, Leading Fireman, Driver-cum-Pump Operator and Fireman, General Central Service, Group 'C' and 'D' Non Ministerial, Non-Gazetted posts in the Directorate of Fire and Emergency Services, Administration of Daman and Diu, (UT) namely:-

1. **Short title application and commencement:-**

a. These Rules may be called the Daman and Diu Fire Force, Group 'C' and 'D' Non-Ministerial, Non-Gazetted posts, Recruitment Rules, 2004. b. They shall come into force from the date of their publication in the Official Gazette.

2. **Number, Classification and Scale of pay**:- The number of posts, its classification and scale of pay attached thereto shall be as specified in column 2 to 4 of the said Schedule annexed to these rules. Provided that the Government may, vary the number of posts in column 2 of the said schedule from time to time subject to exigencies of work.

3. **Method of recruitment, age limit and other qualifications**:- The method of recruitment, age limit, qualifications and other matters relating to the said posts shall be as specified in columns 5 to 14 of the aforesaid schedule.

4. **Disqualification**:- No person who has entered into or contracted a marriage with a person having a spouse living or, who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post: Provided that the Administrator, Daman and Diu may, if satisfied that such marriage is permissible under the personal law applicable to such person and other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of the rule.

5. **Power to relax**: – Where the Administrator is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. **Savings**: - Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes, Other Backward Class, Ex-Serviceman and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)

SCHEDULE

RECRUITMENT RULES FOR THE POST OF FIREMAN IN THE DIRECTORATE OF FIRE & EMERGENCY SERVICES,DAMAN & DIU

	Name of the Post	No. of posts	Classification	Scale of pay (Rs)	Whether Selection or Non-Selection post	Age limit for Direct recruits
	01.	02.	03.	04.	05.	06.
1	**Fireman**	22 (2004) Subject to variation dependent on workload	General Central Service Group 'D' (Non-Gazetted Non-Ministerial)	Rs.2610-60-2910-65-3300-70-4000	Not applicable	Between 18 to 25 years (Relaxable for Govt. Servants up to 5 years in accordance with the instructions or orders issued by the Central
2	**Driver cum Pump Operator**	06 (2004) Subject to variation dependent on workload	General Central Service Group 'C' (Non-Gazetted Non-Ministerial)	Rs.3050-75-3950-80-4590	Selection	Not exceeding 30 years (Relaxable for Govt. Servants up to 5 years in accordance with the instructions or orders issued by the Central
3	**Leading Fireman**	08 (2004) Subject to variation dependent on workload	General Central Service Group 'C' (Non-Gazetted Non-Ministerial)	Rs.3050-75-3950-80-4590	Selection	Not applicable
4	**Sub-Officer/Asstt. Station Fire Officer**	03 (2004) Subject to variation dependent on workload	General Central Service Group 'C' (Non-Gazetted Non-Ministerial)	Rs.3050-75-3950-80-4590	Selection	Not exceeding 30 years (Relaxable for Govt. Servants up to 5 years in accordance with the instructions or orders issued by the Central
5	**Station Fire Officer**	01 (2004) Subject to variation dependent on workload	General Central Service Group 'C' (Non-Gazetted Non-Ministerial)	Rs.4500-125-7000	Selection	Not exceeding 30 years (Relaxable for Govt. Servants up to 5 years in accordance with the instructions or orders issued by the Central

Educational and other qualification required for direct recruit.	Whether age and educational qualification prescribed for direct recruitment will apply in the case of promotees	Period of Probation if any.	Method of recruitment whether by direct recruitment or by promotion or by deputation/ Absorption and % of posts to be filled by various methods.	In case of recruitment by promotion/ deputation/ Absorption grades from which promotion/ deputation/Absorption to be made.	If D.P.C. exists what is its Composition .	Circumstances in which U in mak recruitm
08.	09.	10.	11.	12.	13.	14.
1. Essential : 1) S.S.C. Passed. 2) Knowledge of Gujarati/ Hindi/English. **Note: The candidate should qualify in physical and medical tests as prescribed in Appendix V.** **Note:** i) Will be required to pass the departmental test/examination on completion of initial training of 6 months during the probationary period. In case of failure, one more chance will be given. The services of the candidates failing to pass the departmental examination on second attempt are liable for termination. However, preference will be given to Home Guards and Civil Defense Volunteers. ii) During the training period, if a candidate is found absent for more than 21 days, the competent authority may not allow him to continue the aforesaid training and he may be directed to attend the next training course and proportionate cost of the said training attended shall be recoverable from him in installments.	Not Applicable	Two Years	By direct recruitment	Not applicable	Group 'D' D.P.C	Not Appli
2. Essential : i) S.S.C. or equivalent from a recognized Board. ii) Driving license for heavy vehicle. iii) Unblemished experience of at least two years in line. iv) Knowledge of Gujarati/ Hindi/English language. **Note:The candidate should qualify in physical and**	Age - No. Educational Qualification – Yes, to the extent of 2 (i), (ii) & (iv) of Col. 8	Two years for direct recruits.	By filing promotio direct n	**Promotion :-** Fireman with 08 years of regular service in the grade.	Group 'C' D.P.C.	Not Appli

Note: 1) Will be required to pass the departmental test/examination test on completion of initial training of 6 months during the probationary period in case of failure one more chance will be given after two months. The services of the candidates failing to pass the departmental examination shall be terminated forthwith. 2) During the training period if a candidate is found absent for more than 21 days the competent authority may not allow him to continue the aforesaid training and that he may be directed to attend the next training course and proportionate cost of the said training attended shall be recoverable from him in installments.						
3. Not applicable	Not Applicable	Two Years	By promotion	**Promotion:** Fireman with 8 years and Driver- cum-Pump Operator with 03 years of regular service in the grade. They should pass the departmental test/ examination before promotion. **Educational Qualification:** S.S.C. or equivalent from a recognized Board and knowledge of Gujarati/ Hindi/	Group 'C' DPC	Not Appli
Educational and other qualification required for direct recruit.	Whether age and educational qualification prescribed for direct recruitment will apply in the case of promotees	Period of Probation if any.	Method of recruitment whether by direct recruitment or by promotion or by deputation/ Absorption and % of posts to be filled by various methods.	In case of recruitment by promotion/ deputation/ Absorption grades from which promotion/ deputation/Absorption to be made.	If D.P.C. exists what is its Composition .	Circumstances in which U in mak recruitm
08.	09.	10.	11.	12.	13.	14.

4. Essential: i) HSC Passed or equivalent preferably in science stream or Diploma from a recognized Polytechnic Institution. ii) Knowledge of Hindi and English. **Note : The candidate should qualify in physical and medical tests as may be prescribed from time to time.** **Note:-** i) Candidates will be required to pass the departmental examination on completion of initial training of 6 months and Sub-Fire Officer Course from the National Fire Service College, Nagpur during the period of probation. However preference will be given to those candidates who have undergone and successfully completed the sub-officer course at the National Fire Service College, Nagpur. ii) Those who have completed and passed the sub-officer course shall have to only attend and pass the departmental Physical efficiency test and will be exempted from 6 months training. iii)In the event of candidate's failure to pass the departmental test during the period of probation, his service is liable for termination.	Age - No Educational Qualification: No	Two years for direct Recruitment	By promotion failing which by direct recruitment.	**Promotion:** Leading Fireman with 05 years of regular service in the grade. He should possess the S.S.C. qualification and have successfully passed the departmental test and should pass Sub-Officer's course from the National Fire Service College, Nagpur during the probation period.	Group 'C' DPC	Not Appl
Educational and other qualification required for direct recruit.	Whether age and educational qualification prescribed for direct recruitment will apply in the case of promotees	Period of Probation if any.	Method of recruitment whether by direct recruitment or by promotion or by deputation/ Absorption and % of posts to be filled by various methods.	In case of recruitment by promotion/ deputation/ Absorption grades from which promotion/ deputation/Absorption to be made.	If D.P.C. exists what is its Composition .	Circumstances in which U in mak recruitm
08.	09.	10.	11.	**12.**	13.	14.

5. Essential: (i) Degree of a recognized University. (ii) Should have undergone & passed Station Officer's course from National Fire Service College, Nagpur. iii) Knowledge of Hindi and English. **Note : The candidate should qualify in physical and medical tests as prescribed in Appendix-V.** **Desirable :** (i) Degree in Science from a recognized University or equivalent. (ii) Knowledge of Gujarati. **Note:-** Candidates will be required to pass the departmental examination on completion of initial training of 6 months during the period of probation. In the event of candidate's failure to pass the departmental examination / test, his services are liable to be terminated.	Age - No Ed. Qualification: No	Two years for direct Recruits	By promotion failing which by direct recruitment.	**Promotion:-** 1) Assistant Station Fire Officer with 8 years of regular service in the grade. 2) Failing which combined regular service of 13 years in the grade of Assistant Station Fire Officer and Leading Fireman. 3) He should possess the Sub-Officer Course certificate from National Fire Service College, Nagpur. 4) Educational qualification as follows: i) HSC passed or equivalent preferably in science stream or Diploma from a recognized Polytechnic institution. ii) Knowledge of Hindi/ Gujarati/English.	Group 'C' DPC	Not Appl

APPENDIX – V

Minimum Physical Standards and Medical Test Requirements: -

Candidates for direct recruitment to following non-ministerial, non-Gazetted posts of Station Fire Officer, Asstt. Station Fire Officer, Driver-cum-pump operator and Fireman.

1. Must possess following minimum physical standards:

a) Height without boots or shoes – 165 cms.
b) Chest (Normal) 79 cms.
c) Chest (Expanded) 84 cms.
d) Chest (Expansion) 05 cms.
e) Ability to run a distance of 100 meters with a load of approximately 50 kgs in a minute or 100 meters run in 12 to 13 seconds and capable of climbing a rope or a verticle pipe to a height of 3 meters to 6 meters from the ground

2. Must be certified to possess the visual standards Specified below without glasses:

		Right eye	Left eye	
i)	Distant vision	6/6	6/6	(Snellen)
ii)	Near vision	0.5	0.5	(Snellen)

Each eye must have a full field vision.

iii) Colour blindness, squint or any morbid condition of the eyelids Shall be deemed to be a disqualification.

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)

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APPENDIX – VI

List of places and trades for which no objection certificate from the Fire Service is necessary.

Serial number and purpose for which licence, Permission or registration is required		Remarks
(1)		(2)
1	Large hotels, Restaurants, Bakeries and eating houses where the rental value of the building exceeds Rs.1, 500/-	..
2.	Fish oil machine power	..
3.	Other oil-machine power	..
4.	Boiling camphor or oil by machine power	..
5.	Manufacture of Ice	..
6.	Storing, packing, pressing, cleansing, preparing or manufacturing by any process whatever.	..
7.	Ammunition	..
8.	Chlorate mixture	..
9.	Explosive (Storing)	..
10.	10. Fulminate of Mercury	..
11.	Gun cotton	..
12.	Gun powder	..
13.	Nitro-compound	..
14.	Nitro-glycerine	..
15.	Nitro-mixture	..
16.	16. Fire-works preparing or manufacturing or storing	..
17.	17. Manufacture of crackers	..
18.	Camphor	..
19.	Saltpetre	..
20.	20. Sulphur (including melting)	..
21.	Fire works	..
22.	Matches	..
23.	Flex	..
24.	Hemp	..
25.	Jute	..
26.	Skins	..
27.	Gas	..

28.	Chemical preparations carbolic acid, Hydrochloric acid, Nitric acid, pyritic Acid, Sulphuric acid, Caustic potash, Caustic soda, chemical fertiliizers, Benzol, Bromoform, Chloroform, Iodoform, Glycerine, Acetone, Nitro, Nitro, Perchloride or Mercury, Chloride or Potash, etc..	..
29.	29. Cigars and Cigarettes	..
30.	Beedies	..
31.	Manufacturing articles from which offensive or unwholesome smell, fumes, dust or noise arise (kumkums).	..
32.	32. Carpentary and cabinet making	..
33.	33. Printing, composing, binding, etc.	Where Lino type or other allied machines are used such as monotype, wherein the process of melting and casting is involved or using above 10 horse power of motor.
34.	34. Storing, dumping, curing, cleansing, etc.	Where licence fee is levied Rs.200/- and above for storage of cycle tyres and tubes above 500.
35.	Steam engines and Boilers- to construct or establish any factory workshop or work place in which it is proposed to employ steam power, waterpower or other mechanical power or electric power.	..
36.	Using for any industrial purpose fuel or machine power.	Exceeding 20-horse power.
37.	37. Baling presses	For each baling press worked by machine power.

38.	Cinema Studio	..
39.	39. Combustible material storage	For storing celluloid, Cellulous goods and Other combustibles.
40.	40. Cinematographic films –Storing, transporting	..
41.	Storing ordinary Camera Roll Films and X-Ray films	..
42.	Petroleum products – Storing, packing, pressing, cleansing, preparing or manufacturing by any process whatsoever non-dangerous Petroleum (between 760F and 1500F)	When the quantity to be stored exceeds 1000 lbs. or 2200 Kgs.
43	III. **Non-dangerous Petroleum** 1. Kerosene Oil 2. Mineral Turpentine 3. Powerlime (Power kero) 4. Furnace Oil 5. Vaporizing Oil 6. Aviation turbine fuel 650 7. Mobile power oil, etc. **(II) Heavy Petroleum**	.. ..
	1. High speed diesel Oil (HSD) 2. Light Diesel Oil (L.D.O.) 3. Furnace Oil 4. Tea drier oil 5. Grease, etc. **(III) Heavy Oils (A)** 1. Lubricating Oils 2. Vaseline 3. Petroleum Jellies 4. White Oils 5. Grease, etc	.. ..
44.	Dyes (vegetable or chemical) – Storing, selling, keeping, etc.	..
45.	Paper (Printing, writing, including news print paper, card boards, etc.) storing, selling in retail or wholesale	For each place 250 lbs for and 550 Kgs. And above

46.	Silk (Rayon, Nylon, etc.) manufactured by any process whatever	..
47.	Silk (Rayon, Nylon, etc. waste or soiled) – storing, selling in retail or wholesale	..
48.	Cloth (textile, cotton, garments, dress, apparels, etc.) storing, selling in retail or wholesale, manufacturing by any process whatsoever	By powerlooms
49.	Rubber (goods such as sheet, cloth, toys, shoes, etc.) manufacturing by any process whatsoever	By machine power
50.	Studio-Cinemas, etc. Cinema Houses, equipped with reproducing of sound with amplifiers, by projectors where public are admitted for amusement,	..
51.	Fertilizers (Chemical preparation of any kind) – Manufacturing, packing, mixing, pressing, selling or storing in retail or wholesale.	
52.	Paints (including distemper, varnish, spirit, linseed oils, polishes, etc.) Manufacturing, mixing, packing pressing, cleansing by any process whatsoever	..
53.	Paints (including distemper, varnish, spirit, linseed oils, polishes, etc.) storing, selling in retail or wholesale.	..
54.	Metals – melting, lead, beating, breaking, hammering, casting, etc. metals.	Not applicable for beating Gold.
55.	Automobiles shops-repairing, building, assembling-By power cleansing, etc. automobiles.	
56.	Alcohol product – Storing, selling in retail or wholesale, Bar & Restaurant, manufacturing by any process whatsoever.	

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)

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APPENDIX - VII

Rates to be charged for services of all types with in or out side the union territory.

Sr. No.	Description	Charges
1.	Pumping job	Fees for pumping job appliances shall be Rs.250/- per hour or part thereof and distance covered from station and back @ Rs.15/- per Km.
2.	Hiring fire fighting equipment/ appliances	Fees for hiring fire fighting equipment or an appliance shall be Rs.250/- per hour or part thereof and distance covered from station and back @ Rs.15/- per Km.
3.	Stand-by charges for appliances	Fees shall be Rs.250/- per hour or part thereof and distance covered from station and back @ Rs.15/- per Km.
4.	Attending calls outside the Union Territory	(a) Each appliance turned out shall receive Rs.1000 per call and Rs.25/- per Km. (b) Pumping fees per hour shall be Rs.250/- or part thereof. (c) Other materials charges shall be determined by the Director.
5.	Charges for imparting training in Elementary First aid Fire Fighting	Fess shall be Rs.50/- per employee.

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)

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APPENDIX – VIII

In exercise of the powers conferred by Section 35 of Goa, Daman and Diu Fire Force Act, 1986 (Act 9 of 1986), the Administrator of Daman and Diu hereby makes following rules, namely:

CHAPTER – I

1. General –

(1) These rules may be called the Daman and Diu Fire Force Subordinate Service (Discipline and Appeal) Rules, 2004.

(2) They shall come into force at once.

2. Definitions – In these rules, unless the context otherwise requires:-

(a) **'Appointing authority'** in relation to any member of the service means the authority empowered to make appointments to the service of which the Government servant is for the time being a member;

(b) **'Schedule'** means the Schedule annexed to these rules;

(c) **'Service'** means the Daman and Diu Fire Force Subordinate Service comprising personnel of the rank of Station Fire Officer and below;

3. Classification – The services, the members of which are subject to these rules shall be classified as follows:

(1) Station Fire Officer.

(2) Assistant Station Fire Officer.

(3) Leading Fireman.

(4) Driver Cum Pump Operator.

(5) Fireman.

CHAPTER – II

4. Penalties – (1) The following minor and major penalties may, for good and sufficient reasons and as hereinafter provided, be imposed upon the members of the service, namely:

MINOR PENALTIES:

a) Extra drill, guard duty and fatigue duty.

b) Reprimand either oral or written;

c) Censure;

d) Withholding of increment or promotion or both;

e) Imposition of fine of any amount not exceeding one month's pay;

f) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of lawful orders;

g) Debarring from appearing for departmental or professional examination for promotion for a specific period not exceeding 6 months.

MAJOR PENALTIES:

h) Reduction to a lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the member of the service to the timescale of pay, grade, post or service from which he was reduced, with or without further direction regarding condition of restoration to the grade or post or service from which the member of the service was reduced and his seniority and pay on such restoration to that grade, post or service; i) Forfeiture of approved service;

j) Compulsory retirement;

k) Removal from service which shall not be a disqualification for future employment under the Government.

(1) Dismissal from service, which shall ordinarily be a disqualification for future employment under the Government.

Explanation 1: - The penalties which are specified in this rule are set out in the order of their severity, each one of them being more severe than the one preceding it.

Explanation 2: -The following shall not amount to a penalty within the meaning of this rule, namely: -

(i) Withholding of increments of pay of a member of service for his failure to pass any departmental examination in accordance with the rules or orders governing the service to which he belongs or post which he holds or the terms of his appointment.

(ii) Non-promotion of a member of the service, whether in a substantive or officiating capacity, after consideration of his case, to a service, grade or post for promotion to which he is eligible;

(iii) Reversion of a member of the service officiating in a higher service, grade or post to a lower service, grade or post, on the ground that he is considered to be unsuitable for such higher service, grade or post or on any administrative ground unconnected with his conduct;

(iv) Reversion of a member of the service appointed on probation to any other service, grade or post, to his permanent service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation.

(v) Replacement of the service of a member of the service whose services had been borrowed from a State Government or an authority under the control of a State Government, at the disposal of the State Government or the authority from which the services of such a member of the service had been borrowed;

(vi) Compulsory retirement of a member of the service in accordance with the provisions relating to his superannuation or retirement;

(vii) Termination of Services: -

a) of a member of the service appointed on probation, during or at the end of the period of his probation, in accordance with the terms of his appointment or the rules and orders governing such probation; or

b) of a member of the service, employed under an agreement in accordance with the terms of such agreement.

(2) (a) The penalty of reprimand mentioned at clause (b) of sub-rule (1) Rule 4 may be given when the offence is such as not to merit the penalty of censure.

(b) The penalty of the censure mentioned at clause (c) of the sub rule (1) may be given when the offence is such as to affect the character of the officer or his suitability for the service.

(c) Deferred punishment - Any minor punishment falling within clauses (b), (c) or (d) of sub-rule (1) can be held in abeyance when an officer has a previous good record. Such penalty may be held in abeyance by the authority competent to impose the penalty or by the authority to which the first mentioned authority is subordinate for any period ranking from three to six months at the end of which the order of punishment may be cancelled if the delinquent's

conduct if found to be good while on duty during the period when the penalty is held in abeyance or such penalty may at once be confirmed. The penalty so confirmed will take effect from the date on which such penalty is originally awarded.

(d) The penalty of recovery from the pay of the members of the service concerned of whole or part of the pecuniary loss caused to the Government by negligence or breach of lawful orders may be imposed in addition to any other penalty which may be imposed in respect of such negligence or breach of orders.

5. Disciplinary Authorities –

1. The government may impose any of the penalties specified in the rule on any member of the service.
2. Without prejudice to the provision of sub-rule (1), but subject to the provisions of sub-rule (3), any of the penalties specified in rule 4 may be imposed on any member of the service by the appointing authority or the authority specified in the Schedule in this behalf.
3. Not withstanding anything contained in this rule, - (a) extra drill, guard duty and fatigue duties may be awarded to a Fireman/Driver-cum-Pump Operator for a period not exceeding seven days by a Station Fire Officer/Assistant Station Fire Officer and for a period not exceeding fifteen days by the Director of Fire & Emergency Services.

CHAPTER - III

Procedure to be followed for imposing penalties

6. Procedure for imposing Minor Penalties – No order imposing on a member of the service any of the penalties specified in clause (c) to (g) of sub-rule (1) of Rule 4 shall be made except after –

a) Informing the member of the service in writing of the proposal to take action against him and of the imputations of misconduct or misbehavior on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal;

b) Holding an inquiry in the manner laid down in sub-rules (3) to (21) of rule 7, in every case in which the disciplinary authority is of the opinion that such inquiry is necessary;

c) Taking the representation, if any, submitted by the member of the service under clause (a) and the record of inquiry if any held under clause (b) into consideration;

d) Recording a finding on each imputation of misconduct or misbehaviour.

(2) The record of the proceedings in such cases shall include:-

(i) a copy of the intimation to the Member of Service of the proposal to take action against him;
(ii) a copy of the statement of imputations of misconduct or misbehaviour delivered to him;
(iii) his representation, if any;
(iv) the evidence produced during the inquiry;
(v) the findings on each imputation of misconduct or misbehaviour; and (vi) the orders on each together with the reasons therefore.

7. Procedure for Imposing Major Penalties- (1) No order imposing any of the penalties specified in clauses (h) to (l) of sub-rule (1) of rule 4 shall be made except after an inquiry held, as far as may be, in the manner provided in this rule.

(2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a member of the service, it may itself inquire or appoint under this rule an enquiry officer to inquire into the truth thereof.

(3) In every case where it is proposed to impose on a member of the services any of the major penalties mentioned in clauses (h) to (l) of sub-rule (1) of rule 4, the grounds on which it is proposed to take action, shall except where such action is proposed to be taken on facts which have led to his conviction in a criminal court be reduced to the form of a definite charge which shall be communicated to a person charged together with a statement of the allegation on which each charge is based and of any other circumstances in which it is

proposed to take into consideration in passing orders on the case. He shall be required to put in a written statement of his defence within ten days or within such further time as the disciplinary authority permits and to state whether he desires to be heard in person.

(4) (a) On receipt of the written statement of defence the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or if it considers it necessary so to do, appoint under sub-rule (2), an inquiring officer for the purpose and where all the articles of charge have been admitted by the Government servant in his written statement of defence, the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the matter laid down in Rule 8.

(b) If no written statement of defence is submitted by the Government Servant, the disciplinary authority may itself inquire into the articles of charge or may, if it considers it necessary to do so, appoint under sub-rule (2), an inquiring officer for the purpose.

(c) Where the disciplinary authority itself inquiries into any article of charge or appoint an inquiring officer for holding an inquiry into such charge, it may, by an order appoint a member of the service to be known as the “Presenting Officer” to present on its behalf the case in support of the articles of charge.

(5) The disciplinary authority shall, where it is not the inquiring officer forward to the inquiring officer.

(i) a copy of the articles of charges and the statement of the imputation of misconduct or misbehaviour;.

(ii) a copy of the written statements of defence, if any, submitted by the government servant.

(iii) a copy of the statements of witnesses, if any, referred to in sub-rule (3);

(iv) evidence proving the delivery of the documents referred to in sub-rule(3) to the Government servant; and

(v) a copy of the order, if any, appointing the “Presenting Officer”.

(6) The members of the service shall appear in person before the inquiring officer on such day and such time within 10 (ten) working days from the date of receipt by him of the articles of charge and the statement of the imputations of misconduct or misbehaviour, as the inquiring authority may, by a notice in writing, specify in this behalf, or within such further time, not exceeding ten days, as the inquiring authority may allow.

(7) The member of the service may take the assistance of any other member of the service to present the case on his behalf, but may not engage legal practitioner for the purpose unless the Presenting Officer appointed by the disciplinary authority is legal practitioner, or the disciplinary authority, having regard to the circumstances of the case, so permits.

(8) If the member of the service who has not admitted any of the articles of charge in his written statement of defence, or has not submitted any written statement of defence, appears before the inquiring authority, such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the article of the charge, the inquiring authority shall record the plea, sign the record and obtain his signature thereon.

(9) The inquiring authority shall return a finding of guilt in respect of those to which the member of the service pleads guilty.

(10) The inquiring authority shall, if the member of the service fails to appear within the specified time or refuses or omits to plead, require the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge and shall adjourn the case to a later date not exceeding fifteen days, after recording an order that the member of the service may, for the purpose of preparing his defence -

(i) inspect within five days of the order or within such further time not
(ii) exceeding five days as the inquiring authority may allow, the documents specified in the list referred to in sub-rule (3);
submit a list of witnesses to be examined on his behalf;

Note:- If the member of the service applies orally or in writing for the supply of copies of the statements of witnesses mentioned in the list referred to in sub-rule(3), the inquiring authority shall furnish him with such copies as early as possible and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the disciplinary authority.

(iii) give notice within ten days of the order or within such further time not exceeding ten days as the inquiring authority may allow, for the discovery or production of any documents which are in the possession of Government but not mentioned in the list referred to in sub-rule (3).

Note:- The member of the service shall indicate the relevance of the document required by him to be discovered or produced by the Government.

(11) The inquiring authority shall, on receipt of the notice for the discovery of production of documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production of the documents by such date as may be specified in such requisition:

Provided that the inquiring authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case.

(12) On receipt of the requisition referred to in sub-rule (3), every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority:

Provided that if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the public interest or security of the Union Territory, it shall inform the inquiring authority accordingly and the inquiring authority shall, on being so informed, communicate the information to the member of the service and withdraw the requisition made by him for the production or discovery of such documents.

(13) On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proven shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the member of the service. The Presenting Officer, if any, shall be entitled to re-examine the witnesses on any new matter without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.

(14) If it shall appear necessary before the close of the case on behalf of the disciplinary authority, the inquiring authority may, in its discretion, allow the Presenting Officer if any to produce evidence not included in the list given to the member of service or may itself call for new evidence or recall and re-examine any witness and in such case the member of the service shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the inquiry is adjourned. The inquiring authority shall give the member of the service an opportunity of inspecting such documents before they are taken on the record. The inquiring authority may also allow a member of the service to produce new evidence if it is of the opinion that the production of such evidence is necessary in the interest of justice.

Note:- New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be called for only when there is an inherent lacuna or defect in the evidence which has been produced originally.

(15) When the case for the disciplinary authority is closed, the member of the service shall be required to state the defence orally or in writing, as he may prefer. If the defence is made orally, it shall be recorded and the member of the service shall be required to sign the record. In either case, a copy of the statement of defence shall be given if any, appointed.

(16) The evidence on behalf of the member of the service shall then be produced. The member of the service may examine himself in his own behalf, if he so prefers. The witnesses produced by the member of the service shall then be examined by the inquiring authority according to the provisions applicable to the witnesses for the disciplinary authority.

(17) The inquiring authority may, after the member of the services closes his case, and shall, if the member of the service has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose enabling the member of the service to explain any circumstances appearing in the evidence against him.

(18) The inquiring authority may, after the completion of the production of evidence, hear the Presenting Officer, if any, appointed and the member of the service or permit them to file written briefs of their respective case, if they so desire.

(19) If the member of the service to whom a copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of this rule, the inquiring authority may hold the inquiry ex-parte.

(20) Whenever any inquiring authority after having heard and recorded the whole or any part of the evidence in an inquiry, ceases to exercise jurisdiction therein, and is succeeded by another inquiring authority which has, and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself:

Provided that if the succeeding inquiry authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded if necessary in the interest of justice, it may recall, examine, cross-examination and re-examine any such witnesses as hereinbefore provided.

(21) (i) After the conclusion of the inquiry a report shall be prepared and it shall contain –

(a) the articles of charge and the statement of the imputations of misconduct or misbehaviour;

(b) the defence of the member of the service in respect of each article of charge;

(c) an assessment of the evidence in respect of each article of charge. (d) the findings of each article of charge and the reasons therefore.

Explanation: -If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original articles of the charge, it may record its findings on such article of charge;

Provided that the findings on such article of charge shall not be recorded unless the member of the service has either admitted the facts on which such articles of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(ii) the inquiring authority, where it is not itself the disciplinary authority shall forward to the disciplinary authority the records of inquiry which shall include –

a) The report prepared by it under clause (i);

b) The written statement of defence, if any, submitted by the member of the service;

c) The oral and documentary evidence produced in the course of the inquiry;

d) Written briefs, if any, filed by the Presenting Officer, if any, or the member of the service or both during the course of the inquiry, and e) The orders, if any, made by and the inquiring authority in regard to the inquiry.

8. Action on the inquiry report: -

(1) The disciplinary authority, if it is not itself the inquiring authority may, for reasons to be recorded by it in writing remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of rule 7 as far as may be.

(2) The disciplinary authority shall, if it disagrees with the findings of the inquiring authority of any article of charge, record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.

(3) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the articles of the opinion that any of the penalties specified in clauses (c) to (g) of sub-rule (1) of rule 4 should be imposed on the member of the service it shall, notwithstanding anything contained in rule 6 make an order imposing such penalty.

(4) (i) if the disciplinary authority having regard to its findings on all or any of the articles of charge, is of the opinion that any of the penalties specified in clauses (h) to (l) of sub-rule (1) of rule 4 should be imposed on the member of the service, it shall-

(a) furnish to the member of the service copy of the report of the inquiry held by it and its findings on each article of charge, or, where the inquiry has been held by an inquiring authority appointed by it, a copy of the report of such authority and a statement with brief reasons for its disagreement, if any, with the findings of the inquiring authority.

(b) give the member of the service a notice stating the penalty proposed to be imposed on him and calling upon him to submit within fifteen days of receipt of the notice or such further time not exceeding fifteen days, as may be allowed, such representation as he may wish to make on the proposed penalty on the basis of the evidence adduced during the inquiry held under rule 7.

(ii) the disciplinary authority shall consider the representation, if any, made by the member of the service in pursuance of the notice given to him under clause (i) of sub-rule (4) and determine what penalty, if any, should be imposed on him and make such order as it may deem fit.

9. Communication of Orders – Orders made by the disciplinary authority shall be communicated to the member of the service who shall also be supplied with a copy of the report of the inquiry, if any, held by the disciplinary authority and a copy of its findings on each article of charge, or where the disciplinary authority is not the inquiring authority, a copy of the report of the inquiring authority and a statement of the findings of the disciplinary authority together with brief reasons for its disagreement if any, with the findings of the inquiring authority (unless they have already been supplied to him) and a brief statement of the reasons for such non-acceptance.

10. Common Proceedings –

(1) Where two or more members of service are concerned in any case, the
(2) Director of Fire Force may make an order directing that disciplinary action against all of them may be taken in a common proceedings.

Any such order shall specify –

(i) the authority which may function as the disciplinary authority for the purpose of such common proceedings;

(ii) the penalties specified in rule 4 which such disciplinary authority shall be competent to impose.

(iii) whether the procedure laid down in rule 6 and rule 7 or rule 8 shall be followed in the proceedings.

11. Special procedure in certain cases – Notwithstanding anything contained in Rule 6 to Rule 10-

(i) Where any penalty is imposed on a member of the service on the ground of
(ii) conduct which has led to his conviction on a criminal charge; or.
(iii) Where the disciplinary authority is satisfied for the reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules; or

Where the disciplinary authority is satisfied that in the interest of the security of the Union Territory, it is not expedient to hold any inquiry in the manner provided in these rules, the disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit.

12. Suspension –

(1) Notwithstanding anything contained in clause (i) of Sub-rule (1) of rule 4, the appointing authority or any authority to which is subordinate or the disciplinary authority or any other authority empowered in that behalf by the Administrator by General or Special order, may place a member of the service under suspension.

(a) Where a disciplinary proceeding against him is contemplated or is pending; or

(b) against whom an investigation, inquiry or trial relating to a criminal charge is pending and the charge is connected with his position as a member of the service is likely to embarrass him in the discharge of his duties or involves moral turpitude.

(2) A member of the service shall be deemed to have been placed under suspension by an order of appointing authority-

(a) With effect from the date of his detention, if he is detained in custody whether on a criminal charge or otherwise, for a period exceeding forty-eight hours;

(b) With effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation:- The period of forty eight hours referred to in clause (b) of this sub-rule shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a member of the service under suspension is set aside in appeal under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement as the case may be and shall remain in force until further order.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a member of the service is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the member of the service shall be deemed to have been placed under suspension by the Appointing Authority from the date of the original order of dismissal, removal or compulsory retirement as the case may be and shall continue to remain under suspension until further orders.

(5) (a) An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) Where a member of the service is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceedings or otherwise), and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing, direct that the member of the service shall continue to be under suspension until the termination of all or any of such proceedings.

(c) An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

CHAPTER – IV

Procedure for Appeal and Appellate Authorities

13. Orders against which no appeal lies – Notwithstanding anything contained in this part, no appeal shall lie against –

(i) any order made by the Government.

(ii) any order of an interlocutory nature of a step-in-aid or the final disposal of a disciplinary proceeding, other than an order of suspension;

(iii) any order passed by an inquiring authority in the course of an inquiry under rule 7.

14. Orders against which appeal lies – Subject to the provisions of rule 13, a member of the service may prefer an appeal against all or any of the following orders, namely:-

(i) an order of suspension made or deemed to have been made under rule 12.

(ii) an order imposing any of the penalties specified in rule 4 except those mentioned at clauses (a) and (b) of that rule, whether made by the disciplinary authority or by any appellate or reviewing authority;

(iii) an order enhancing any penalty, imposed under rule 4;

(iv) an order which –

(a) denies or varies to his disadvantages his pay, allowances, pension or other conditions of service as regulated by rules or by agreement; or

(c) interprets to his disadvantage the provisions of any such rule or agreement;

(v) an order –

(a) reverting him while officiating in a higher service grade or post to a lower service, grade or post, otherwise than as a penalty;

(b) reducing or withholding the pension or denying the maximum pension admissible to him under the rules;

(c) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension of for any portion thereof;

(d) determining his pay and allowances –

(i) for the period of suspension; or

(ii) for the period from the date of his dismissal, removal or compulsory retirement from service, or from the date of his reduction to a lower service, grade, post, time-scale or stage in a time-scale or pay, to the date of his reinstatement or restoration of his service, grade or post; or

(e) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement or reduction to a lower service, grade, post time-scale of pay or stage in a time-scale of pay to the date of his reinstatement or restoration to his service, grade or post shall be treated as a period spent on duty for any purpose.

Explanation. – In this rule –

(i) the expression ‘member of the service’ includes a person who has ceased to be in service;

(ii) the expression ‘pension’ includes additional pension, gratuity and any other retirement benefit.

15. Appellate Authorities –

(1) A member of the service including a person who has ceased to be in service, may prefer an appeal against all or any of the orders specified in rule 14 to the authority specified in this behalf in the Schedule.

(2) Notwithstanding anything contained in sub-rule (1) –

(i) an appeal against an order in a common proceeding held under rule 10
(ii) shall lie to the authority to which the authority functioning as the disciplinary authority for the purpose of that proceeding is immediately subordinate.

Where the person who made the order appealed against becomes, by virtue of his subsequent appointment or otherwise, the appellate authority in respect of such order, an appeal against such order shall lie to the authority to which such person is immediately subordinate.

16. Period of limitation for appeals – No appeal preferred under rule 14 shall be entertained unless such appeal is preferred within a period of forty five days from the date on which a copy of the order appealed against is delivered to the applicant;

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

17. Form and contents of appeal –

(1) Every person preferring an appeal shall do so separately and in his own
(2) name.
(3) The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the applicant to the authority which made the order appealed against. It shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language, and shall be complete in itself.

The authority which made the order appealed against shall on receipt of a copy of the appeal, forward the same with its comments thereon together with the relevant records to the appellate authority without any avoidable delay, and without waiting for any direction from the appellate authority.

18. Consideration of appeal-

(1) In the case an appeal against an order of suspension under Rule 13, the appellate
(2) authority shall consider whether in the light of the provisions of Rule 12 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.

In the case of an appeal against an order imposing any of the penalties specified in rule 4 or enhancing any penalty imposed under the said rule, the appellate authority shall consider-

(a) Where the procedure laid down in these rules has been complied with and if not
(b) whether such non-compliance has resulted in the violation of any provision of the Constitution of India or in the failure of justice;
(c) Whether the findings of the disciplinary authority warranted by the evidence on the record; and

Whether the penalty or the enhanced penalty imposed is adequate inadequate, or serve; and pass orders-

(i) confirmation, enhancing, reducing or setting aside the penalty; or

(ii) remitting the case to the authority which imposed or enhanced the penalty or to any other authority with such direction as it may deem fit to the circumstances of the case;

Provided that-

a) If the enhanced penalty, which the appellate authority proposes to impose is one of the penalties specified in clause (h) to (l) of sub-rule (1) of rule 4 and in inquiry under rule 7 has not already been held in the case, the appellate authority shall subject to the provisions of rule 11, itself hold such inquiry or direct that such inquiry be held in accordance with the provisions of Rule 7 and thereafter, on a consideration of the proceeding of such inquiry and after giving the appellant a reasonable opportunity, as far as may be in accordance with the provisions of sub-rule (4) of rule 8, of making a representation against the penalty proposed on the basis of the evidence adduced during such inquiry, make such orders as it may deem fit;

b) If the enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clauses (h) to (l) of sub-rule (1) of rule 4 and an inquiry under rule 7 has already been held in the case, the appellate authority shall after giving the appellant a reasonable opportunity, as fas as may be, in accordance with the provisions of sub-rule (4) of rule 8 , of making a representation against the penalty proposed on the basis of the evidence adduced during the inquiry, make such orders as it may deem fit; and

c) No order imposing an enhanced penalty shall be made in any other case unless the appellant has given a reasonable opportunity as far as may be in accordance with the provisions of rule 6, of making a representation against such enhanced penalty.

(3) In an appeal against any other order specified in rule 14, the appellate authority shall consider all the circumstances of the case and make such orders as it may deem just and equitable.

CHAPTER – V

Procedure to be followed for implementation of penalties

19. Implementation of orders in Appeal.- The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

20. Service of Orders, Notices, etc.- Every order, notice and other process made or issued under these rules shall be served in person on the member of the service concerned or communicated to him by registered post.

21. Power to relax time limit and to condone delay.- Save as otherwise expressly provided in these rules, the authority competent under these rules to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these rules for anything required to be done under these rules or condone any delay.

22. Desertion.-

(1) Absence without leave of any member of the service for 21 days shall be considered to complete the offence of desertion, after which his name shall invariably be struck off from the duty roll.

(2) An application for reinstatement from a member of the service whose name has been struck off as a deserter shall not be entertained unless it reaches the Director of Fire and Emergency Services within two months of the date of the commencement of the absence without leave. The Director shall not reinstate a deserter.-

(i) until the deserter has attended in person; and

(ii) the deserter has given his explanation for the absence without leave; and

(iii) he is satisfied, after such inquiry as may be necessary, that the case deserves reconsideration.

(3) If no application is received within two months and if the whereabouts of the deserter are not known, the Director of Fire and Emergency Services shall record in writing the reasons for his being satisfied that it is not reasonably practicable to give the deserter an opportunity of showing cause against his dismissal and then confirm the dismissal. In other cases, a charge shall be framed and the procedure prescribed in Rule 7 shall be complied before confirming the dismissal or reinstating the deserter with or without punishment.

23. Removal of doubts – If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the authority as may be specified by the Administrator by a general or special order, and the authority shall decide the same.

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)

SCHEDULE
(See Rule 5,12 & 15)

Sr. No.	Description of posts	Appointing Authority	Authority competent to impose penalties	(Penalties)	Appellate Authority	Authority competent to suspend a member of the service	Authority to revoke the suspension.
01	02	03	04	05	06	07	08
1.	Station Fire Officer	Commissioner & Secretary (Finance)	(i) Commissioner & Secretary (Finance) (ii) Director of Fire & Emergency Services	All (a) to (i)	Administrator Commissioner & Secretary (Finance)	Director of Fire & Emergency Services.	Director of Fire & Emergency Services.
2.	Asstt. Station Fire Officer	Director of Fire & Emergency Services.	(i) Director of Fire & Emergency Services	All	Administrator	Director of Fire & Emergency Services.	Director of Fire & Emergency Services.
3.	Leading Fireman	Director of Fire & Emergency Services.	(i) Director of Fire & Emergency Services (ii) Station Fire Officer	All (a) to (c)	Commissioner & Secretary (Finance) DF & ES, D & D	Director of Fire & Emergency Services.	Director of Fire & Emergency Services.
4.	Driver cum Pump Operator	Director of Fire & Emergency Services.	(i) Director of Fire & Emergency Services (ii) Station Fire Officer	All (a) to (c)	Commissioner & Secretary (Finance) DF & ES, D & D	Director of Fire & Emergency Services.	Director of Fire & Emergency Services.
5.	Fireman	Director of Fire & Emergency Services.	(i) Director of Fire & Emergency Services (ii) Station Fire Officer (iii) Asstt. Station Fire Officer	All (a) to (c) (a) to (c)	Commissioner & Secretary (Finance) DF & ES, D & D DF & ES, D & D	Director of Fire & Emergency Services.	Director of Fire & Emergency Services.
6.	Other class IV post of Fire Department	Director of Fire & Emergency Services.	(i) Director of Fire & Emergency Services (ii) Station Fire Officer (iii) Asstt. Station Fire Officer	All (a) to (c) (a) to (c)	Commissioner & Secretary (Finance) DF & ES, D & D DF & ES, D & D	Director of Fire & Emergency Services.	Director of Fire & Emergency Services.

Sd/-
(ARUN KUMAR MISHRA)
Deputy Secretary (Personnel)