

THE CIVIL DEFENCE ACT, 1968

No. 27 OF 1968

[24th May, 1968]

**An Act to make provision for civil defence and for matters
connected therewith.**

Be it enacted by Parliament in the Nineteenth year of the Republic of India as follows:-

CHAPTER-I

PRELIMINARY

1. (1) This Act may be called the Civil Defence Act, 1968. Short
title,
extent
and
commen-
cement.
- (2) It extends to the whole of India.
- (3) It shall come into force in a State or part thereof on such date, not being a date earlier than the date of expiry of the Defence of India Act, 1962, as the Central Government may, by notification, appoint and different dates may be appointed for different States or different parts thereof. Defini-
tions
2. In this Act, unless the context otherwise requires,-
- (a) "civil defence" include any measures, not amounting to actual combat, for affording protection to any person, property, place or thing in India or any part of the territory thereof against any hostile attack, whether from air, land, sea or other places, or for depriving any such attack of the whole or part of its effect, whether such measures are taken before, during, at or at the time of such attack;
- (b) "Civil Defence Corps" means the Corps formed wholly or mainly to meet the needs of civil defence and includes an organization deemed to be a Corps under the proviso to sub-section (1) of section-4;
- (c) "hostile attack" means any attack by any person or body of persons, whether during any war, external aggression, internal disturbances or otherwise which endangers the security of any life, property, place or thing in India or any part of the territory thereof;
- (d) "notification means a notification published in the Official Gazette;
- (e) "personal service injury" has the meaning assigned to it in the Personal Injuries (Emergency Provision) Act, 1962;
- (f) "Statement Government" , in relation to a Union territory, means the Administrator of the Union territory.

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CHAPTER II
POWER FOR CENTRAL GOVERNMENT TO MAKE RULES FOR CIVIL DEFENCE

Power to
make rules
for Civil
Defence

3. (1) The Central Government may, for securing civil defence, by notification, make rules providing for all or any of the following matters, namely:-

- (a) preventing the prosecution of any work likely to prejudice civil defence;
- (b) instruction of members of the public regarding civil defence and their equipment for the purpose of such defence,
- (c) provision, storage and maintenance of commodities and things required for civil defence;
- (d) prohibiting or regulating traffic, and the use of vessels, buoys, lights and signals in ports and territorial, tidal and inland waters;
- (e) control of lights and sounds,
- (f) protection of life and property by taking fire prevention and other measures;
- (g) securing of any buildings, premises or other structures from being readily recognizable in the event of a hostile attack;
- (h) for the prevention of danger to life or property, the demolition, destruction or rendering useless, of any building, premises or other structures or any other property;
- (i) prohibiting or regulating the possession, use or disposal of-
 - (i) explosives, inflammable substances, corrosive and other dangerous substances or articles, arms and ammunition;
 - (ii) vessels;
 - (iii) wireless telegraphic apparatus
 - (iv) aircraft; and
 - (v) photographic and signaling apparatus and any means of recording information;
- (j) evacuation of areas and the removal of property or animals there from;
- (k) accommodation in any area of persons evacuated from another area and the regulation of the conduct of evacuated persons accommodated in such area;
- (l) billeting of evacuated person or persons authorized to perform functions under this Act;
- (m) salvage of damaged buildings, structures and property and disposal of the dead;
- (n) seizure and custody of destruction of injured, unclaimed or dangerous animals;
- (o) ensuring the safety of-
 - (i) ports, dockyards, lighthouses, lightships, aerodromes and facilities associated with aerial navigation;
 - (ii) railways, tramways, roads, bridges, canals and all other means of transport by land or water;
 - (iii) telegraphs, post offices, signaling apparatus and all other means of communications;

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- (iv) sources and systems of water supply, works for the supply of water, gas or electricity and all other works for public purposes;
 - (v) vessels, aircraft, transport vehicles as defined in the Motor Vehicles Act, 1939, and rolling stocks of railways and tramways;
 - (vi) Warehouses and all other places used or intended to be used for storage purposes;
 - (vii) Mines, oilfields, factories, or industrial or commercial undertakings generally, or any mine, oilfields, factory or industrial or commercial undertaking in particular;
 - (viii) Laboratories and institutions where scientific and technological research or training is conducted or imparted;
 - (ix) All works and structures being part of , or connected with anything earlier mentioned in this clause; and
 - (x) Any other place or thing used or intended to be used for the purposes of Government or a local authority or a semi-Government or autonomous organization, the protection of which is considered necessary or expedient for securing civil defence;
- (p) Control of any road or pathway, waterway, ferry or bridge, river, canal or others source of water supply;
- (q) precautionary measures, which the Government or any department thereof or any local authority, members of police force, fire brigade and members of any other service or authority employed primarily for purposes s other than civil defence purposes should be required to take within their respective jurisdictions or with respect to any personnel employed by them;
- (r) preventing or controlling any use of uniforms, whether official or otherwise, or flags or official decorations like medals, badges or other insignia or anything similar thereto, the wearing of which is calculated to deceive or to prejudice civil defence
- (s) precautions to be preventing or controlling any use of uniforms, whether official or otherwise, or flags or official decorations like medals, badges or other insignia or anything similar thereto, the wearing of which is calculated to deceive or to prejudice civil defence; taken or action to be taken by persons or authorities with a view to protecting or acquainting the general public or any members thereof against the dangers involved in any apprehended hostile attack;
- (t) requiring the owner or occupier of any building , structure or premises to make or carry out such arrangements as may be necessary for the purposes of detection and prevention of fire;
- (u) taking specified measures for dealing with outbreaks of fire;
- (v) directing that, subject to any specified exemption, no person present in any specified area shall, between such hours as may be specified, be out of doors except under the authority of a written permit granted by a specified authority or person;
- (w) (i) prohibition the printing and publication of any newspaper, news-sheet, book or other document containing matters prejudicial to civil defence;
- (ii) demanding security from any press used for the purpose of printing or publishing, and forfeiting the copies of, any newspaper, news-sheet book or other document containing any of the matters referred to it sub clause(i);

	<p>(x) regulating the conduct of persons in respect of areas the control of which is considered necessary or expedient, and removal of persons from such areas;</p> <p>(y) requiring any person or class of persons to comply with any scheme of civil defence;</p> <p>(z) any other provision which may be necessary for the purposes of civil defence;</p> <p>(2) Any rule made under sub-section (1) may provide that orders with regard to the matters specified therein may be made by the State Government.</p> <p>(3) Any rule made under sub-section (1) may provide that a contravention thereof or any other made thereunder shall be punishable with fine which may extend to five hundred rupees, and where the contravention is a continuing one, with a further fine which may extend to fifty rupees for every day, after the first, during which such contravention continues.</p>
<p>Constitution of a Civil Defence Corps</p>	<p style="text-align: center;">CHAPTER-III</p> <p style="text-align: center;">CIVIL DEFENCE CORPS</p> <p>4.(1) The State Government may constitute, for any area within the State, a body of persons to be called the Civil Defence Corps (herein after referred to as the “Corps”) and may appoint a person, not being, in its opinion, below the rank of a District Magistrate (to be known as the “Controller”) to command such Corps:</p> <p>Provided that if there is in existence in any area in a State, immediately before the commencement of this Act in that area, an organization which, in the opinion of the State Government, may be entrusted with the functions of the Corps in that area, call upon that organization to take over or discharge the functions of the Corps in that area, and thereupon such organization shall be deemed, for the purposes of this Act, to be the Corps for that area.</p> <p>(2) The State Government may, for the purpose of co-ordinating the activities of the Controllers within the State, appoint a Director of Civil Defence and every Controller shall comply with the directions given by such Director.</p>
<p>Appointment of members and officers</p>	<p>5. (1) The State Government may appoint as members of the Corps persons who are fit and willing to serve as such and the Controller may appoint any member so appointed to such office or command in the Corps, as such member is, in the opinion of the Controller, fit to hold.</p> <p>(2) Every person appointed to be member of the Corps shall be given a certificate of membership in such form as may be prescribe.</p>
<p>Dismissal of members of Civil Defence Corps</p>	<p>6. (1) Where any member of the Corps fails or has failed, in the opinion of the Controller, to discharge his duties as such member satisfactorily or is or has been found guilty of any misconduct in the discharge of his duties as such member, the Controller may, after an inquiry in which such member of the Corps has been given a reasonable opportunity of being hear in respect of the charges against him, by an order, dismiss such member from the Corps.</p> <p>(2) Where the Controller is opinion that the continues presence of any member of the Corps is undesirable, he may without assigning any reason summarily dismiss such member from the Corps.</p>

<p>59 of 1962</p>	<p>7. A member of the Corps who is dismissed from the Corps under section-6 may prefer in appeal to the State Government within thirty days from the date of such dismissal and that Government may, on such appeal, confirm modify or reverse the order made by the Controller nor other authority.</p> <p>8. (1) The members of the Corps shall perform such functions in relation to the carrying out of measures for civil defence as may be assigned to them by rules made under this Act or by any other law for the time being in force.</p> <p>(2) The State Government or the Controller may, by order, call out a member of the Corps for training or for discharging such functions in relation to the carrying out of measures for civil defence as may specified in such order.</p> <p>(3) Subject to such orders as the Central Government may make in this behalf, to discharge functions in relation to civil defence in any other State and shall while discharging such functions, be deemed to be a member of the Corps of that other State and be vested with the powers, functions and privileges and be subject to the liabilities of a member of the Corps in that other State.</p> <p>9. (1) The Central Government may, by notification, make regulations for carrying out the purposes of this Chapter.</p> <p>(2) In particular and without prejudice to the generality of the foregoing power, such regulations may-</p> <p>(a) prescribe the functions of the members of the Corps and regulate the member in which they may be called out for service;</p> <p>(b) regulate the organization, appointment, conditions of service, discipline, accoutrement and clothing of members of any or all of the Corps.</p> <p>(c) Prescribe the form of certificates of membership of any or all of the Corps.</p>	<p>Appeal</p> <p>Functions of members of Civil Defence Corps</p> <p>Power to make regulations</p>
	<p style="text-align: center;">CHAPTER- IV</p> <p style="text-align: center;">MISCELLANEOUS</p> <p>10. The provision of the Personal Injuries (Emergency Provision) Act, 1962, and of every scheme made thereunder shall apply so far as may be to every personal service injury sustained by any person appointed to be member of the Corps as they apply to personal service injury sustained by a civil defence volunteer, subject to the notifications that-</p> <p>(a) any reference to a civil defence volunteer under that Act or any scheme made thereunder shall be construed as reference to a member of the Corps; and</p> <p>(b) any reference therein to the period of emergency shall, in relation to a member of the Corps, be construed as the period during which this Act is in force.</p> <p>11. (1) If any member of the Corps on being called out by an order under sub-section (2) of section 8 neglects or refuses without sufficient excuse to</p>	<p>Provision of the personal Injuries (Emergency provisions) Act to apply to injuries sustained by the member of the Corps</p> <p>Penalties.</p>

<p>Effect of Act and rules, etc., inconsistent with Other enactments</p> <p>Ordinary avocations of life to be interfered with as little as possible</p> <p>Saving as to orders.</p> <p>Act not to apply to measures taken for the protection of the Armed Forces</p> <p>Limitation of prosecutions.</p>	<p>obey such order or to discharge his functions as such member or to obey any lawful order or direction given to him for the performance of his functions, he shall be punishable with fine which may extend to five hundred rupees, and where such neglect or refusal is a continuing one, with a further fine which may extend to fifty rupees for every day, after the first, during which such contravention continues.</p> <p>(2) If any person neglects or fails without any reasonable excuse to obey any order made or direction given to him under this Act or rules made thereunder, he shall be punishable with fine which may extend to five hundred rupees, and where such negligence or failure is a continuing one with a further fine which may extend to fifty rupees for every day, after the first, during which such negligence or failure continues.</p> <p>12. (1) The provision of this Act or any rules made thereunder or any order made this Act or any such rule shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.</p> <p>(2) Every appointment, order or rule made in relation to civil defence before the commencement of this Act by or under any law relating to civil defence shall, in so far as it is not inconsistent with the provisions of this Act, continue to be in force until it is rescinded or altered under this Act, and be deemed to have been made under the corresponding provisions of this Act.</p> <p>Explanation—"Commencement of this Act". In relation to any provision or area, means the commencement of that provision or, as the case may be, the commencement of this Act in that area.</p> <p>13. Any authority or person acting in pursuance of this Act shall interfere with the ordinary avocations of life and the enjoyment of property as little as may be consonant with the purpose of ensuring the public safety and civil defence.</p> <p>14 (1) No order made in exercise of any power conferred by or under this Act shall be called in question in any court.</p> <p>(2) Where an order purports to have been made and signed by any authority in exercise of any power conferred by or under this Act, a court shall within the meaning of the Indian Evidence Act, 1872, presume that such order was so made by that authority.</p> <p>15. Nothing contained in this Act or any rule, regulation or order made thereunder shall apply to the Armed Forces of the Union or to any measures taken by nay of the authorities in control of the Armed Forces of the Union for the purpose of securing civil defence or safety of such forces or for the protection of any naval, military or air force installations or stores.</p> <p>16. No prosecution for any offence punishable under this Act shall be instituted against any person except by, or with the consent of, the Controller or any person authorized by the Controller in this behalf.</p>	<p>1 of 1872</p>
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MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 15th July, 1968

S.O.2435.—In exercise of the powers conferred by sub-section (3) of section 1 of the Civil Defence Act, 1968 (27 of 1968), the Central Government hereby appoints the 10th day of July, 1968, as the date on which the said Act shall come into force in the whole of India.

[No.10/2/66-DGCD (II)]
J.C.AGARWAL, Jt. Secy.

New Delhi, the 10th July, 1968

THE CIVIL DEFENCE RULES, 1968

G.S.R. 1277.- In exercise of the powers conferred by section 3 of the Civil Defence Act, 1968 (27 of 1968), the Central Government hereby makes the following rules, namely:-

1. Short title.-These rules may be called the Civil Defence Rules, 1968.

2. Control of light and sound :- (1) The Central Government or the State Government may by order provide-

- (a) for prohibiting or regulating the display of lights of any specified description;
- (b) for the screening that of any lighting apparatus, whether for the time being alight or not, carried on, or attached to any specified class of vehicles;
- (c) for securing that, in specified circumstances indication of the position of such premises and places, and warning of the presence of such vehicles and vessels as may be specified shall be given by means of such light as may be specified, and for prescribing the manner in which any apparatus used for the purpose of exhibiting such lights is to be construed, installed or used;
- (d) for prohibiting or regulating the use of roads by any particular class of traffic, so far as appears to it to be necessary for avoiding danger consequent on compliance with any provisions of an order made under this rule which relates to the lighting of roads or of vehicles or roads;
- (e) for prohibiting or regulating such activities as may be specified, being activities which consist of or involve the emission of smoke, flames, sparks or glare or the making of noise.

(2) An order under sub-rule (1) may be made so as to apply to any specified area or premises, may make different provisions as respects different parts of an area or different classes, of premises, places, vehicles or vessels (either absolutely or conditionally), from the operation of any of the provisions of the order, and may contain such incidental and

supplementary provision as appear to the authority making the order to be necessary or expedient for the purposes of the order.

(3) If any order made under sub-rule (1) is contravened in respect of, or in relation to, any light, premises, place, vehicles, vessel, apparatus, road, or activity to which the order applies, any police officer, or any person authorized in this behalf by the authority making the order may take such steps and use such force as may, in his opinion, be reasonably necessary for giving effect to the order and I in the exercise of this power shall have a right of access to any land or other property whatsoever.

(4) If any order made under this rule is contravened in respect of any premises, place, vehicle or vessel, the occupier of the premises or place, the person in charge of the vehicle, or the master of the vessel as the case may be shall, without prejudice to any proceedings which may be taken against any other person, be deemed to have contravened the provisions of this rule:

Provided that in any proceedings which by virtue of this sub-rule are taken against any person in respect of a contravention of such an order on the part of another person, it shall be defence for the accused to prove that the contravention of non-compliance occurred without his knowledge and that he exercised all due diligence to secure compliance with the order.

3. Measures for dealing with outbreaks of fire- (1) With a view to preventing the spread, or facilitating the detection and extinction of the fire caused by hostile attack, the Central Government or the State Government may by order make provision for requiring the owners or occupiers of the premises to which the order applies to take such period as may be specified in the order such measures as may be specified.

(2) Any police officer, or any person authorized in this behalf by the Central Government or the State Government may at any time enter and inspect any premises to which an order made under sub-rule (1) applies for the purpose of seeing whether the order has been complied with he may, without prejudice to any other proceedings which may be taken in respect of the contravention of the order, take such steps and use such force as may appear to him to be reasonably necessary for giving effect to the order.

(3) If in the opinion of the Central Government or the State Government any person who has been ordered under sub-rule (1) to take any measure has failed to take or is unlikely to complete the measures within the period specified in the order, then, without prejudice to any other proceedings which may be taken in respect of the contravention of the order, that Government may cause the said measures to be taken or completed and the cost thereof shall be recoverable from the owner or occupiers of the premises to which the order applies to take within such period as may be specified in the order such measures as may be specified.

(4) In the event of any outbreak of fire, any person authorized in this behalf by the Central Government or the State Government, may take or cause to be taken such steps and give such directions as appear to him to be necessary for preventing the spread of fire; and the steps which may be so taken including entering upon any land or the property whatsoever and the destruction or removal of anything in, on or over any land or property.

4. Camouflage- (1) The Central Government or the State Government may by order, as respects such premises as may be specified in the order-

(a) require the owner of the premises to take within such period as may be person to take such measures as may be so specified, or

(b) authorize any person to take such measures as may be so specified being measures which are in the opinion of that Government necessary to secure that such premises are or can be made less readily recognizable in the event of hostile attack.

(2) If in the opinion of the Central Government or, as the case may be, the State Government, any person who has been ordered under sub-rule (1) to take any measures has failed to take, or is unlikely to complete, the measure within the specified in the order, then without prejudice to any other proceeding which may be taken in respect of the contravention of the order, that Government may cause the said measures to be taken or completed, and the cost thereof shall be coverable from such person by the Controller.

(3) No person shall, except with permission granted by or on behalf of the Central Government or the State Government may, by order. In respect of any articles or substances of toxic, explosive or inflammable nature from which special risks are in the opinion of that Government likely to arise in the event of hostile attack, issue directions:-

5. Keeping of dangerous article and substances.- (1) The Central Government or the State Government may, by order in respect of any articles or substances of toxic, explosive or inflammable nature from which special risks are in the opinion of that Government likely to arise in the event of hostile attack, issue directions:-

- (a) prohibiting the keeping of such articles or substances in or on such premises as may be specified in the order;
- (b) prescribing the owner or occupier of any premises in or which such articles of substances are kept to take such measures as may be specified in the order for the protection of persons or property therein or thereon, or in the vicinity thereof;
- (c) requiring the owner or occupier of any premises in or which such articles or substances are kept to take such measures as may be specified in the order for the protection of persons or property therein or thereon, or in the vicinity thereof;
- (d) for any incidental or supplementary matters for which that Government thinks it expedient for the purposes of the order, to provide, including in particular, the entering and inspection of premises to which the order relates with a view to securing compliance with the order.

(2) If the opinion of the Central Government or, as the case may be, the State Government, any person who has been in order under sub-rule (1) to take any measures has failed to take or is likely to complete, the measures within the period specified in the order, then without prejudice to any other proceedings which may be taken in respect of the contravention of the order, that Government may cause the said measures to be taken or completed and the cost thereof shall be recoverable from the owner or occupier of the premises by the Controller.

6. Evacuation of areas.-(1) The Central government or the State Government may, if it appears necessary for the purpose of meeting any actual apprehended attack or of protecting persons and property from the dangers involved in or resulting from such attack or of facilitating any operation of the Armed forces of the Union, by order direct, in respect of any specified area, that, subject to any exemptions made by general order or special permission-

- (a) all persons or any class of persons shall remove themselves or be removed from the said area or to any specified part thereof;
- (b) all persons or any class of persons in the said area shall remain therein for such period as may be specified.

- (c) Any animal or property or any specified class of animals or property shall be removed from the said area or to any specified part thereof;
- (d) within a specified time any building or other property specified or shall be destroyed or rendered useless;

and may do any other act involving interference with private rights of property which is necessary for any of the purposes aforesaid.

(2) An order made under sub-rule (1) for the removal of persons, animals or property may specify-

- (a) the route or routes which all or any class of persons, animals or property are to remove themselves or be removed from the specified area or to any specified part thereof;
- (b) the time or times by which they are to remove themselves or be removed therefrom or to any specified part thereof;
- (c) the place or places to which they are to proceed or be taken on removing themselves or being removed from the specified area;

and may make such other incidental and supplementary provisions as may appear necessary or expedient for the purposes of the said order.

(3) If any order made under sub-rule (1) is contravened in respect of any animal or property, the person in charge of such animal or property shall be deemed to have contravened the order.

(4) The State Government may, if it appears necessary for any of the purposes specified in sub-rule (1) or for facilitating the evacuation of any area, by general or special order provide for the release, whether temporary or permanent or whether without conditions or upon such conditions as may be specified of any prisoners or class or prisoners.

7. Accommodation of evacuated persons.- (1) The Central Government or the State Government or the State Government may, for the purpose of accommodating any persons who have left or been removed from their homes in accordance with any order made under rule 6 (or who have left their homes on account of actual or apprehended attack) take possession of any premises other than those exclusively used by the public for religious worship.

(2) whenever in pursuance of sub-rule (1) the Central Government or a State Government takes possession of any premises, rent shall be paid for in accordance with the provisions relating to the payment of compensation in respect of immovable property which has been requisitioned under the law for the time being in force.

(3) The Central Government or the State Government, as the case may be, may at any time, restore possession of any premises in respect of which action has been taken under sub-rule (1) to the owner or occupier thereof and may order that no person shall thereafter be in those premises except with the consent of the occupier.

8. Billeting.- (1) In this rule, "the appropriate Government" means in relation to premises cantonment areas, the Central Government and in relation to premises in other areas areas, the Central Government or the state Government.

(2) The appropriate Government may by order require the occupier of any premises to furnish therein, while the order remains in force, such accommodation by way of lodging or food or both, and either with or without attendance, as may be specified in the order for such persons as may be so specified.

(3) The appropriate Government may by order require the owner or occupier of any premises to furnish to such authority as may be specified in the order such information with respect to the persons living therein as may be specified.

(4) The price payable in respect of any accommodation furnished in any premises to any person in accordance with an order made under sub-rule (2) shall be such as may be determined by the appropriate Government, and shall be paid to the occupier by that Government; and the amount of any sum paid in accordance with this sub-rule by the appropriate Government in respect of accommodation furnished to any person may be recovered by that Government from that person.

(5) The appropriate Government may by order appoint authority to hear complaints in respect of orders made under sub-rule (2) and any person who is aggrieved by the service upon him or by the operation, of such an order may make a complaint to such authority and upon hearing the complaint such authority may cancel or vary such order as he thinks fit.

9. Power to slaughter dangerous and injured animals in the event of hostile attack.-(1) In the event of the occurrence of hostile attack in the vicinity, any person authorized by the Central Government or the State Government or the State Government in this behalf may, with a view to securing the public safety or maintain public order, slaughter any animal which appears to him to be:-

- (a) at large or out of control;
- (b) dangerous or seriously injured.

(2) The power to slaughter an animal conferred under sub-rule (1) shall include powers-

- (a) to cause or procure the animal to be slaughtered by some other person;
- (b) to enter, and to authorize any such other person to enter, upon any land for the purpose of the slaughter;
- (c) to remove and dispose of the carcass, or cause it to be removed and disposed of:

Provided that except where an animal is slaughtered in a place to which the public have access, the power to remove the carcass shall not be exercised if the owner of the animal is present and object.

10. Maintenance of water supply.-(1) The central Government or the State Government may, by order, require the owner, or any person having control, of any source of Water supply which is or is capable of being used for drinking or fire fighting or any purpose-

- (a) to keep the same in good order, clear it, from time to time of silt, refuse and decaying vegetation, and protect it from contamination, in such manner as may be specified in the order;
- (b) to make the same available at reasonable times for the use of the public or of such section of the public as may be specified in the order.

(2) Any person authorized in this behalf by the Central Government or, as the case may be, the State Government, may, at any time, inspect any source of water supply in respect of which an order under sub-rule 9(1) has been made for the purpose of seeing whether the order has been or is being complied with.

11. Power to require local authorities to take precautionary measures: - (1) In this rule, "the appropriate Government" means in relation to cantonment

authorities and in relation to port authorities in major ports, the Central Government, and in relation to other local authorities, the State Government.

(2) The appropriate Government may by order require any local authority to take, within such period as may be specified in the order, such measures as may be so specified, being measures which are in opinion of that Government necessary for the protection of persons and property under the control or within the jurisdiction of such authority from injury or damage, or for ensuring the due maintenance of the vital services of the authority, in the event of hostile attack and thereupon-

- (a) it shall be the duty of the local authority to comply with the order.
- (b) The funds of the local authority shall be applicable to the payment of the charges and expenses incidental to such compliance, and
- (c) Priority shall be given to such compliance over all other duties and obligations of the local authority.

(3) If the opinion of the appropriate Government any local authority which has been ordered under sub-rule (2) to take any measures has failed to take or is likely to complete, the measures within the period specified in the order, then, without prejudice to any other proceedings which may be taken in respect of the contravention of the order, the appropriate may authorize any person to take or complete the said measures; and any person so authorized may, for the purpose of taking or completing the said measures, exercise all or any of the powers of the local authority or its officers, issue such directions as he thinks fit to the officers or servants of the local authority and employ and an outside agency, and all charges and expenses incurred by him shall, except to such extent, if any, as the appropriate Government may direct to be paid out of its Consolidated Fund be paid out of the finds of the local authority.

(4) Any person authorized in this behalf by the appropriate Government may if he considers it necessary or expedient so to do-

- (a) by order direct a local authority or any of its officers or servants to take such action as may be specified in the order, being action which is in his opinion necessary for the protection of persons and property under the control or within the jurisdiction of the local authority from the danger involved in or resulting from an actual or apprehended hostile attack;
- (b) impress and use or cause to be used for the aforesaid purpose any property belonging to or in the possession of the local authority in such manner as he thinks fit and it shall be the duty of the local authority and of its officers and servants to comply forthwith with any order made under this rule, and the funds of the local authority shall be applicable to the payment of any charges and expenses incidental such compliance.

(5) The appropriate Government may, if it considers it necessary or expedient so to do, by order authorize any person to take over from a local authority and administer in accordance with such directions as may be issued from time to time by that Government such of the services of the local authority as may be specified in the order: and any person so authorized may, for the purpose of administering the said services, exercise all or any of the powers of the local authority or of any Committee or officer of the local authority, issue such directions as he thinks fit to the officers or servants of the local authority and employ any

outside agency, and all charges and expenses incurred by him shall, except to such extent of any as the appropriate Government may direct to be paid out of its Consolidated Fund, be paid out of the funds of the local authority.

12. Protection of major ports and their environs against fire etc.-(1) The Central Government may, with a view to ensuring the protection of any major port and any city, town or other place adjoining or in the vicinity of such port against fire, explosion or any other calamity, by order or notified order providing for precautionary measures (including arrangements for co-ordinating the fire fighting water supply and conservancy services of the port and local authorities concerned to be taken by the port authority of any such port, any local authority having jurisdiction in any such city, town or place, any person using such port and the owners or occupiers of any premises situated in such port, city, town or place; and thereupon:

- (a) it shall be the duty of such port authority, local authorities and all persons concerned, including public servants, members of the Armed Forces of the Union and officers and servants of such port authority and local authorities, to comply or act in conformity with the order;
- (b) the funds of the port authority or local authorities shall be applicable to the payment of charges and expenses incidental to such compliances;
- (c) priority shall be given to such compliance over all other duties and obligations of the port authority or local authorities.

(2) If the fire, explosion or other calamity occurs in any major port or in any city, town or place adjoining or in the vicinity of such port, there shall be at the disposal of an authority appointed in this behalf by the Central Government such of-

- (a) the fire fighting, water supply and conservancy services of the port authority of such port and of any local authority having jurisdiction in any such city, town or place, together with the personnel employed in operating such services;
- (b) the fire fighting personnel and appliances maintained by any owner or occupier of premises in such port, city, town or place;

as the authority so appointed may require; and such port authority, local authorities, owners or occupiers and personnel shall comply with any orders given by the said authority.

(3) Nothing in this rule or in any order made or given there under shall be deemed to effect the discharge by any local authority of the duty imposed on it by any other laws for the time being in force extinguishing fire and of protecting life and property in the event of fire, within any such port, city, town or place as aforesaid.

13. Protection of factories and mines.-The Central Government may by order require the owner, manager, or agent of any mine, or occupier or manager of any factory-

- (a) to make within such period as may be specified in the order, a report in writing, stating the measures which has taken or is taking or proposing to take to secure the due functioning of the mine or factory, and the safety of the persons and property therein and in the vicinity thereof, in the event of an outbreak of the fire whether caused by accident or otherwise;

- (b) to take within such period as may be specified in the order, such measure as may be specified, being measures, the taking of which is in the opinion of the Central Government, necessary for the aforesaid purposes.

14. Precaution against hostile attack.-(1) The Central Government or the State Government may, with a view to protecting the general public or any members thereof against the dangers involved in any apprehended attack by land, sea or air, or with a view to acquainting the general public or any members thereof with the action to be taken in such an emergency, by order specify the action to be taken by any person or authority on such occasions as may be specified.

(2) An order made under sub-rule (1) may provide that upon the giving of any specified notice or signal any person or class of persons may, subject to such conditions and in such circumstances as may be specified, enter and remain in or on any premises or property notwithstanding that such premises or property would not otherwise be open to the public which may be specified or which may be appointed for the purpose of this rule by any specified authority or person.

(3) No person shall

- (a) willfully obstruct any person entering or seeking to enter any premises or property in accordance with an order made under this rule, or
- (b) eject from any premises or property any person who is entitled to remain there by virtue of such an order.

15. Watching of premises to detect fire.-(1) The Central Government or the State Government may by general or special order make provision-

- (a) for requiring the occupiers of any premises to which the order applies to make and carry out such arrangements as may be specified in the order with a view to securing that fires occurring at the premises as result of hostile attack will be immediately detected and combated;
- (b) for requiring the occupiers of several premises jointly to make and carry out such arrangements as aforesaid for all those premises, and in particular for requiring that they shall take turns, of duty at specified premises and perform such fire prevention duties as may be allotted to them under those arrangements;
- (c) for empowering any authority, in such circumstances as may be specified in the order, to make and carry out such arrangements as aforesaid, including a joint arrangement as respects any premises to which the order applies, and where it carries out such arrangements to recover from the occupiers concerned the expenses of so doing.

Explanation.-In clause (b) of this sub-rule, “fire prevention duties” means the duties of keeping a watch for the fall of incendiary bombs, taking such **steps as are immediately practicable to combat a fire caused by such bombs** and summoning such assistance as may be necessary, and includes the duty of being in readiness to perform any such duties as aforesaid.

(2) An order under sub-rule (1) shall entitle any person required thereof to be present on premises to which the order applies to have access to those premises for the purpose of complying with the order notwithstanding that the premises would not otherwise be open to the public, and any one, who obstructs access thereto by any such person for the purpose shall be deemed to contravene the provisions of the order.

(3) Any police officer, or any other person authorized in this behalf by the Central Government or the State Government may at any time enter and inspect any premises to which any order made under sub-rule (1) applies for the purpose of seeing whether the order is being complied with.

16. Safety measures in premises.-The Central Government or the State Government may by order as respect such premises as may be specified in the order-

- (a) require the owner or the occupier of the premises to take such measures as may be specified in the order, or
- (b) authorize any person to take such measures as may be specified. Being measures which are in the opinion of that Government necessary to minimize danger to persons being in or in the vicinity of such premises in the event of hostile attack.

17. Prevention of spread of disease.-(1) If the Central Government or the State Government is of the opinion that it is necessary or expedient to prevent the spread of human or animal disease and to safeguard the public health in any area for securing the civil defence, it may, by order, provide for any or all of the following measures being taken in that area, namely :-

- (i) compulsory vaccination against small-pox
- (ii) compulsory inoculation against cholera, enteric fever or other infectious or contagious disease wherever an outbreak thereof is apprehended;
- (iii) supplying of information regarding infections or contagious diseases:
- (iv) isolation of persons suffering from infectious and contagious diseases:
- (v) inspection of hostels, restaurants, clubs and other places suspected to be premises and disinfection thereof :
- (vi) prohibition of fouling of places and grazing of cattle;
- (vii) destruction of stray dogs and other dangerous animals:
- (viii) prohibition of sale of unhygienic or adulterated articles of food or drink or medicines or drugs:
- (ix) safeguarding of sources of water supply for the troops.
- (x) Any other measure necessary for safeguarding the public health in that area.

(2)An order sub-rule (1) may also empower any officer or authority to take, or cause to be taken, such steps as may be necessary for giving effect to that order.

18. Air raid shelters.- (1) If in respect of any premises the Central Government or the State Government considers it necessary or expedient so to do for the purpose of affording protection to persons living or employed therein or thereon, that government may by order require the owner of the premises to construct therein or thereon an air raid shelter, within such period and in accordance with such requirement as to lay-out , materials and construction as may be specified in the order.

(2) Any police officer, or any person authorized in this behalf by the Central Government or, as the case may be, the State Government, may at any time enter and inspect any premises to which an order under sub-rule (1) applies for the purpose of seeing whether the order has been complied with.

(3) If in the opinion of the Central Government or, as the case may be, the State Government, any person who has been ordered under sub-rule (1) to construct an air raid shelter has failed to do so or is unlikely to complete doing so within the period specified in the order, that Government may cause the shelter to be constructed and the cost thereof shall be recoverable from the owner of the premises by the Collector.

19. Civil Defence Exercises:- (1) The Central Government or State Government may by notified order authorize the carrying out of Civil Defence exercises in such area and during the period as may be specified in the order, and there upon, within the area and during the period so specified--

- (a) any person engaged in the Civil Defence exercises may pass over, or encamp, construct works of a temporary character or execute manoeuvre on any land, or supply themselves with water from any source of water;
- (b) any officer of the Civil Defence corps, who may be authorized so to do by the Director, Civil Defence by a general or special order, may for the purpose of the Civil Defence exercises give directions prohibiting or restricting the use of any part of a railway, water-way, road or path, or any telegraph or telephone service of any premises ordinarily open to the public and take such further measures as may be necessary.

(2) Where any Civil Defence exercises are held under the provisions of sub-rule (1), compensation shall be paid for any damage to person or property or interference with rights or privileges arising from such exercises, including expenses reasonably incurred in protecting persons, property, rights or privileges; and assessment and payment of compensation shall be made in accordance with the provisions of the law for the time being in force;

Provided that no compensation shall be payable in respect of such interference arising out of any direction given or further measures taken under clause (b) of sub-rule (1).

20. Penalties. - If any person contravenes any of the provisions of these rules or any order made thereunder, he shall be punishable with fine which may extend to five hundred rupees and where the contravention is a continuing one, with a further fine which may extend up to fifty rupees for every day, after the first, during which contravention continues.

[No. 10/2/66-DGCD (ii) (1)]
J.C. AGARWAL, Jt. Secy.