

The West Bengal Fire Services (Maintenance of Discipline) Act, 1974

WEST BENGAL

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Act 43 of 1974

- Published on 2 December 1974
- Commenced on 2 December 1974
- [This is the version of this document from 2 December 1974.]
- [Note: The original publication document is not available and this content could not be verified.]

The West Bengal Fire Services (Maintenance of Discipline) Act, 1974 West Bengal Act 43 of 1974 [2nd December, 1974.] Assent of the Governor published in the Calcutta Gazette, Extraordinary, dated the 2nd December, 1974. An Act to provide for the maintenance of discipline among the members of the fire brigade so as to ensure the proper discharge of their duties. Whereas it is expedient to provide for the maintenance of discipline among the members of the fire brigade so as to ensure the proper discharge of their duties; It is hereby enacted as follows :-

1. Short title.

- This Act may be called the West Bengal Fire Services (Maintenance of Discipline) Act, 1974.

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context, -(a) "fire brigade" means the fire brigade maintained by the State Government under section 3 of the West Bengal Fire Services Act, 1950 and includes an Auxiliary Fire Brigade raised under section 3A thereof; (b) "member of the fire brigade" means any person appointed or enrolled under the West Bengal Fire Services Act, 1950; (c) "prescribed" means prescribed by rules made under this Act.

3. Restrictions respecting right to form association, freedom of speech, etc.

(1) No member of the fire brigade shall without the express sanction of the State Government or of the authority prescribed in this behalf -(a) be a member of, or be associated in any way with, any trade union, labour union, political association, or with any class of trade unions, labour unions or political associations; or (b) be a member of, or be associated in any way with, any other society,

institution, association or organisation that is not recognised as part of the fire brigade of which he is a member or is not of a purely social, recreational or religious nature; or(c)communicate with the press or publish or cause to be published any book, letter or other document except where such communication or publication is in bona fide discharge of his duties or is of a purely literary, artistic or scientific character or is of such nature as may be prescribed.Explanation. - If any question arises as to whether any society, institution, association or organisation is of a purely social, recreational or religious nature under clause (b), the decision of the State Government thereon shall be final.(2)No member of the fire brigade shall participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be prescribed.

4. Penalty.

- Any person who contravenes the provisions of section 3 shall without prejudice to any other action that may be taken against him be punishable with imprisonment for a term which may extend to two years or with fine which may extend to two thousand rupees or with both.

5. Power to make rules.

- The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

6. Repeal and savings.

(1)The West Bengal Fire Services (Maintenance of Discipline) Ordinance, 1974, is hereby repealed.(2)Anything done or any action taken under the West Bengal Fire Services (Maintenance of Discipline) Ordinance, 1974, shall be deemed to have been validly done or taken under this Act as if this Act had commenced on the 4th day of November, 1974.