

level. I can only assure the House that whatever the hon. Members have said, we have taken note of it with all the earnestness and seriousness that it deserves and if at any other time when the occasion arises we would like to bring some facts before the House, we will do so, but at the moment I would say that it would be desirable and advisable and wise to await the outcome of the very important talks that are going to take place in Bangalore next week.

17.43 hrs.

**DELHI FIRE PREVENTION AND
FIRE SAFETY BILL, 1986**

[English]

MR. DEPUTY SPEAKER : We shall now take up item No. 11 on the Agenda—Delhi Fire Prevention and Fire Safety Bill.

The Minister may now move the Bill for consideration.

**THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
CHINTAMANI PANIGRAHI) :** Sir, I beg to move :

"That the Bill to make more effective provision for the fire prevention and fire safety measures in certain buildings and premises in the Union Territory of Delhi, be taken into consideration."

Sir, the fire in Gopala Towers, Rajendra Place, during June, 1983, greatly agitated the minds of the general public in Delhi and also our hon. Members.

Sir, this tragedy highlighted the inadequacy of fire safety and fire prevention arrangements in multi-storey buildings in the Union Territory of Delhi.

The building bye-laws were enacted and enforced from 23rd June 1983. Thereafter, it became necessary to obtain a No Objection Certificate from the Chief Fire Officer as well as to comply with the specific recommendations for installing

adequate fire safety precautions and means of escape. No Completion Certificate for any building could be issued without the no-objection certificate from the Chief Fire Officer.

SHRI PIYUS TIRAKY (Alipurduara) : On the first day itself, you are playing with fire !

SHRI CHINTAMANI PANIGRAHI : Sir, regarding the completion certificate, this was not so in respect of building constructed before the enactment of those building bye laws, i.e. before June, 1983. Therefore, the position was reviewed in regard to equipping high rise buildings in Delhi with necessary fire-fighting equipments. It has been found after the review that out of the 220 high rise buildings, 194 continue to be deficient in respect of fire prevention and safety precautions. Therefore, inspections were carried out and major defects were pointed out by the Chief Fire Officer to the local bodies who sanction these plans. The owners were requested by the local bodies to remove deficiencies which were found and pointed out after the inspections by the Chief Fire Officer. But the local bodies reported that the owners and the builders did not respond to the request and had not attended to deficiencies. All these things were therefore taken into consideration.

It was felt that the problem cannot be tackled unless some stringent provisions exist for enforcement of fire safety measures so far as the Union Territory of Delhi is concerned.

Therefore, Sir, it has been found that the existing provisions in the Delhi Municipal Corporation Act, 1957 to enforce the fire safety measures, particularly in multi-storeyed buildings are most inadequate as they provide for imposition of maximum penalty of only Rs. 500 for the infringement of bye-laws and in case of continuing infringement, for an additional fine of Rs. 20 only per day. Therefore, it was felt that this Act should be amended and therefore this Bill has been brought forward before the House.

Sir, in the Statement of Objects and Reasons of the Bill, we have laid down

[Shri Chintamani Panigrahi]

what are the main salient features of the Bill. Some friends have pointed out as to whether there should be any appeal. We have provided for appeal also. Two stages of appeal against the orders of the nominated authority have been provided in this Bill. The first appeal will lie to the Appellate Tribunal constituted under section 347A of the D.M.C. Act, 1957. The second appeal against orders of the Appellate Tribunal will lie to the Administrator who can also *suo motu* call for records of any case and pass such orders as may be necessary.

Sir, I may inform the hon. House why we have made this Bill so stringent. The main features are the scope and definition of the word "buildings" has been enlarged to include any structure whether of masonry, bricks, wood, mud, metal or other materials. The second feature is, cinemas, hotels, restaurants, nursing homes and other industrial and commercial establishments employing over 50 people are now included in this definition of "buildings" as recommended by the Metropolitan Council. The third thing is, the definition of the word "premises" has been enlarged to include garden, ground and outhouse as well of temporary structures, as suggested by the Metropolitan Council. We have again also made provisions that improvised tents, and shamanas also now come within the purview of this Bill.

Various punishments, which we are providing in this Bill are: it contains provisions for imposition of penalty of imprisonment up to six months and a fine of Rs. 50,000 or both in case of non-compliance. Where the offence is a continuing one, a further fine of Rs 3 000 per day will be levied, which was only Rs. 20 in the existing Act, until necessary measures, as recommended by the Chief Fire Officer are adopted to render the buildings and premises safe from fire. We have also, as I pointed out, made provisions for people that if anybody feels that they are being harassed, they can go in for appeal to the Tribunal.

The objective of the intended legisla-

stern action against defaulters, is also to constitute a unified Authority in Delhi under the aegis of the Lieutenant Governor to oversee fire prevention and fire safety means and measures related to them. This will go a great way in satisfying the demand of the hon. Members and also of the general public in Delhi whose minds were greatly agitated when tragic event at Gopal Towers took place.

This Bill is completely non-controversial and I hope that the hon. Members will help in getting this Bill passed without any amendments.

MR. DEPUTY SPEAKER : Motion moved :

"That the Bill to make more effective, provisions for the fire prevention, and fire safety measures in certain buildings and premises in the Union Territory of Delhi, be taken into consideration."

[Translation]

*SHRI C. SAMBU (Bapatla) : Mr. Deputy Speaker, Sir, on behalf of Telugu Desam Party I rise to support the Delhi Fire Prevention and Fire Safety Bill, 1986. Sir, I welcome the introduction of this Bill which is quite non-controversial but it is unfortunate that the Government thought of introducing this Bill after a considerable delay. A Bill of this nature should have been brought before the House long ago.

It appears that the policy of this Government is to commit mistakes, suffer damages and then repent later. Many fire accidents have taken place in recent days not only in Delhi but also in several other parts of the country. It is most unfortunate that not only our nationals but also foreign nationals have lost their lives. There was a fire accident at Hotel Siddharta in which many foreign nationals had lost their lives, thus bringing a bad name to the country before the international community. Recently there was a fire accident in Chandhi Chowk area which has resulted in loss of life and property. So Sir, though this Bill has been introduced quite late nevertheless,

This Bill is applicable only to the Union territory of Delhi. A good measure as this, should be made applicable to the whole country. Not only in Delhi, but also in other metropolitan cities like Bombay, Calcutta, Madras and Hyderabad the fire accidents are taking place too frequently. Many multi-storied buildings are coming up in these cities to accommodate the ever increasing demand of the population. The coming up of sky scrapers is a phenomenon witnessed during the recent years in all the major cities in the country. This calls for a greater vigilance against fire mishaps. Our cities are expanding rather vertically than horizontally. We should keep this fact in mind before taking measures to prevent fire accidents,

Sir, our fire fighting machinery is woefully obsolete. We do not have modern equipment. We are constructing 50 or 60 storied buildings and our fire fighting equipment is not adequate enough to put out the fire particularly when the fire breaks out in the 10th or 15th floor. Hence the fire fighting force must be geared up to meet the challenges of multi-storied buildings. The force has to be modernised. We must be in a position to put out the fire even if it breaks out in the topmost floor. We should procure modern machinery and equipment to make our fire fighting force more effective. Another major drawback is that we are not imparting adequate training to the personnel. The training which is now being imparted is only for name sake. It is not effective. The training given to fire fighting force should be effective. Only well-trained staff can meet the situation effectively. Our fire men can successfully rescue the people even from the top most floor of a sky scraper when they get proper, effective, modern training. They should be taught how to handle modern equipment used for fighting the fire. Thus we can minimise the loss fire accidents to a minimum.

Sir, just now the hon. Minister said that the owners of multi-storied complexes who contravene the provisions of this Bill will be subjected to a fine of Rs. 50,000 or 6 months imprisonment. The owners of these multi-storied complexes, five-star

crores of rupees in the construction of such buildings. A penalty of Rs. 50,000 is nothing but pea-nuts to them. Their turn out runs into crores annually. The imprisonment of 6 months is a remote possibility. This punishment is not sufficient enough to work as a deterrent. Hence it should be raised considerably. Only then they will be cautious of fire accidents and would take interest in fire prevention measures. It is only the common people who suffer most during the fire accidents in multi-storied complexes. There is a fire insurance scheme. The beneficiaries of this scheme are owners of these multi-storied buildings and 5-star hotel complexes. They get every paisa back in the event of any fire accident. They are getting their claims through the insurance companies. But the unfortunate people who work in those places or the persons who occupy hotel rooms which suffer from any damage due to fire accident do not get any help either from Government or from the employers or the insurance company. Nothing has been said about providing compensation to be paid to the victims of fire accidents due to the negligence of building owners. It is the responsibility of the Government to protect the interests of innocent victims. The loss of life and property should be fully compensated. Hence I plead for introducing some insurance or scheme for the benefit of these innocent people who suffer due to fire accidents. In some cases a paltry Rs. 5,000 or Rs. 10,000 is being paid to the victims in a most casual manner. In multi-storied complexes, there will be many petty venders and other persons doing small jobs. Their survival will be affected to a considerable extent in the event of a fire accident. Hence they should also be paid adequately. It is also the responsibility of the Government to react sympathetically.

Sir, many fire accidents take in multi-storied buildings due to short circuit of electricity. So the supply of electricity should be taken care of and made safe by ensuring that proper precaution is taken. Care should be taken to avert short circuits in the electric current supply. This will reduce the fire accidents to a considerable extent.

[Shri C. Sambu]

be operative only in Delhi. As I mentioned earlier, fire accidents are taking place everywhere. Hence there should be a uniform policy and method applicable to all other cities. The Central Government should issue necessary guidelines to the State Governments in this regard. In fact, I feel, that it would have been more appropriate and useful had it been the "Indian Fire Prevention and Fire Safety Bill 1986" rather than "The Delhi Fire Prevention and Fire Safety Bill". The entire country is ours. Damage is damage wherever it may take place. Hence legislations like this should be uniformly applicable to all parts of India. Every Indian deserves to be protected and the Central Government should provide such protection.

The population in the country is increasing rapidly. The growing population is resulting in the increased construction of multi-storeyed buildings. Many of our country men are middle or lower middle class people who usually acquire a flat in the multi-storeyed residential complexes. Hence permission should be given for the construction of multi-storeyed flats only after a careful thought and we must ensure that fire prevention and safety measures are well taken care of. Hence the Government should give necessary instructions to the concerned departments to permit only such construction which take necessary measures to prevent fire accidents.

Sir, we do not have many fire stations in our rural areas. There is no fire fighting machinery in our villages. Leave alone villages, even small towns with a population of more than 2 lakhs do not have fire stations. Even in those places where there are fire stations, there is only one fire engine. It is too inadequate. Fire accidents take place frequently. The fire

fighting force is not in a position to cope up with the demand. The State Governments are not in a position to provide sufficient funds for the expansion of fire fighting force. Hence the Central Government should extend financial help to the State Governments so as to enable them to establish fire stations in rural areas also. Thus we can prevent loss of life and property throughout the country. I hope the hon. Minister would consider this request sympathetically.

Sir, I conclude my speech thanking you for giving me the opportunity to initiate the debate on this important Bill.

18.00 hrs.

BUSINESS ADVISORY COMMITTEE

[English]

Twenty-ninth Report

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI SHEILA DIKSHIT): Sir, I beg to present the Twenty-ninth Report of the Business Advisory Committee.

MR. DEPUTY SPEAKER: The House stands adjourned to reassemble tomorrow at 11.00 a.m.

18.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, November 12, 1986/Kartika 21, 1908 (Saka)