

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2149

ANSWERED ON:05.08.2003

FIRE SAFETY MEASURES IN GOVERNMENT BUILDINGS

M.V.V.S MURTHI;NIVEDITA MANE;PRABHA RAU;VILAS BABURAO MUTTEMWAR

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government are aware that Government buildings situated in Delhi are not fire proof according to the Delhi Fire Safety Rule 1987;
- (b) if so, the details thereof alongwith names of buildings;
- (c) whether High Court of Delhi issued some directions in this regard;
- (d) if so, the details thereof;
- (e) whether the Government have released funds for equipping these buildings with fire fighting equipments; and
- (f) the steps taken by the Government for equipping these buildings with all the essential requirements for fire fighting?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK)

(a)&(b): There are 42 buildings in Delhi owned by the Central Government or Government of National Capital Territory of Delhi or autonomous bodies under their control or Local Bodies which do not have in place all the fire safety measures prescribed under the Delhi Fire Prevention and Fire Safety Act, 1986 and the Rules framed thereunder. The names of these buildings have been given in the statement at Annexure-I.

(c)&(d): Yes, Sir. The directions passed by the High Court of Delhi vide its order dated 29th May, 2003 passed in Civil Writ Petition No.2710 of 1998 and C.M. No.4780 of 2003 - Dr. B.L. Wadhwa vs. Government of National Capital Territory of Delhi and Others are reproduced in the statement at Annexure-II.

(e)&(f): Delhi Fire Service has issued notices to the agencies concerned and the action to equip these buildings with fire safety measures is in process.

ANNEXURE-I

Statement referred to in reply to Parts (a) & (b) of the Unstarred Lok Sabha Question No. 2149 for answer on 5th August, 2003

I. Buildings belonging to the Government of NCT of Delhi

Scheduled Castes/Scheduled Tribe Building, Sector -15, Rohini, Delhi.
Baba Saheb Ambedkar Hospital, Rohini, Delhi.
Rao Tula Ram Hospital, Jaffarpur Kalan, Delhi.
Deen Dayal Upadhyay Hospital, Hari Nagar New Building Nursing Hostel
Deen Dayal Upadhyay Hospital Hari Nagar for all five Block New Delhi
Deen Dayal Upadhyay Hospital, Hari Nagar Doctors Residential Block 'E'
Tis Hazari Court, Delhi
Aruna Asaf Ali Hospital Civil Line, Delhi
Trauma Centre near Inter State Bus Terminal, Delhi
Lok Nayak Hospital, MRD Block, Asaf Ali Road, New Delhi.
Lok Nayak Hospital, Taneja Block, Asaf Ali Road, New Delhi.
Govind Ballabh Pant Hospital, Old Resident Doctor Hostel, Asaf Ali Road, New Delhi
Govind Ballabh Pant Hospital Main Building Asaf Ali Road, New Delhi.
Govind Ballabh Hospital Academy Block, Asaf Ali Road, New Delhi
Guru Teg Bahadur Hospital 'E' Block Family accommodation, Shahdara
Guru Teg Bahadur Hospital Main Building, Shahdara
Guru Teg Bahadur Hospital JRD Doctors Hostel, Shahdara
Guru Teg Bahadur Hospital Boys Hostel, Shahdara,
Guru Teg Bahadur Hospital, University College of Medical Sciences, Shahdara
Lal Bahadur Shastri Hospital, Kichripur, Delhi
Karkardoona Court ACI & JKL Block, Karkardoona, Delhi

Karkardooma Court D Block, Delhi
Karkardooma Court B Block, Delhi
Karkardooma Court O Block, Delhi
Multi storey Office Building (Delhi Police Headquarters), I.T.O., New Delhi.

II. Buildings belonging to the Central Government:

Multi-storey building near New Delhi Railway Station, New Delhi.
Northern Railway Flats, Panchkuin Road, New Delhi.
Rail Niwas Multi-storey Flats, State Entry Road, New Delhi.

III. Buildings belonging to the Local Bodies:

Mohan Singh Palace, Baba Kharag Singh Marg, Connaught Place, New Delhi.
Akbar Bhawan, Chanakyapuri, New Delhi
Yashwant Palace, Chanakyapuri, New Delhi
Super Bazar, Conanught Place New Delhi,
Shakti Sadan, Kotla Road, New Delhi
Gaffar Market, Karol Bagh, New Delhi.
Admn. Block Hindu Rao Hospital, Delhi.

IV. Buildings belonging to the autonomous Bodies:

Foreign Post Office Kotla Road, New Delhi.
Vallabh Bhai Patel Chest Institute, Delhi University, Delhi.
Jeevan Vihar Sansad Marg, New Delhi.
Union Soviet Socialist Republic Building, 24, Feroz Shah Road, New Delhi.
Golden Jubilee Hall, Pusa Road, New Delhi.
Mankalya Bhawan, Bahadur Shah Zafar Marg, New Delhi.
Manak Bhawan, Bahadur Shah Zafar Marg, New Delhi.

ANNEXURE-II

STATEMENT REFERRED TO IN REPLY TO PARTS (c) & (d) FOR LOK SABHA UNSTARRED QUESTION NO.2149 T ANSWERED ON 5TH AUGUST, 2003.

In all high rise buildings in Delhi and New Delhi, fire safety measures are to be provided keeping in mind provisions made in the bye-laws and specific provision for fire protection in the bye-laws. And as per these requirements, there must be fire safety measures in such high rise buildings, as contemplated in the bye-laws and National Building Code of India, 1970.

In high rise buildings wherein fire safety measures are required to be provided under the bye-laws, National Building Code as well as any other provision which are applicable, the builders, developers, organizers, contractors, architects and engineers, society, association of persons etc. erecting building shall provide fire safety measures as per bye-laws and without such measures, the respondent authorities shall not grant occupancy certificate.

So far as the existing but unoccupied buildings and buildings under constructions are concerned, the respondents authorities acting under bye-laws are directing not to grant occupancy certificate unless and until sufficient fire protection system is installed, is made operational and is certified by the Fire Officer concerned to the effect that as per bye-laws and as per his satisfaction fire safety measures are provided.

When adequate and sufficient fire safety measures are provided and made operational, authorities granting permission under Building bye-laws shall strictly enforce, the provisions relating to fire safety system while granting occupation certificate.

It is further directed that henceforth the respondent authorities shall not supply essential services to any new high rise building unless and until the buildings is erected in accordance with law and bye-laws. All electricity supply companies (BSES, Rajdhani Power Limited, BSES Yamuna Power Limited, Delhi Power Company Limited and North Delhi Power Limited) are directed in this behalf. If the builder/developer/organizer, etc. is found indulging in malpractice in giving power connection meant for construction purpose and thereby permits illegal occupation such connection shall be disconnected forthwith and immediate action shall be taken against such builder/ developer/organizer etc.,

That the Fire Officer shall carry out periodical as well as surprise checking to satisfy himself that the fire safety measures provided in the high rise buildings are provided or not. If the same are provided, such visits shall be made to find out whether the same are in

working/operational condition or if the builders/developers/owners/occupiers have made a show of providing fire safety measures, than it will be the duty of the Fire Officer to call upon such occupier/developer/owner/builder to set right the system and on failure to do so within a reasonable time, the Fire Officer shall take steps to get the essential supplies to such building, such as water and electricity, etc. disconnected and seal the building as provided in Safety Act.

By a public notice, Municipal Commissioner/Chairman, NDMC shall inform the public at large who are occupying high rise buildings to provide fire safety measures within a period of four weeks from the date of publication. According to us, though four week's time is long, we are giving four week's time to all the occupiers to see that the occupancy will be allowed and permitted only if fire safety measures are provided in the buildings. If the Fire Safety measures are not provided within a period of four weeks as stated above, then the respondent authorities shall disconnect essential supplies such as water and drainage and seal the building. One must bear in mind that the public notice was given earlier.

It is further directed that the Commissioner/Chairman of MCD/NDMC shall write to electricity supply companies in this behalf and electricity supply company shall also disconnect electric supply if within the said period fire safety measures are not provided. It will be for electric supply companies to remain in touch with the Commissioner/Chairman and vice-versa.

It is further directed that henceforth the respondents shall provide essential services only after recording satisfaction that the erection of building is strictly in accordance with the plan. Electricity Companies are also directed not to supply electricity unless Forms C and D duly signed by the Competent Authority are obtained and produced before the Electricity companies.

The Government is directed to install fire safety measures in all Government high rise buildings within four weeks from today. The respondents shall initiate disciplinary proceedings against its employees, servants, officers as some of the buildings are occupied despite the fact that fire safety measures are not provided in accordance with the provisions in this regard.

The respondents shall place before the Court material indicating as to how many high rise buildings are erected after approval of the plans by the Competent Authority and how many buildings were provided with the fire safety measures as required under the bye-laws before the occupancy and what action is taken against occupiers in connection with the buildings, which are erected contrary to any bye-laws or are occupied without fire safety measures. Such report be filled within three months from today. The respondents shall initiate action against erring officers and shall submit report within a period of three months.

Despite this order, if any building is connected with essential supplies the Commissioner, MCD/Chairman, NDMC as the case may be, himself shall be held responsible and will be answerable to the Court.

At present we are dealing with the fire safety measures in high rise buildings. We are not endorsing the view that the erection of a building is in accordance with the bye-laws. Only with a view to see that since large number of people are occupying buildings erected by a builder/contractor/owner/association of persons/societies/ architect /engineer, etc. we are passing this order for the safety of the occupiers of the building. It should not, therefore be understood that nearly because the fire safety measures are provided the erection of building is in accordance with the bye-laws. That aspect of the matter is not dealt at all.

It is directed that NDMC/DJB/PWD shall put all the static water tanks in working conditions within a period of three months and shall file a report about the action taken in this behalf.

The DDA considering the importance of fire safety shall take decision within four months for allotment of plots for fire stations, Chief Fire officer as well as local authorities, namely, DMC/NDMC shall point out the appropriate sites within a period of one month to the DDA.

Respondents and the Commissioner of Police are directed to clear encroachments on pavements, on roads and public streets within a period of four months for easy movement of fire engines and ambulance vans.

It is further directed that MCD/NDMC/Traffic Police as also the Police Deptt. Shall not allow any encroachment on roads, public streets and footpath/pavements and for that purpose NDMC and MCD as well as the Commissioner of Police shall demarcate the area of jurisdiction of a particular officer and it will be responsibility of that particular officer to see that there is no encroachment on pavement and public street and on roads. NDMC/MCD/Commissioner of Police shall complete this exercise and shall place before the court report indicating the names/designations of the officers who are to be in charge of respective areas. It will be the responsibility of these officers, in case it is found that there is encroachment on public roads or pavements.