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 the 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 speared, 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 of 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 my 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, in inspect any source of water supply in respect of which an order under sub-rule 91) 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

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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 ap0propriate 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 sad 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 o 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 others 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 time, 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 ay, 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 of property would not other wise 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.

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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 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 selling 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.