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FIRST RESPONDERS, LAST PRIORITY: A STUDY ON FIREFIGHTER WELFARE IN INDIA

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I. ABSTRACT

Firefighters, as frontline emergency responders, risk their lives to protect society from fires, disasters and industrial hazards. Yet, in India, their welfare, rights and working conditions remain severely neglected. According to the National Crime Records Bureau (NCRB), over 300 firefighters have died in the line of duty between 2015 and 2022, with thousands more injured, underscoring the dangerous nature of this profession. This paper critically examines the systemic deficiencies in legal, institutional and policy frameworks governing firefighter welfare in India. Drawing on field observations, policy analysis and international comparisons, the study highlights gaps in occupational safety, insurance coverage, mental health support and compensation mechanisms. Unlike countries such as the United States and United Kingdom, India lacks a central statute to address the unique risks faced by firefighters. As a result, they endure hazardous working environments without adequate protective gear, mental health services, or structured post trauma care. The research underscores the urgent need for legislative reform, sector specific protections and a national policy that recognizes firefighting as a hazardous occupation deserving of dignity, safety and institutional support. The findings aim to inform legal reform and policy interventions that can secure recognition, welfare and long-term resilience for Indian's first responders.

II. KEYWORDS

Firefighters, Occupational Hazards, Public Service Workers, Labor Law Reforms, Compensation, Disaster Response, Fire and Rescue Services.

III. INTRODUCTION

Firefighters are universally recognized as frontline heroes, entrusted with the critical responsibility of protecting life, property and the environment from fire hazards and disasters. Despite their indispensable role, the welfare and rights of firefighters in

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India have historically received inadequate attention within legal, administrative and social frameworks. While the nation often lauds their bravery during high profile emergencies, the systemic neglect of their occupational health, safety standards, psychological wellbeing and compensation structures paints a starkly different picture.²

The urgency of addressing firefighter welfare is underscored by alarming statistics. According to the National Crime Records Bureau (NCRB) 2022, India recorded over 1.6 lakh fire accidents, resulting in more than 12,000 civilian deaths. During the same period, dozens of firefighters lost their lives and hundreds sustained serious injuries while performing their duties, often without adequate protective equipment, health insurance, or post trauma support. Reports from the National Human Rights Commission (NHRC) have repeatedly highlighted that the lack of safety gear and delays in compensation violate the fundamental rights of these frontline workers.

The constitutional foundation of firefighter welfare can be traced to Article 21 of the Constitution of India, which guarantees the right to life and personal liberty. The Supreme Court has consistently expanded Article 21 to include the right to livelihood, safe working conditions and protection of human dignity. By this interpretation, firefighters who expose themselves daily to life-threatening risks are entitled to comprehensive welfare measures as part of their fundamental rights. Yet, the absence of dedicated central legislation leaves them in a vulnerable position, dependent on fragmented state-level policies and discretionary administrative practices.

Scholarly research has also drawn attention to this gap. Guidotti (1992) emphasized the physical and chemical hazards of firefighting, while more recent studies (Demers et al., 2022; IARC, 2023) have established the carcinogenic risks of prolonged occupational exposure. In India, however, literature on firefighter welfare remains limited and largely confined to general occupational health studies, indicating a significant research vacuum.

² Firefighter health: A narrative review of occupational threats and countermeasures available at: <https://pmc.ncbi.nlm.nih.gov> (last visited on April 30,2025)

Furthermore, specific incidents demonstrate the severity of the problem. In *Satya Narain v. Union of India* (Delhi HC, 2011), the Court was compelled to direct compensation for a firefighter severely injured in service an outcome that should have been automatic under a robust welfare framework. Similarly, in *Kewal Krishan v. State of Punjab* (1980 Supp SCC 499), the family of a deceased firefighter had to litigate for basic compensation, reflecting systemic insensitivity towards frontline responders. Against this backdrop, the present study explores the legal, institutional, and practical challenges affecting firefighter welfare in India. It argues for comprehensive reforms that not only address occupational hazards but also recognize the constitutional and moral imperative to safeguard the dignity and lives of those who risk everything to protect society.

A. Literature Review

1. Labour Law and Hazardous Occupations

The foundational texts on Indian labour law, such as S.N. Misra (Labour and Industrial Laws, 15th Ed., 2025), Surya Deva (Labour Rights in India, 2014)³, and O.P. Malhotra (The Law of Industrial Disputes, 2019)⁴, provide important insights into the legal framework governing workers in hazardous occupations. These works discuss the Factories Act, 1948, Employees' Compensation Act, 1923, and the Mines Act, 1952, emphasizing the State's obligation to regulate dangerous industries. However, firefighters are largely absent from these discussions, reflecting the marginalization of public service workers in labour law scholarship.

2. Occupational Safety and Health Research

Occupational safety studies, particularly those published in the Indian Journal of Occupational and Environmental Medicine, highlight high injury and fatality rates among workers exposed to hazardous conditions. Singh and Kaur (2019) examined occupational risks among police and paramilitary forces, noting inadequate welfare

³ Surya Deva, Labour Rights in India (Oxford Univ. Press 2014)

⁴ O.P. Malhotra, The Law of Industrial Disputes (7th Edition.2019)

measures.⁵ Their findings resonate strongly with the firefighting profession. Internationally, Demers et al. (2022) and the IARC Monographs (2023) confirmed the Group 1 carcinogenic classification of firefighting, with specific links to mesothelioma and bladder cancer. Such studies underscore the urgent need to treat firefighting as a hazardous occupation under Indian law.⁶

3. Public Service Worker Welfare

Scholars like Upendra Baxi (*The Right to Life in Indian Constitutional Law*, 2002) and Madhava Menon (*Human Rights and Law*, 2010) have analysed the evolution of Article 21 of the Constitution, which includes the right to livelihood, health, and dignified working conditions. Case commentaries on *Delhi Jal Board v. National Campaign for Dignity and Rights of Sewerage Workers* (2011) argue that sending workers into life-threatening environments without adequate protection violates constitutional guarantees. These interpretations provide a strong legal foundation for extending similar protections to firefighters.

4. Comparative Approaches in Firefighter Welfare

International scholarship offers important models. Rounds (2021) in the *International Journal of Occupational Safety and Health* compares firefighter welfare in the US, UK, and Canada, showing how structured pension schemes, disability benefits, and psychological support systems are central to firefighter welfare.⁷ Studies on the US Public Safety Officers' Benefits Act (PSOBA) emphasize direct compensation and educational benefits for families of deceased firefighters, while analyses of the UK Firefighters' Pension Scheme 2015 focus on balancing sustainability with fairness following the McCloud/Sargeant discrimination cases. These comparative studies highlight how India lags in providing institutionalized welfare frameworks.

5. Gaps Identified

⁵ Harpreet Singh & Navdeep Kaur, *Occupational Risks in India Public Services*, 23 *Indian J. Occup. & Env'tl. Med.* 45,47 (2019).

⁶ IARC Monographs, Vol.132: *Occupational Exposure as a Firefighters* (World health Org., 2023)

⁷ Janet I. Rounds, *Comparative Analysis of Firefighter Welfare Scheme*, 27 *Intl J. Occupational Safety & Health* 76(2021).

Despite extensive work on labour rights, occupational safety, and constitutional protections, there is a critical gap in dedicated Indian scholarship on firefighter welfare. Existing research tends to subsidize firefighters under disaster management or municipal governance literature, leaving their unique risks and needs underexplored. This dissertation aims to bridge this gap by systematically analysing the safety, health, and working conditions of Indian firefighters, while situating the discussion within international best practices.

B. Objective Of the Study

1. To analyze the current legal and institutional frameworks that govern the working conditions and welfare of firefighters in India.
2. To identify and analyze the occupational hazards 'both physical and psychological' that firefighters face in the course of their duties across Indian states.
3. To compare India's firefighters' welfare standards with international best practices to identify gaps and opportunities for reform.

C. Research Questions

1. What legal and policy frameworks currently govern fire services in India, and how effective are they in protecting firefighter welfare?
2. How does the absence of a centralized national policy affect the uniformity of firefighter's benefits and working condition across India?
3. To what extent do current Indian labour laws adequately address firefighters as a hazardous profession and what specific legislative gaps exist?
4. What are the major challenges in implementing existing welfare provisions for firefighters at the state and municipal levels?

D. Hypothesis of the Study

1. Indian firefighters are exposed to higher occupational risks and receive less social and institutional support compared to their international counterparts.

E. Research Methodology

This study adopts a qualitative and doctrinal research methodology, supplemented by comparative legal analysis, to critically examine the welfare conditions of firefighters in India. The methodology combines primary legal analysis with secondary data collection to provide a comprehensive understanding of the challenges and possible reforms.

1. Doctrinal Legal Research

Primary legal sources were analysed, including:

- The Factories Act, 1948 (Section 2(l) – definition of “worker”),
- The Disaster Management Act, 2005 (Sections 44–45 – constitution of the National Disaster Response Force),
- The Employees’ Compensation Act, 1923, as amended in 2020,
- Relevant provisions of the Constitution of India, particularly Article 21.

These statutes were critically evaluated to assess their applicability, adequacy and limitations in addressing firefighter welfare. Judicial precedents, such as *Satya Narain v. Union of India* (Delhi HC, 2011) and *Kewal Krishan v. State of Punjab* (1980 Supp SCC 499), were studied to understand the judicial approach to firefighter rights and compensation.

2. Secondary Data and Literature Review

Secondary sources included government reports, policy documents, National Human Rights Commission (NHRC) observations and scholarly articles on occupational hazards. International materials, such as the Lancet Oncology (2022) report on carcinogenic risks, the IARC Monograph (2023), and legislative frameworks from the US and UK, were used to conduct a comparative analysis. This provided a global benchmark against which India’s firefighter welfare system was evaluated.

3. Comparative Legal Analysis

A cross-country comparison was undertaken, focusing on the United States (Public Safety Officer’s Benefits Act, OSHA regulations) and the United Kingdom (Fire and Rescue Services Act, 2004; Firefighter Pension Schemes 1992, 2006, and 2015). This

analysis identified best practices and highlighted gaps in India's legal and institutional framework.

4. Scope of the Study

The research is confined to an examination of legal and policy frameworks governing firefighters in India, supported by international comparisons. The focus is on statutory law, case law and government policies, with specific emphasis on occupational health, compensation, mental health and recognition of firefighting as a hazardous occupation.

5. Limitations

The study relies primarily on secondary sources due to the absence of comprehensive empirical datasets on firefighter injuries, deaths and welfare benefits in India.

Field level interviews and state specific policy comparisons could not be conducted within the scope of this research, though they remain valuable areas for future studies.

International comparisons are limited to selected jurisdictions (US and UK), though brief references to Canada and Australia are included to broaden perspective.

6. Research Contribution

Despite these limitations, the methodology ensures a rigorous legal and policy analysis that contributes original insights into the underexplored field of firefighter welfare in India, while situating it within both constitutional rights discourse and global best practices.

IV. LEGAL AND POLICY FRAMEWORK GOVERNING FIREFIGHTER WELFARE IN INDIA

In India, labour laws traditionally evolved to regulate conditions in factories, mines, plantations and commercial establishments but firefighting, a public service that operates under municipal corporations, state departments or local bodies, is largely left out of this scope. As a result, firefighters remain at the margins of labour protections, despite facing daily occupational hazards.

This systemic oversight creates a dual problem:

1. Firefighters are not explicitly covered under most core labour legislation.
2. Where laws may be applicable by extension, enforcement is inconsistent or absent.

Unlike police or military services that have defined service rules and protection codes, India lacks a comprehensive law for firefighting personnel. This leaves them exposed to: Ad-hoc recruitment practices, Unequal pay structures, Poor grievance redressal mechanisms, Lack of formalized mental health support.

There is no central Firefighter Welfare Act, and their status as “essential services” often results in denial of the right to strike, but without the accompanying benefits of civil service protections.

A. Constitutional and Legislative Basis

1. The Constitution of India 1950⁸

Fire service in India falls under the State List (Entry 5, List II) of the Seventh schedule of the constitution of India.

2. The Factories Act 1948⁹

The Factories Act defines a “worker” under Section 2(l) as “a person employed, directly or by or through any agency (including a contractor), with or without the knowledge of the principal employer, whether for remuneration or not, in any manufacturing process, or in cleaning any part of the machinery, or in any other kind of work incidental to, or connected with, the manufacturing process, or the subject of the manufacturing process.”¹⁰

The Factories Act, 1948 is one of India’s cornerstone labour legislations aimed at ensuring the health, safety, and welfare of workers employed in industrial establishments. However, firefighters do not fall within the statutory definition of “workers” under this Act, as they are typically employed by municipal bodies, state fire services, or local government departments, rather than within factories

⁸ Pulamai Venkatachalam, *The Constitution of India*, 5th Edition, 2022

⁹ S.N. Misra, *Labour and Industrial Laws*, 15th Edition, 2025

¹⁰ The Factories Act, Sec-2(1)

themselves. Their employment is not within a factory, and their duties are not aligned with manufacturing processes.

This exclusion has significant consequences:

Firefighters are routinely exposed to hazardous environments, including chemical exposure, high temperature zones and structural collapses, yet they are not covered under the safety provisions of this Act.

The Act mandates fire safety norms for industrial units, but it does not provide for the safety of those who respond to industrial fires, i.e., the firefighters themselves.

There is no mechanism under the Act to ensure that fire departments maintain occupational safety infrastructure (such as protective gear, medical checkups, or rest facilities).

Furthermore, while Sections 38 and 40-B of the Factories Act empower the authorities to enforce fire safety measures within factories, there is no reciprocal statutory duty to provide protection to fire service personnel. This results in a legislative vacuum where factories are regulated for fire prevention, but those who fight fires are unregulated in terms of labour protections.

The Factories Act enshrined fire safety for establishments, but not for the personnel risking their lives during fire emergencies. This exposes a structural flaw in India's labour jurisprudence, where public service workers like firefighters are left out of industrial protection regimes, despite operating in some of the most dangerous occupational settings.

3. The Disaster Management Act, 2005

The Disaster Management Act, 2005, while aiming to provide a structured framework for emergency preparedness and response in India, fails to include specific protections or welfare measures for firefighters one of the most critical first responders during disasters. Despite being involved in high-risk operations such as fire suppression, rescue and evacuation, firefighters are not explicitly mentioned or granted legal safeguards under the Act. Key gaps include the absence of mandated risk allowances, insurance coverage, mental health support and structured training or safety protocols.

The Act does not legally require state authorities to ensure the safety or compensation of firefighters involved in disaster response, creating a disproportionate burden on these personnel without corresponding rights or recognition.

As such, the legislation reflects a significant policy blind spot, where operational demands are imposed on fire services without ensuring adequate legal and institutional support. There is a pressing need to amend the Act or enact supplementary rules to recognize firefighters as essential disaster response workers and to provide them with the rights, benefits and protections they deserve.¹¹

Sections 44 and 45 specifically establish the National Disaster Response Force (NDRF) for “specialist response to a threatening disaster situation or disaster.” Although firefighters often act as the first line of response during industrial disasters, urban fires, and chemical hazards, the Act does not explicitly extend the NDRF’s specialist protections or welfare benefits to state-level firefighters. This omission is striking, given that the Act recognises the essential nature of specialised disaster response. Including firefighters within the NDRF mandate, or through an amendment, could institutionalise recognition of their hazardous service.¹²

4. The Employee’s Compensation Act, 1923¹³

This Act provides compensation to employees who suffer injury or death arising out of and in the course of employment. In principle, it applies to public servants, including firefighters.

However, in practice:

- Fire departments often fail to initiate or process compensation claims promptly.
- Bureaucratic red tape and delays discourage firefighters from seeking their rights.

¹¹ The Disaster Management Act, 2005: A critical Review, available at: <https://Researchgate.net> (Last visited on April 31, 2025)

¹² The Disaster Management Act, 2005, Sec 44 and 45

¹³ S.N. Misra, Labour and Industrial Laws, 15th Edition, 2025

- Families of deceased firefighters often face years of legal struggle to receive basic compensation.
- No standardized procedure exists for compensation in case of long-term injury, disability, or mental trauma.

The Employees' Compensation Act applies in principle to public servants, including firefighters, by ensuring financial relief in cases of death or injury in the course of employment. In practice, however, bureaucratic hurdles and procedural delays often prevent timely disbursement of benefits. Families of deceased firefighters report long legal struggles for even basic entitlements. The 2020 amendments introduced by the Ministry of Labour and Employment updated compensation calculations, increasing the financial relief available to workers by revising wage ceilings and ensuring inflation-adjusted compensation. These improvements, however, remain poorly implemented at the state and municipal levels for firefighters.

V. OCCUPATIONAL HAZARDS FACED BY FIREFIGHTERS

Firefighters faced a wide range of occupational hazards due to the high-risk nature of their work. These hazards can be broadly categorized into physical, chemical, biological, ergonomic, psychological risks and environmental hazards.¹⁴

The most significant scientific development in recent years came in June 2022, when the International Agency for Research on Cancer (IARC)¹⁵ classified occupational exposure as a firefighter as "carcinogenic to humans (Group 1)", based on sufficient evidence of cancer incidence. This classification, published in *The Lancet Oncology*, marked the first authoritative recognition of firefighting as a confirmed cancer-causing occupation (Demers et al., 2022). The follow up IARC Monograph Volume 132 (2023) identified specific cancers mesothelioma and bladder cancer as directly linked to firefighting exposure.¹⁶

¹⁴ Tee L. Guidotti and Vronica M. Clough., Occupational health concern of firefighting, *Annual Review of public health* Vol 13, 1992

¹⁵ IARC monographs Volume 132L: Occupational exposure as a firefighter, 2023

¹⁶ Demers P, Demarini D, Fent K, et al. Carcinogenicity of occupational exposure as a firefighter. *Lancet Oncol* 2022; DOI: 10.1016/ S1470-2045(22)00390-4

These findings are critical for India, where firefighters are regularly exposed to carcinogens such as benzene, formaldehyde and asbestos residues during operations, often without adequate respiratory protection. Despite these risks, Indian legal frameworks do not classify firefighting related cancers as occupational diseases, unlike jurisdictions in North America and Europe.

A. In addition to carcinogenic exposure firefighters face:

1. Physical Hazards:

- **Burns and Heat Exposure**

Firefighters frequently operate in high temperature environments. Despite wearing protective gear, they are at constant risk of first, second, and even third-degree burns. Heat stress and dehydration are also prevalent, especially in prolonged firefighting operations. According to a report by the National Fire Protection Association (NFPA), thermal burns account for a significant proportion of firefighter injuries annually.

- **Structural Hazards**

One of the most common dangers during firefighting is the potential collapse of buildings and structures weakened by fire. Unstable floors, falling debris, and poorly supported ceilings pose fatal risks. Firefighters may also fall from heights, such as ladders or rooftops, during firefighting or rescue efforts.

- **Noise Induced Hearing Loss**

Firefighting equipment, alarms, and sirens produce sound levels well above the occupational safety threshold. Continuous exposure without adequate ear protection can lead to permanent hearing damage.

- **Slips, Trips, and Falls**

The unpredictable and often chaotic nature of fire scenes, combined with water usage and debris, create slippery surfaces. These are common causes of orthopedic injuries such as fractures, sprains, and strains.¹⁷

2. Chemical Hazards:

¹⁷ International hazard datasheets on occupation firefighters, available at: <https://www.ilo.org> (last visited on April 30,2025)

- **Inhalation of Toxic Gases**

Combustion releases a wide array of hazardous substances, including carbon monoxide (CO), hydrogen cyanide (HCN), hydrogen sulfide, benzene, sulfur dioxide, chlorine, ammonia and formaldehyde. Even short-term exposure can result in respiratory issues, dizziness, and confusion; long term exposure may lead to chronic lung diseases and neurological disorders.

- **Carcinogenic Exposure**

Firefighters are disproportionately affected by various cancers, including lungs, bladder, prostate, and leukemia, due to exposure to carcinogens in smoke and debris. The International Agency for Research on Cancer (IARC) recently reclassified occupational exposure as a firefighter as Group 1 Carcinogenic to Humans.

- **Skin Absorption of Hazardous Substances**

Though firefighters wear protective suits, skin exposure to contaminants is still common, especially when sweat opens pores. Soot and chemicals can linger on the gear and skin, increasing the risk of absorption.¹⁸

3. Biological Hazards:

- **Infectious Disease Exposure**

Firefighters often serve as first responders in medical emergencies, putting them at risk of contracting blood borne pathogens such as Hepatitis B, Hepatitis C, and HIV. Handling injured victims or administering first aid increases this risk.

- **Contaminated Water and Waste**

Flood rescue or industrial fire scenarios may expose firefighters to untreated sewage, chemical spills, or infectious water borne pathogens like leptospirosis, especially in underdeveloped sanitation conditions.

- **Insect and Animal Encounters**

¹⁸ Firefighter occupational exposures, available at: <https://militaryhazards.org> (last visited on July 28, 2025)

During outdoor rescues or forest fire control, firefighters may encounter venomous snakes, insects, and animals, exposing them to bites, stings, and zoonotic diseases.

4. Ergonomic Hazards:

- **Heavy Lifting and Manual Handling**

Firefighters often carry heavy equipment, victims, or hoses over long distances and uneven terrain. This results in frequent musculoskeletal disorders, particularly in the back, knees, and shoulders.

- **Repetitive Motion and Awkward Postures**

Rescue and suppression activities involve bending, stretching, kneeling, and crawling, often under time pressure. Prolonged physical exertion in such conditions leads to fatigue and long-term physical deterioration.¹⁹

5. Psychological Hazards:

- **Post-Traumatic Stress Disorder (PTSD)**

Exposure to traumatic events such as charred bodies, injured children, or the loss of fellow firefighters takes a severe toll on mental health. PTSD is a significant occupational risk in this profession and may be compounded by societal expectations to remain stoic.

- **Anxiety and Depression**

The unpredictability of the job, long hours, shift work, and frequent exposure to human suffering often led to anxiety, depression, and burnout. Firefighters may also experience guilt in the aftermath of unsuccessful rescue attempts.

- **Sleep Deprivation and Cognitive Impairment**

Many firefighters work 24 hours or longer shift, which disrupts their sleep patterns. Inadequate sleep can cause: Impair cognitive functions, potentially hindering critical decision-making during emergency situations. Heighten the likelihood of workplace

¹⁹ Guidotti, T: Firefighting Hazards, in Stellman, J (Ed) The ILO Encyclopaedia of occupational health and safety, 4th Edition, ILO Geneva 1998. Vol 3. Pp 95.4-9

accidents and injuries. It leads to chronic health conditions, including cardiovascular disorders and mental health challenges.

6. Environmental Hazards:

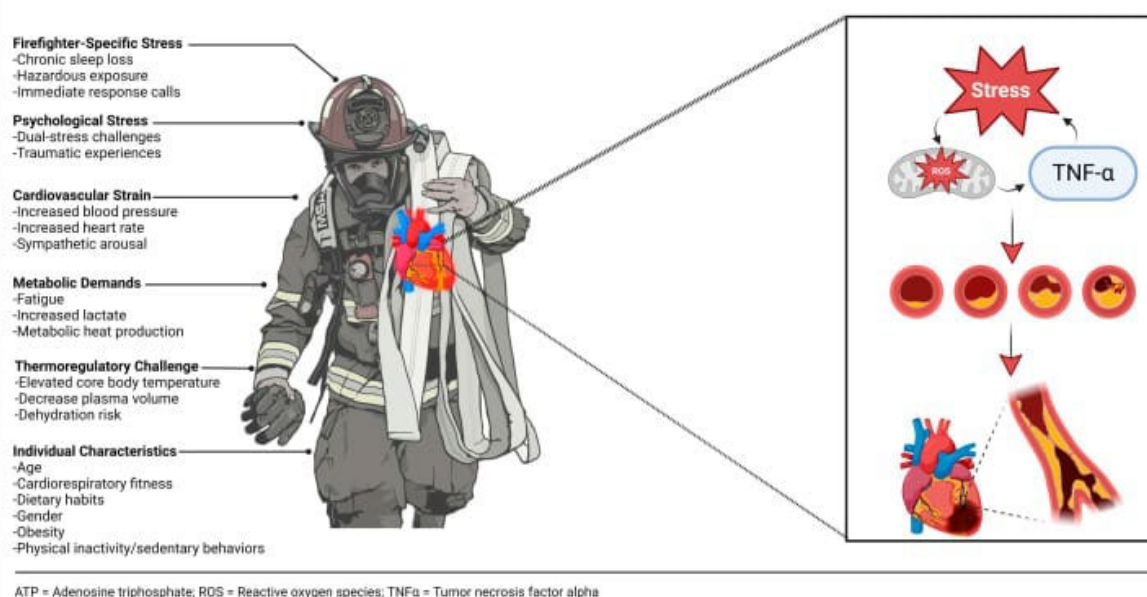
• Extreme Weather Conditions

Firefighters are required to work in harsh climates blazing wildfires, torrential floods, or icy rescue missions. These extreme environmental conditions increase the likelihood of hypothermia, heatstroke, and frostbite.

• Hazardous Terrains

Wild land firefighting, mountain rescues, or industrial site interventions often involve difficult to access areas, increasing the risk of physical injury due to unstable surfaces or lack of visibility.

Firefighter safety is the highest priority at a defensive fire



VI. INTERNATIONAL COMPARISON

A. UNITED STATES

1. The Public Safety Officer's Benefits Act (PSOB)

The Public Safety Officer's Benefits (PSOB) program is a government initiative that offers financial support to public safety personnel including (police officers,

firefighters, emergency medical service workers, and emergency management employees) who are seriously injured or lose their lives while performing their official duties. If a public safety officer is killed or becomes permanently and totally disabled due to an injury sustained in the line of duty, a lump sum cash benefit is provided to them or their surviving family members. This helps ease the financial burden on the families affected by such tragedies.²⁰

The Public Safety Officer's Benefits (PSOB) provides a lump sum compensation exceeding USD 4,000,00 (2023) to the families of firefighters killed in the line of duty.

2. Public Safety Officer's Educational Assistance (PSOEA)

A related component of this program is the Public Safety Officer's Educational Assistance (PSOEA) program. This program is specifically designed to help the spouses and children of public safety officers who have died or been permanently disabled while on duty. It offers financial assistance for higher education, covering expenses such as tuition, fees, books, and other educational costs.²¹

3. Occupational Safety and Health Administration (OSHA)

The federal occupational safety and health administration (OSHA) was created in 1970 to protect employees against workplace hazards. Federal OSHA regulations are applicable to federal firefighters, employees in the private sector and volunteer fire protection associations that are incorporated. U.S. Fire-fighters receive hazard pay, comprehensive health insurance, and mandatory mental health counselling.²²

B. UNITED KINGDOM

1. Fire and Rescue Services Act 2004

The Fire and Rescue Services Act 2004 (UK) is the primary legislation that establishes the framework for fire and rescue services in England. It covers various aspects,

²⁰ Public Safety Officer's Benefits programs, available at: Bureau of justice assistance fact sheet

²¹ Public Safety Officer's Benefits (PSOB) and Public Safety Officer's Educational Assistance (PSOEA) programs, available at: <https://congress.gov> (last visited on July 29, 2025)

²² Safety requirements in the fire service, available in: <https://firehouse.com> (last visited on July 29, 2025)

including the structure of fire and rescue authorities, their functions and the legal framework for their operations.²³

2. The Firefighters Pension Scheme

The fire-fighters pension scheme is an extremely valuable and important part of your employment package.

Firefighters Pension Scheme 1992:

- | | |
|--------------------------------|---|
| * 1/60th accrual rate | * Double accrual after 20 years |
| * Maximum service is 30 years | * Earliest retirement age 50 |
| * Final Salary scheme | * Actuarial commutation factors |
| * Injury benefits | * Built in ill-health benefits/life cover |
| * Pension for Widow's/Children | * Deferred pension age 60 |

2006 Firefighter Pension Scheme:

- * Open to regular and retained firefighters from 6th April 2006
- * 1/60th accrual rate
- * Maximum service 40 years
- * Retirement age 60
- * Earliest retirement age 55 (subject to reductions)
- * Final Salary Scheme
- * Commutation based on 1:12 ratio
- * Built in ill health benefits/life cover
- * Pension benefits for Partners/Children
- * Deferred pension age 65

2015 Firefighter Pension Scheme:

The Public Service Pensions Act, 2013, the FPS 2015 replaced the earlier 1992 and 2006 schemes with a more sustainable Career Average Revalued Earnings (CARE) model. Its key features include:

- A Normal Pension Age (NPA) of 60, with retirement permitted between 55 and 75 subject to actuarial reductions.

²³ Fire and Rescue Service Act, 2004 , available at: <https://www.legislation.gov.uk> (last visited on April 31, 2025)

- Pension accrual on a career average basis, with annual revaluation of earnings.
- Contribution rates ranging from 10.5% to 14.5% depending on salary bands.
- Provision for ill-health and survivor benefits, as well as the option to commute up to 25% of the pension into a lump sum on retirement.

Importantly, subsequent litigation known as the McCloud/Sargeant cases found that transitional protections for older firefighters under the 2015 reforms amounted to unlawful age discrimination. To address this, the UK government introduced a remedy period (2015–2022), during which members may later choose whether benefits are calculated under the legacy (1992/2006) schemes or FPS 2015. From 1 April 2022, all new service accrues under FPS 2015 only, while retrospective “deferred choice underpins” provisions effective from 1 October 2023 ensure fairness across generations.

These modifications underscore how the UK has sought to modernise its pension structure while also correcting inequities through legal remedies, offering a more balanced and rights-based framework for firefighter welfare.²⁴

C. INTERNATIONAL COMPARISION TABLE:

Aspect	India	United State	United Kingdom
Legal framework	No dedicated central law; governed by fragmented state/municipal rules.	Public Safety Officer's Benefits (PSOB) Act provides statutory compensation and benefits.	Fire and Rescue Services Act, 2004 establishes national framework.
Compensation for Death/ Injury	Varies by state; ex gratia payments inconsistent (₹5–20	PSOB provides lump-sum compensation	Compensation through structured pension schemes

²⁴ Firefighters pension schemes quick guide, available at: <https://www.local.gov.uk> (last visited on April 23, 2025)

	lakhs typical, often delayed).	(over USD 400,000 in 2023) for line-of-duty deaths or permanent disability.	and statutory injury benefits.
Health & Safety	Inadequate PPE; irregular health checkups; minimal mental health support.	OSHA regulations mandate protective equipment, training, and hazard pay; comprehensive medical checks.	National safety standards; mandatory equipment provisions; built-in occupational health monitoring.
Mental Health & PTSD Support	Rarely institutionalised; only ad-hoc counselling (if any).	Mandatory mental health counselling and PTSD treatment covered under federal schemes.	Ill-health retirement benefits: post-trauma support integrated into service policies.
Pension / Retirement	Uneven; some states provide pensions, others only lump-sum gratuity; no early retirement provisions.	Federal/state pensions with disability cover; retirement with benefits after 20–25 years.	Structured 1992, 2006, and 2015 pension schemes; retirement age 55–60 with early retirement options.
Recognition	No National Day of Recognition;	Honoured annually during	National Firefighters’

	occasional state-level awards.	National Fallen Firefighters Memorial ceremonies.	Memorial and recognition under government schemes.
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D. CANADA AND AUSTRALIA

Both Canada and Australia have taken steps to recognize firefighting as a hazardous occupation. Canadian provinces such as Ontario presume certain cancers to be work related for firefighters, enabling automatic compensation. In Australia, legislation provides for presumptive rights where specific cancers are directly linked to firefighting duties. These models highlight how statutory presumptions ease the burden of proof for firefighters and their families a reform India could adapt.

VII. CASE STUDYS

E. National Human Rights Commission (NHRC) Reports

Though not court cases, the NHRC has observed that lack of safety gear and delayed compensation for frontline workers (including firefighters) violates fundamental human rights. These reports can be cited to strengthen policy recommendations.

1. Satya Narain Vs Union of India ²⁵

A Delhi firefighter sustained severe burns while performing his duty in a government building. The Delhi High Court directed the authorities to grant immediate compensation and medical support.

The judgment affirmed that firefighters, as frontline public servants, are entitled to timely and adequate compensation without being forced into prolonged litigation. It reinforced the state's duty under Article 21 of the Constitution to safeguard the right to life and dignified working conditions of public employees.

²⁵ Satya Narain Vs Union of India W. P. (C) No. 5186 of 2010, (Delhi HC, decided on 2011)

2. Kewal Krishan Vs State of Punjab²⁶

A fire officer employed by the Punjab Fire Service lost his life while performing duty during a major fire accident. His family sought financial compensation, which the State initially resisted. The Supreme Court held that the family of a deceased firefighter was entitled to compensation and directed the State to provide support. The ruling affirmed that the State, as an employer, carries a continuing responsibility toward dependents of public servants who die in hazardous duties. It laid the foundation for recognising that the sacrifice of firefighters must be met with adequate and uniform compensation.

3. State of Punjab Vs Jagir Singh²⁷

The dependents of a government employee who died in the course of duty sought compensation and benefits. The Supreme Court held that death in service benefits must be disbursed without delay, recognising the obligation of the state to support the families of deceased employees. Reinforces the principle that the state cannot abdicate its duty towards families of public servants killed in hazardous conditions.

VIII. CONCLUSION

Firefighters in India continue to operate under precarious and unsafe conditions without a dedicated legal framework that guarantees their welfare and dignity. Despite being universally recognised as frontline protectors, Indian firefighters lack the statutory safeguards, structured benefits and recognition available to their counterparts in countries such as the United States and United Kingdom. According to NHRC observations (2023), more than 70% of fire stations in India operate without standard protective gear, while compensation for injury or death is often delayed by years due to bureaucratic red tape. The National Crime Records Bureau further reports that dozens of firefighters die annually in the line of duty, underscoring the urgent need for legal intervention.

²⁶ Kewal Krishan Vs State of Punjab 1980 (Supp) SCC 499

²⁷ State of Punjab Vs Jagir Singh (2004) 8 SCC 129

This study highlights that existing laws such as the Factories Act, 1948, the Disaster Management Act, 2005, and the Employees' Compensation Act, 1923 provide fragmented and indirect protection, leaving firefighters at the margins of labour jurisprudence. While industrial establishments are mandated to follow fire safety norms, the personnel who risk their lives to enforce these norms remain unprotected. This systemic oversight reflects a deep structural flaw in India's labour and welfare framework.

To address these gaps, the paper proposes the enactment of a National Firefighter Welfare and Protection Act, a comprehensive statute that would:

1. Officially recognise firefighting as a hazardous occupation, enabling special protections such as early retirement, cancer screening, and risk allowances.
2. Standardise compensation mechanisms across states, with a minimum ₹25–50 lakh ex gratia for fatalities and structured disability benefits.
3. Mandate periodic health checkups, including cancer screening, lung function tests, and psychological counselling.
4. Establish mental health and trauma support units, ensuring that PTSD and related conditions are treated as occupational injuries.
5. Provide uniform service rules, including working hours, promotional avenues, pensions, and insurance coverage comparable to police and paramilitary forces.

Financial feasibility must also be addressed. Allocating resources for firefighter welfare is both a moral imperative and a public investment. The proposed compensation figures are justified when compared to benefits extended to defence and police personnel, especially considering rising inflation. Funding can be mobilised through a joint Centre–State mechanism, with the Ministry of Home Affairs serving as the nodal agency. States could operationalise implementation through their Fire and Rescue Services Departments, supported by central budgetary allocations and disaster relief funds.

The reforms must be implemented in a phased timeline:

Short term (1–2 years): Uniform compensation policy, mandatory insurance coverage, and annual health checkups.

Medium term (3–5 years): Establishment of mental health units, provision of modern safety equipment, and structured training programmes.

Long term (5–10 years): Full enactment of the National Firefighter Welfare and Protection Act, including pension reforms, early retirement provisions, and nationwide harmonisation of service conditions.

Ultimately, the protection of those who protect us cannot be left to chance or piecemeal state regulations. Firefighting must be treated as a matter of constitutional urgency under Article 21, where the right to life necessarily extends to safe working conditions and dignified service for firefighters. India must rise to the moral obligation of honouring its first responders not just in moments of crisis, but through sustained legal, institutional and financial commitments. Only then can the nation claim to truly value the lives of those who risk everything to save others.

IX. RECOMMENDATIONS

A. Enact a National Firefighter Welfare and Protection Act

A comprehensive central law must be introduced, like the service rules governing police and paramilitary forces. This Act should clearly define service conditions, working hours, retirement provisions, benefits, grievance redressal mechanisms and disciplinary codes. Drafting responsibility may be vested with the Ministry of Home Affairs, in consultation with State Fire Services, labour law experts and firefighter unions.

B. Recognize Firefighting as a Hazardous Occupation

Firefighting must be formally classified as a hazardous profession under labour and social welfare laws. Such classification will allow firefighters to access special benefits such as early retirement, cancer screening and additional risk allowances. The Ministry of Labour and Employment should issue a notification, after amending relevant schedules of occupational safety laws.

C. Ensure Uniform Risk Allowance and Compensation Across States

Compensation must be standardized across India, with a minimum ₹25–50 lakh ex gratia for fatalities in the line of duty, along with structured disability benefits and family pensions. The proposed range reflects inflation adjusted parity with compensation granted to police and paramilitary personnel. Central guidelines should mandate ex gratia standards, with cost sharing mechanisms between Centre and States for financial feasibility.

D. Implement Mandatory Periodic Health Checkups

All firefighters should undergo regular physical and psychological evaluations, with special focus on lung health, cancer detection and mental wellbeing. The National Health Mission can integrate firefighter specific medical checkups into its public health agenda, with state run hospitals designated for specialised screenings.

E. Establish Mental Health and Post-Trauma Support Units

Dedicated counselling centres and helplines should be established to address PTSD, anxiety and depression among firefighters. Occupational stress should be recognised as a compensable workplace hazard. State governments should set up Firefighter Psychological Support Units (FPSUs) within Fire and Rescue Service departments, staffed with trained counsellors and psychiatrists.

F. Create a Centralised Insurance and Pension Framework

A uniform insurance and pension scheme must be designed for firefighters across India, with portability across states. The scheme should cover accidental deaths, permanent disability and provide postretirement benefits equivalent to police service rules. The Employees' State Insurance Corporation (ESIC) and the Pension Fund Regulatory and Development Authority (PFRDA) may jointly frame this scheme.

G. Recognition And Awareness

1. Annual National Firefighter Day

A designated day should be observed nationwide to recognise the service and sacrifice of firefighters. Public ceremonies, state awards, and awareness campaigns should be held to elevate their social visibility.

2. Public Awareness and Education Campaigns

Schools, colleges, and communities should be educated on the risks firefighters face and the importance of fire safety. Such awareness campaigns can also highlight the need for better welfare protections.

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