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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 28TH AUGUST, 2023.

NO.PAS/LEGIS-8-14/2023-The Sindh Emergency Rescue Service Bill, 2023 having been passed by the Provincial Assembly of Sindh on 10th August, 2023 and assented to by the Governor of Sindh on 20th August, 2023 is hereby published as an Act of the Legislature of Sindh.

THE SINDH EMERGENCY RESCUE SERVICE ACT, 2023

SINDH ACT NO. XXXII OF 2023.

**AN
ACT**

to provide for the establishment of the Sindh Emergency Rescue Service to deal with emergencies in the Province of Sindh.

WHEREAS it is expedient to provide for establishment of Sindh Emergency Rescue Service for the purpose of maintaining a state of preparedness to deal with emergencies, to provide timely response, rescue and emergency medical treatment to the persons affected by emergencies and recommending measures to be taken by related organizations to avoid or avert such emergencies. **Preamble.**

is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Emergency Rescue Service Act, 2023. Short title, extent
and commencement.
- (2) It shall extend to the whole of the Province of the Sindh.
- (3) It shall come into force at once.

2. in this Act, unless there is anything repugnant to the subject or Definitions.
or text -

- (a) "Administrative Officer" means the Deputy Commissioner of the District;
- (b) "Board" means the District Emergency Board constituted under section 8;
- (c) "Council" means the Sindh Emergency Council constituted under section 5;
- (d) "Chairman" means Chairman of the Council;
- (e) "Director" means the person appointed under section 11;
- (f) "Director General" means the Director appointed under section 9;
- (g) "District Emergency Officer" means the District Emergency Officer appointed under section 12;
- (h) "emergency" means a serious and potentially dangerous situation or situations requiring immediate action such as an accident, hazardous material incident, fire, explosion, natural or manmade disaster and medical emergencies;
- (i) "emergency area" means an area affected by an emergency;
- (j) "Emergency Officer" means an Emergency Officer appointed under section 12;
- (k) "Fund" means the Emergency Rescue Service Fund established under section 15;
- (l) "Government" means the Government of Sindh;
- (m) "Non-Governmental Organization" means a private agency or body working voluntarily for the welfare of the persons affected by an emergency;
- (n) "premises" includes the land, place, building, vehicle, vessel or aircraft or any part of premises;
- (o) "prescribed" means prescribed by rules or regulations made under this Act;
- (p) "Province" means the Province of Sindh;

- (q) "regulations" means regulations made under this Act;
- (r) "Rescuer" means a member of the Rescue 1122 appointed under section 13;
- (s) "Rescue 1122" means the Sindh Emergency Rescue Service 1122 established under section 3;
- (t) "Rescue Station" means a place where an office of the Rescue 1122 is established;
- (u) "rules" means rules made under this Act; and
- (v) "volunteer" means a person registered as such by the Rescue 1122 or engaged by a Rescuer in emergency area to assist the Rescue 1122 in the exercise of its functions under this Act.

3. (1) As soon as after the commencement of this Act, Government shall establish an Emergency Rescue Service to be called the Sindh Emergency Rescue Service ("Rescue 1122") to perform such functions as are assigned to it under this Act.

Establishment of the Sindh Emergency Rescue Service.

(2) The Rescue 1122 shall be a body corporate having perpetual succession and a common seal with power to enter into contract, acquire, hold and dispose of property, and may by its name sue or be sued.

(3) The Headquarters of the Rescue 1122 shall be at Karachi. However, it shall have the offices at such place or places as it may deem appropriate.

(4) The services of any person employed by Rescue 1122 shall be deemed to be the essential services under the West Pakistan Essential Service (Maintenance) Act, 1958 (W.P. Act No. XXXIV of 1958).

4. (1) Subject to the provisions of this Act, the functions of the Rescue 1122 shall be as—

Functions of Rescue 1122.

- (a) maintain a state of preparedness to deal with an emergency;
- (b) provide timely response, rescue, evacuation, emergency medical treatment to victims of an emergency in coordination with Health Department including medical and surgical emergency;
- (c) establish a system for rapid communication, exchange of information and quick response to combat or deal with an emergency;
- (d) arrange for a universal toll free emergency dial-in-number (1122) as may be allotted by the Pakistan Telecommunication Authority to be used throughout the Province;
- (e) play a lead role and coordinate with the working other organizations or agencies which have lawful authority to respond to an emergency.

- (f) arrange transport in coordination with Health Department where necessary for carrying persons requiring emergency medical treatment from the emergency area to the nearest hospital or health care unit having arrangement for emergency medical care and treatment;
- (g) establish community emergency response teams through enlistment, training, coordination and supervision of volunteers to assist the Rescue 1122 in safety promotion and management of emergency;
- (h) impart training and grant certificates to rescuers, volunteers and other private persons for due performance of emergency management duties;
- (i) establish direct contact with local and international organizations and training institutions to maintain the Rescue 1122 according to international standards;
- (j) collect, compile, maintain and analyze emergency response data and statistics relating to emergencies and to use it for research and prevention of such emergencies;
- (k) implement the regulations framed by the Council for dealing with an emergency in accordance with the provisions of this Act;
- (l) suggest measures, conduct regular inspections of emergency related equipment for the prevention or mitigation of hazards endangering public safety on roads, public parks, shopping malls, and other public places particularly exhibitions, trade shows, amusement parks, fairs and high rise buildings with regard to public safety provisions.
- (m) encourage, facilitate and provide training to the staff of Government, Non-Governmental Organizations and educational institutions to manage an emergency;
- (n) register and ensure minimum standards and code of conduct to be followed by rescue vehicles, ambulances and patient transportation services;
- (o) coordinate and maintain an effective liaison with all other organizations managing emergencies;
- (p) ensure safety measures and its strict compliance based on international standards; and
- (q) perform such other functions as may be assigned to it by the Council and are ancillary or incidental to any of the above functions to achieve the purposes of this Act.

(2) The Rescue 1122 shall accept the donations in the form of land, vehicles, equipment and other such items which may facilitate the functioning of the Rescue 1122 and all such donations shall be used, maintained and disposed of by the Rescue Service in the prescribed manner.

(3) All ambulance services of the Province shall be managed by the Health Department, however fire fighting service, water rescue service, urban search and rescue service, life saving trainings, central command and control shall be managed by Sindh Emergency Rescue Service 1122.

5. (1) There shall be established a Council to be known as the Sindh Emergency Council comprising the following:-

Sindh Emergency Council.

- | | | |
|-----|---|--------------------|
| (a) | Minister or Advisor or Special Assistant for Rehabilitation, Sindh | Chairperson |
| (b) | Minister for Health, Sindh | Co-Chairperson |
| (c) | Secretary to Government of Sindh, Rehabilitation Department | Member |
| (d) | Secretary to Government of Sindh, Home Department | Member |
| (e) | Secretary to Government of Sindh, Finance Department | Member |
| (f) | Secretary to Government of Sindh, Health Department | Member |
| (g) | Secretary to Government of Sindh, Local Government & HTP Department | Member |
| (h) | Director General, PDMA | Member |
| (i) | DIG, Security, Sindh Police | Member |
| (j) | two representatives (one each from Government Hospitals and Non-Governmental Organizations) to be nominated by the Chief Minister | Members |
| (k) | Mayor of Disastrous District | Co-opted Member |
| (l) | CEO, SIEHS, Health Department | Member |
| (m) | Director General, Rescue 1122 | Member / Secretary |

(2) The Council may co-opt any person as a member for any particular purpose, but such person shall not have right of vote.

(3) The non-official members under clause (h) of sub-section (1) unless resigned or removed earlier, shall hold office for a period of three years.

6. (1) The functions of the Council shall be to -

**Powers and
Functions of the
Council.**

- (a) lay down the policy and issue directions for efficient, effective and expeditious actions in dealing with emergency;
- (b) issue regulations and policies to prescribe the minimum standards for the officers and staff to maintain efficiency and effectiveness of Rescue 1122;
- (c) approve the annual budget of Rescue 1122 and its management plan;
- (d) make recommendations to Government for administrative, legal and financial measures required to sustain Rescue 1122;
- (e) oversee the working of Rescue 1122 and the training institutions established or controlled by the Rescue 1122;
- (f) review and analyze statistics relation to all emergency incidents, and disasters and the actions for preparation and mitigation which have been taken by Rescue 1122;
- (g) constitute a District Emergency Board for a District, if and when considered necessary or expedient and issue special directions to the Board with regard to emergencies;
- (h) to perform such other functions as may be prescribed or assigned to it by Government from time to time.

(2) The Council may, by general or special order and subject to such conditions as it may deem fit, delegate any of its powers and functions to the *Director General* under this Act.

7. (1) The meetings of the Council shall be regulated by regulations but until regulations are framed, the meetings shall be held as and when required by the Chairperson: provided that the meeting shall be held once in a quarter.

**Meetings of the
Council.**

(2) Six members of the Council shall constitute a quorum for a meeting of the Council.

(3) The members shall have reasonable notice of the time and place of the meeting and matters on which a decision by the Council shall be taken in such meeting.

(4) The decision of the Council shall be taken by the majority of its members present and, in case of a tie, the Chairman or a Member presiding a meeting shall have a casting vote.

(5) All orders, determination and decision of the Council shall be taken in writing and shall be signed by the *Secretary of the Council*.

8. (1) The Council shall constitute a District Emergency Board within the District for the prevention and effective management of emergency in the District.

District Emergency Board

(2) The Board shall have such powers and shall perform such functions as may be assigned to it by the Council.

9. (1) The Director General shall be appointed by Government from amongst the officers of PAS/Ex-PCS/PMS/PSB cadre of BPS-19/20 or any other person hired on contract basis initially for an extendable period of three years on terms and conditions as may be prescribed, who shall be the Chief Executive Officer of the Rescue Service 1122 and shall exercise such powers and perform such functions as may be assigned or specified by the Council.

Director General.

(2) With prejudice to the powers and functions under sub-section (1), the Director General shall have the following powers and functions: -

- (a) to exercise administrative control over the day to day functioning of the Rescue 1122 including management, financial management, human resource management and management of rescue service affairs;
- (b) to conduct the official correspondence of the Council for implementation of all the decisions and other business of the Council;
- (c) to run the affairs of the Rescue 1122 for attaining its objectives through the executive tier;
- (d) act on behalf of the Council in any emergency, subject to the obligation to report such action to the Council at its next meeting; and
- (e) exercise such other power and perform such other function as may be assigned to him by the Council.

10. (1) The Council may appoint any senior officer/consultant from Sindh Emergency Rescue Service 1122 as Chief Operating Officer on such terms and conditions as may be determined by the Council.

Appointment of Chief Operating Officer

(2) The Chief Operating Officer shall look-after the operations of Rescue 1122 service; and

(3) shall perform such functions as may be assigned to him by the Council or Director General.

11. There shall be Directors, Deputy Directors and Assistant Directors of Rescue 1122, who shall be appointed in the manner as may be prescribed and shall perform such duties as may be specified by the Director General or assigned by the Council.

Directors, Deputy Directors and Assistant Directors.

12. (1) The Rescue 1122, for efficient performance of its functions, appoint such officers, advisers, consultants, experts and other staff possessing requisite professional, technical, ministerial or secretarial qualifications and experience on such terms and conditions as may be prescribed. **Appointment of officers, advisers, consultants, experts and other staff.**

(2) All members of the Rescue Service shall be liable to be assigned any duty in an emergency, in accordance with the need of the time.

(3) The officers, advisers, consultant, experts and other staff appointed under sub-section (1) shall receive such remuneration, allowances and privileges and shall be subject to such terms and conditions of Rescue Service as laid down by the Council.

(4) In the performance of their duties and functions, the employees of the Rescue 1122 and the volunteers shall abide by the directions and instructions of the Director General.

13. (1) There shall be District Emergency Officers and such other Emergency Officers to be appointed by the Council in the prescribed manner, to perform the field operations of the Rescue 1122 for effective management of the emergency in a District. **District Emergency Officers and other Emergency Officers.**

(2) The District Emergency Officer shall be the head of the Rescue 1122 in a District who shall be assisted by the Emergency Officers appointed under sub-section (1).

(3) No person shall be appointed as District Emergency Officer or Emergency Officer unless, he –

(i) preferably a Master Degree holder in relevant field with five years working experience; and

(ii) is physically and mentally fit to perform field operations.

14. (1) There shall be Rescuers appointed by the Council in the prescribed manner, to perform the field operations of the Rescue 1122. **Rescuer.**

(2) No person shall be appointed as a Rescuer who has not cleared the educational and fitness criteria as may be prescribed.

(3) A Rescuer shall perform such field duties and functions as are assigned to him by the Council.

(4) A Rescuer shall be liable to be retired on attaining the age of fifty years if he cannot be adjusted on any other post in the Rescue 1122.

(5) Where a Rescuer retires under sub-section (4), he shall be entitled to such benefits as may be prescribed.

15. (1) Soon as after the commencement of this Act, Government shall establish a Sindh Emergency Services Academy for the purposes of running short or long term courses in collaboration with local, national or international entities and shall award certificates to successful persons. **Sindh Emergency Services Academy.**

(2) The Sindh Emergency Services Academy may also arrange for the training of the members of the Rescue 1122, volunteers, universities and colleges students and other individuals or workers of organization, public or private, to be equipped with the knowledge of dealing with all possible situations relating to prevention and management of emergencies.

16. (1) There shall be established a Fund known as the Sindh Rescue Service Fund which shall consist of - **Rescue Service Fund.**

- (a) grant-in-aid received from Government, Federal Government and other Provincial Governments for the establishment, maintenance and performance of the Rescue 1122; and
- (b) the donations or contributions received or generated from private persons or public, local, foreign or international organizations.

(2) The Fund shall be maintained in a scheduled bank and shall be managed and operated in accordance with the rules or until such rules are framed, under the directions of the Council.

(3) No person from the Rescue Service shall organize, conduct or take part in any proceedings for collecting or soliciting money or property from the public except the person authorized by the Council and in accordance with such conditions as may be laid down by the Department.

17. (1) The Rescue 1122 shall maintain accounts of receipts and expenditure in accordance with the rules. **Audit and accounts.**

(2) The Rescue 1122 shall maintain an internal Audit Division which shall regularly undertake institutional, internal check and control.

(3) The accounts of the Rescue 1122 shall regularly be monitored and annually audited in the same manner as is done in the case of the funds of other Government Departments which shall be presented to the Department through the Council.

(4) The annual audit report of the Fund shall be submitted to the Provincial Assembly of the Sindh.

18. Rescue 1122 shall cause its accounts to be maintained properly and in respect of each financial year and submit for approval of Government by such date and in such form as may be specified by the Council, a statement showing the estimated receipts and current expenditure and the sums to be required from Government during the next financial year. **Budget and accounts.**

19. Rescue Service shall cause proper accounts to be kept and shall after the end of each financial year cause to be prepared for that financial year a statement of accounts of the Rescue 1122 which shall include a balance sheet and an account of receipt and expenditure.

Maintenance of accounts.

20. (1) Rescue 1122 shall submit an annual report to the Department in respect of any of its activities and furnish such information as and when required by the Government.

Submission of Reports.

(2) The Rescue 1122 shall post all relevant information in a user-friendly manner on its website.

21. (1) Every member of the police force and all members of other relevant organizations or agencies shall act in aid of the Rescue Service.

Act in aid of the Rescue 1122.

(2) The police acting in aid of the Rescue 1122 shall be on the back and call of Rescue 1122 control and shall divert the traffic in or around an emergency area to facilitate and ensure in the event of an emergency, free movement of rescue vehicles and the persons dealing with an emergency and to prevent within the emergency area any theft, dacoity or loss of the property of the persons involved in the emergency or any obstruction in rescue operation.

(3) It shall be obligatory upon all telecommunication operators, companies, corporations or other authorities concerned to provide free of cost access to its subscribers to avail in the event of an emergency, a universal emergency dial-in-number as notified by the Rescue 1122, without any prefix or suffix for the whole of the Province.

(4) The police acting in-aid shall also provide personal security to the operational staff of Rescue 1122 at the time of an emergency.

22. (1) An Emergency Officer or a Rescuer, in providing emergency services, may take any reasonable measures to -

Powers to manage emergencies.

- (a) protect persons from any danger or potential danger associated with an emergency situation;
- (b) protect persons trapped in a vehicle, receptacle, vessel or under debris or otherwise endangered; and
- (c) protect themselves or other persons or vehicles from danger, potential danger, assault or battery from other person.

(2) Without limiting the measures which may be taken for the purpose specified in clause (a) or (b) of sub-section (1), an Emergency Officer or a Rescuer may, for that purpose-

- (a) enter into any premises vehicle or vessel and call for any relevant building authority to provide maps, evacuation plan or other related documents;
- (b) open any receptacle, using such force as is reasonably necessary;
- (c) bring any apparatus or equipment onto a premises;

25. All employees of Rescue 1122 shall contribute from the salary for life insurance scheme and compensation in case of injury or death in the line of duty which shall be provided by Rescue 1122 to such extent as may be determined by the Council.

Life Insurance.

26. Every employee of the Rescue Service including officers, advisors, consultants and every person acting or purporting to act under this Act, rules and regulations shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code, 1860.

Public Servant.

27. (1) No person shall use any vehicle as an emergency ambulance or rescue vehicle unless it satisfies such requirements as are laid down by the Rescue 1122.

Emergency ambulance and rescue vehicles.

(2) Where a vehicle does not fulfill the requirements laid down by the Rescue 1122, but is used as a patient transport vehicle, it shall not use any siren or a warning light other than a round yellow warning light.

(3) No person, other than that belonging to a law enforcing agency, shall use red, blue or orange light or any siren on his vehicle except where the vehicle satisfies the requirements prescribed for an emergency ambulance or vehicle.

(4) No person shall –

- (a) use the words "Rescue" or "Rescue 1122" or any other similar name, title or description without the written authority of the Director General;
- (b) no person shall falsely represent that he is associated with the Rescue 1122 unless such an association exists;
- (c) impersonate as an officer of the Rescue 1122; or
- (d) use any insignia of the Rescue 1122 in any manner contrary to that approved by the Director General.

28. A driver of a vehicle or a member of the public or traffic police, to the extent practicable, shall make all possible efforts to give clear and uninterrupted passage to—

Right of way to Emergency Rescue Vehicles and Ambulances.

- (a) an emergency rescue vehicle or an ambulance with activated warning devices, siren or warning lights and duly registered with the Rescue 1122; and
- (b) an Emergency Officer or a Rescuer or any person acting under their direction, who appears to be doing any act for the purposes of this Act.

- (d) remove from or otherwise deal with, any article or material in the area;
- (e) remove (wholly or partially) or damage any premises, vehicle, vessel or receptacle;
- (f) cause the gas or electricity supply or motor or any other source of energy to any premises, vehicle, vessel or receptacle to be shut off or disconnected;
- (g) request any person or organization to take all reasonable measures to assist the Rescue 1122; and
- (h) administer such life safety procedures as are consistent with the training and competency of the Emergency Officer or Rescuer.

(3) Without limiting the measures which may be taken for the purpose specified in clause (e) of sub-section (1), a Rescuer or an officer authorized by the Director General may, for that purpose, require any person not to enter into or remain within the emergency area and may use any appropriate public place for emergency warning and refuge centre or for the purposes of community awareness.

(4) No person shall refuse to comply with the directions of the Rescuer or the person specified in sub-section (2), and if a person or organization does not comply with such directions, the Rescuer or the aforesaid officer may use such force as is reasonably necessary to ensure compliance.

23. No person shall willfully obstruct or hinder the Director General, Chief Operating Officer/COO, Director, Deputy Director, District Emergency Officer, Emergency Officer, Rescuer, or any other person acting with his authority, in the exercise of the functions under this Act.

Obstruction or hindrance.

24. (1) An act or omission committed by an employee of the Rescue 1122 including a Rescuer or a Volunteer, shall not, if committed in good faith for the purpose of exercising the functions of or assisting the Rescue 1122, subject to any legal action, liability, claim or demand.

Immunity against certain liabilities.

(2) All actions, proceedings and claims against any such employee, Rescuer or a Volunteer in relation to any act done or omitted to be done in good faith, shall be defended and indemnified by the Rescue 1122.

(3) Subject to the rules, any information received by the Rescue 1122 shall be deemed to be the privileged communication between the informer and the Rescue 1122; provided that the Director General may, in a special case and by order in writing, waive such privilege.

29. No person shall make a false or an obnoxious call on the emergency dial-in-number or in any other manner try to represent that emergency circumstances exist requiring utilization of any resources of the Rescue 1122 while in full knowledge that no such emergency circumstances exist.

False or obnoxious calls.

30. (1) Any person who willfully or without any reasonable excuse, disobeys or violates any provision of this Act, shall be deemed to have committed a bailable offence punishable with simple imprisonment for six months or with fine not exceeding rupees fifty thousand or with both.

Offences and punishments.

(2) No prosecution under this Act shall be lodged without the previous sanction of the Director General which shall not be given except after serving a notice on the person concerned and giving him reasonable opportunity of hearing.

(3) The court inferior to that of a Magistrate of the First Class shall try an offence under this Act.

31. No suit, prosecution, or other legal proceedings shall lie against the Council, the Chairman or any member, officer, servants, advisers or consultants of the Rescue 1122 in respect of anything done in good faith or intended to be done under this Act or the rules and regulations made thereunder.

Indemnity.

32. Government may make rules for carrying out the purposes of this Act.

Rules.

33. The Council may make regulations, not inconsistent with this Act or the rules for or with respect to any matter that by this Act is required or permitted to be prescribed, specified or determined by the Council for carrying out the purposes or giving effect to the provisions of this Act.

Regulations.

34. This Act is not in derogation of any other law applicable in the Province and does not absolve any other person from his responsibility to take necessary measures to protect and save the life and property of a person in an emergency.

Act not in derogation of other laws.

35. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by notification in the Official Gazette, make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the difficulty.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH