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EDITORIAL ANALYSIS

Fire, Fragmentation and the Unfinished 74th Amendment

 THE HINDU

29 July 2026

POLITY

GS2

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Fire, Fragmentation and the Unfinished 74th Amendment

 The Hindu

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INTERVIEW ANGLE

"If fire safety enforcement were fully devolved to elected municipal bodies tomorrow, what specific new capacity, technical, financial or political, would those bodies need to actually enforce codes that state agencies currently fail to enforce?"

✓ Every fact web-verified against primary sources

THE LIFT LINE

A fire code that exists in a state government manual but answers to no one a citizen can vote out is not really a fire code. It is a document that becomes evidence only after the tragedy it was written to prevent.

WHY THIS EDITORIAL MATTERS FOR YOUR EXAM

Urban local governance and the unfinished promise of the 74th Amendment is a standing GS2 theme, and recurring fire tragedies provide a concrete, high-stakes lens through which to test whether candidates understand **devolution** as an accountability mechanism, not merely an administrative reshuffle.

GS Paper 2: Devolution of powers and finances up to local levels and challenges therein; local self-government; issues and challenges pertaining to the federal structure; government policies and interventions in urban governance.

For **Prelims**, fix the exact constitutional mechanics: which Part and Schedule the 74th Amendment added, and which of the Twelfth Schedule's functions typically remain undeveloped in practice despite being listed.

CONCEPT	MEANING	WHY UPSC TESTS IT
74th Constitutional Amendment Act, 1992	Gave Municipalities constitutional status as institutions of local self-government	Companion to the 73rd Amendment (Panchayats); frequently paired in questions
Part IXA	The constitutional part added by the 74th Amendment, covering Municipalities	Tests the specific constitutional location, distinct from Part IX (Panchayats)
Twelfth Schedule	Lists 18 functional items states may devolve to Municipalities, including fire services	An illustrative, not mandatory, list; states retain discretion over actual devolution
Functional devolution vs. administrative delegation	Genuine devolution transfers accountability to elected bodies; delegation merely assigns tasks while accountability stays upward	The core distinction this editorial argues fire safety governance has never crossed

BACKGROUND AND CONTEXT

DEVELOPMENT	DETAIL
1992	74th Constitutional Amendment Act enacted, adding Part IXA and the Twelfth Schedule
Twelfth Schedule item	Fire services listed among the 18 functional items states may devolve to Municipalities
In practice	Most states retain fire departments as state-run agencies, not devolved to municipal control
Recent incidents	Building-fire tragedies in Lucknow and Delhi renewed scrutiny of municipal fire-safety enforcement; separate industrial explosions in Bhiwadi and Virudhunagar, governed by factory and explosives-safety rules rather than municipal fire codes, underline a related but distinct safety-governance gap

THE CORE ARGUMENT / ISSUE

The gap between listed and actually devolved

The Twelfth Schedule’s inclusion of fire services as a function states “may” devolve to Municipalities has, in most states, not translated into actual transfer of functional responsibility, funding, or functionaries, the “three Fs” that genuine devolution requires. Fire departments in most Indian cities remain state-cadre services, reporting through state government hierarchies rather than to elected municipal councils, which means the citizens most affected by fire-safety enforcement failures have no direct electoral lever over the agency responsible.

Why this matters more than a knowledge or technology gap

The editorial's core claim is that fire-safety codes, National Building Code provisions, and inspection protocols already exist in adequate technical detail; India is not lacking the knowledge of what fire-safe construction requires. What repeatedly fails is enforcement, at the building-approval stage (where compliance should be verified before occupancy) and at the ongoing-inspection stage (where violations should be caught before they become tragedies). Both stages currently sit with agencies insulated from direct local electoral accountability.

The capacity counter-argument

A genuine constraint complicates simple calls for devolution: many municipal bodies, particularly in smaller cities, lack the specialised technical staff, equipment and training budgets that fire safety enforcement requires. Devolving formal responsibility without addressing this capacity gap risks merely relocating the failure downward, to municipal bodies even less equipped than the state agencies currently falling short.

Why devolution and capacity-building are not alternatives

The reply treats this as a false choice. The 74th Amendment's design already anticipates that devolution must be paired with adequate finance, which is why Article 243W and the associated State Finance Commission mechanism exist to determine what resources should flow to Municipalities alongside devolved functions. The failure has been on both fronts simultaneously, functions largely undeveloped and finance commissions' recommendations inconsistently implemented, not a case where devolution was tried and capacity constraints proved it wrong.

HOW TO THINK ABOUT THIS (ANALYTICAL FRAME)

Separate the “who is responsible” question from the “who has the capacity” question, then insist both be answered together. A governance failure diagnosed only as an accountability gap risks prescribing devolution without capacity, which merely relocates the failure. A governance failure diagnosed only as a capacity gap risks prescribing training and equipment for agencies still insulated from local electoral accountability, leaving the underlying incentive problem untouched. The 74th Amendment's own design, functions plus finance plus functionaries, models the discipline of answering both questions at once, and this frame generalises to nearly every unfinished-devolution debate in Indian local governance, water supply, solid waste management, and urban planning among them.

THE DIAGRAM IN WORDS

Picture a fire-safety inspection chain as a series of checkpoints between a building's construction and its eventual occupancy: design approval, construction-stage verification, occupancy certification, and periodic re-inspection. At each checkpoint sits an official who, under the current arrangement, reports upward through a state government hierarchy rather than to the elected municipal council that represents the building's eventual occupants and neighbours. When a violation slips through any checkpoint, the chain of

accountability for that failure runs upward and away from the citizens harmed, into a state bureaucracy several layers removed from the incident. Devolution, properly resourced, redraws each checkpoint's reporting line to run instead to the elected local body, shortening the distance between the point of failure and the electorate that can act on it.

WAY FORWARD

- 1 **Formally devolve fire services** to municipal bodies as functional responsibility, not merely a listed Twelfth Schedule possibility, with clear timelines for states that have not yet done so.
- 2 **Ring-fence State Finance Commission allocations** specifically for fire-safety capacity, equipment and training, so devolution is not unfunded.
- 3 **Mandate integrated single-window accountability** for building approval, fire inspection and occupancy certification, closing the jurisdictional fragmentation that currently lets responsibility diffuse.
- 4 **Publish public compliance dashboards** at the municipal level, giving citizens and elected councillors visibility into inspection status and violation records.
- 5 **Build technical cadre-sharing arrangements** between smaller municipal bodies, so capacity constraints in individual towns do not become a permanent argument against devolution.

PYQ LINKAGE AND PRACTICE

UPSC has repeatedly tested the 73rd and 74th Amendments, the unfinished state of India's local governance devolution, and urban governance challenges; this editorial provides a current, tragedy-linked case for the recurring "devolution versus capacity" debate.

Practice question: "Devolution of urban functions without adequate finance and functionaries risks relocating governance failure rather than resolving it." Examine this claim with reference to fire-safety governance under the 74th Constitutional Amendment. (250 words, 15 marks)

Interview angle: If fire safety enforcement were fully devolved to elected municipal bodies tomorrow, what specific new capacity, technical, financial or political, would those bodies need to actually enforce codes that state agencies currently fail to enforce?

Sources: The Hindu, Ministry of Housing and Urban Affairs, PRS Legislative Research

Source: Fire, Fragmentation and the Unfinished 74th Amendment — Ujiyari.com | Free UPSC & State PCS Editorial Analysis

• KEY ARGUMENTS AT A GLANCE

Recurring urban fire tragedies expose not merely enforcement lapses but a structural governance failure, the 74th Constitutional Amendment's promise of devolving urban functions to elected local bodies remains unfulfilled, leaving fire safety fragmented across multiple state-appointed agencies accountable upward rather than to citizens.



SUPPORTING

- Fire safety codes, inspection protocols and enforcement technology already largely exist on paper; the recurring failure is institutional accountability, not a knowledge or technology gap.
- Jurisdictional fragmentation across fire departments, municipal building-approval authorities, and state disaster-management agencies means no single accountable body owns fire-safety outcomes end to end.
- State-appointed agency heads answer to state government hierarchies rather than to the elected municipal councils that represent the citizens most directly affected by enforcement failures.



COUNTER

Fire safety requires specialised technical capacity, equipment and training that many under-resourced urban local bodies genuinely lack, and full devolution without capacity-building could simply shift the enforcement gap downward rather than closing it.



WAY FORWARD

Devolve fire-safety functional responsibility to municipal bodies as the 74th Amendment envisages, paired with dedicated capacity-building funding and technical support, rather than treating devolution and capacity-building as alternatives.


MAINS ANSWER FRAMEWORK
QUESTION

Recurring urban fire tragedies in India are often attributed to enforcement failure, but the 74th Constitutional Amendment's incomplete devolution is a deeper structural cause. Examine this claim with reference to the governance of urban fire safety. (250 words)

INTRODUCTION

Recurring urban building fires, including recent incidents in Lucknow and Delhi, alongside separate industrial-safety failures in Bhiwadi and Virudhunagar, have prompted scrutiny not just of individual enforcement lapses but of the underlying institutional architecture governing urban fire and safety regulation.

BODY

The 74th Constitutional Amendment Act, 1992 added Part IXA to the Constitution, giving Municipalities constitutional status as institutions of local self-government and providing, through the Twelfth Schedule, an illustrative list of functions, including fire services, that states may devolve to them. In practice, fire safety enforcement in most Indian cities remains fragmented across multiple bodies: state-run fire departments, municipal building-plan approval authorities who are supposed to verify fire-safety compliance at construction stage, and state disaster-management agencies, none of which is singularly accountable to the elected municipal council or, through it, to citizens.

This fragmentation means that when a fire tragedy exposes a code violation, such as a blocked fire exit or missing sprinkler system, responsibility diffuses across agencies that answer primarily to state government hierarchies rather than to local elected representatives, weakening the direct accountability link the 74th Amendment was designed to create.

CONCLUSION

Full devolution of fire-safety functions to municipal bodies, paired with dedicated technical capacity-building and ring-fenced funding, would close both the accountability gap the 74th Amendment left open and the technical-capacity gap that makes devolution alone insufficient, addressing what has so far been treated as separate problems as a single, connected governance failure.

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