

## The Tripura Fire and Emergency Services Act, 2022

<b>Section</b>	<b>Provision</b>
31	<p><b>Penalty for violation of Duty</b></p> <p>Notwithstanding any other action which may be taken under the provisions of this Act, any member of the Fire and Emergency Services who-</p> <p>(1) is found to be guilty of any violation of duty or willful breach of any provision of this Act and any Rule or order made thereunder; or</p> <p>(2) is found to be guilty of cowardice; or</p> <p>(3) withdraws or abstains from the duties of his office without permission or without having given previous notice of fifteen days or more; or</p> <p>(4) being absent on leave fails without reasonable cause to report himself for duty on expiration of such leave: or</p> <p>(5) accepts any other employment or office or engages himself in business in contravention of the provision of the Tripura Civil Service (Conduct) Rules, 1988; shall be punishable with imprisonment which may extend to three months or with fine which may extend to an amount not exceeding three months' pay of such member, or with both.</p>
34	<p><b>Failure to give information</b></p> <p>Any person, who without adequate justification, fails to communicate information in his possession regarding an outbreak of fire shall be deemed to have committed an offence punishable under the first part of Section 176 of the Indian Penal Code, 1860 (45 of 1860).</p>
35	<p><b>Failure to take precautions</b></p> <p>Whoever fails without reasonable cause to comply with any of the requirements specified in a notification issued under sub-section (1) of section 22 or of a direction issued under the section shall be punishable with fine which may extend to ten thousand rupees or with imprisonment for a term which may extend to three months, or with both and where the offence is a continuing one with an additional fine which may extend to one thousand rupees for each additional day of noncompliance during which such offence continues.</p>
36	<p><b>Penalty for willfully obstructing the fire-fighting, rescue operations</b></p> <p>Any person who willfully obstructs or interferes with any member of the Fire and Emergency Services, who is engaged in fire-fighting or rescue operations, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to ten thousand rupees, or with both,</p>
37	<p><b>False Report</b></p> <p>Any person knowingly gives or causes to be given a false report of the outbreak of a fire or accidents to any person authorized to receive such report by means of a statement, message or otherwise shall be punishable with imprisonment which may extend to three months or with fine which may extend to ten thousand rupees, or with both.</p>

38

**Offences by companies**

(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part, of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation: For the purposes of this Section,-

I. 'Company' means a body corporate and includes a firm or other association of individuals; and

II. 'Director', in relation to a firm, means a partner or proprietor of the firm.