

GOVERNMENT OF MAHARASHTRA

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OFFICE OF THE FIRE ADVISER,
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CIRCULAR

Urbanisation and industrialisation in the State of Maharashtra in the areas of urban agglomerates, industrial belts and regional plan areas are increasing day by day. There are many buildings those are constructed prior to the publication of building bye-laws or Development Control Rules applicable to the different Urban Local Bodies and Special Planning Authority areas. The challenges of special buildings such as high rise buildings for the use of residential and commercial activities, malls, public assembly places, public offices where the foot-fall is likely to be very high, leading to peril danger to the precious human life and property. For the first time, a Special Act as "The Maharashtra Fire Prevention and Life Safety Measures Act, 2006" (hereinafter referred to as the "Fire Act") came to be enacted. This Act came into force on the 6th December 2008.

02. Though there are specific provisions prescribed in the Act and the Rules thereunder. It has been brought to the notice of this office that a comprehensive Fire and Risk Audit of such specialised buildings be carried out from the experts who may even help in strengthening the role of Licensed Agencies and different fire authorities of the Urban Local Bodies and Special Planning Authorities. The general concern is the public safety and harness knowledge of experts in the field of Fire Risk Management and to encourage the owners and occupiers of such special buildings. The undersigned is pleased to issue the following directives:-

03. Provisions with regard to fire prevention, protection and life safety measures to be made in the buildings or factories were dealt with in accordance with the bye-laws or rules, if any, framed by the respective Municipal Corporation, Municipal Councils and Zilla Parishads. After the enactment of the Town Planning Act, although development plans were prepared with a view to have planned development, the aspect regarding fire prevention, protection and life safety measures was not considered in the light in which it ought to have been so considered. When Development Control Regulations were framed as a part of development plan, this aspect was considered, to a certain extent, and bare minimum provisions with regard to the subject "Fire" were made in these regulations.

04. The provisions with respect to the subject "Fire" are dealt with in this Act in more details and the requirement in respect of fire prevention, protection and life safety measures are based on the National Building Code. Sub-section (3) of section 3 of the Fire Act requires "the owner or occupier, as the case may be, to furnish to the Chief Fire

Officer or the nominated officer, a certificate in the prescribed form issued by a Licensed Agency regarding the compliance of the fire prevention and life safety measures in his such building or part thereof, as required by or under the provisions of the Fire Act, and shall also furnish to the Chief Fire Officer or a nominated officer, a certificate in the prescribed form, twice a year in the months of January and July regarding the maintenance of fire prevention and life safety measures in good repair and efficient condition. Sub-section (1) of section 10 of the Fire Act provides that, no person other than a Licensed Agency shall carry out the work of providing fire prevention and life safety measures or performing such other related activities required to be carried out in any place or building or part thereof. The Act also makes classification of types of buildings on the lines of the classification contained in the National Building Code. Schedule I to the Fire Act lays down the minimum requirements for fire fighting installations to be made in the respective type of building.

05. There seems to be confusion amongst the owners or occupiers of building as to the functions of the Licensed Agency and persons carrying-out Fire Risk Audit. There is no reason to have such confusion in the context of their respective functions as discussed hereunder.

06. The role assigned to the Licensed Agency, in the context of the aforesaid provisions, is in relation to the execution of work of fire fighting installations as contained in the Schedule – I to the Fire Act and to carry out inspection regarding the maintenance of fire prevention and life safety measures are in good repair and efficient condition, and to furnish a certificate twice in a year in January and July. It is the responsibility of the owner or occupier to submit this certificate to the Chief Fire Officer or the Nominated officer.

07. Apart from the fire fighting installations to be provided as prescribed in the said Schedule – I, there are various other factors which need to be attended to with a view to prevent occurrence of fire in a building. These factors are not covered by the periodical inspections to be carried out and the certificates to be issued by the Licensed Agency. These factors are fire installations, if any, made in the basement or cellar of a building, lifts and escalators installed, number of egress and exits or escapes provided, electrical fittings, provisions with respect to natural light and ventilation including mechanical ventilation and air-condition, fire resistance doors and windows, fire load, fire load density, venting of fire in case of occurrence of fire, etc. are to be ascertained from the point of view of fire prevention, protection and life safety. These can be ascertained if "Fire-Risk Audit" is carried out in a building at least once in a year, particularly when, high-rise building are coming up in an increasing number where such Fire Risk Audit is necessary. It has also to be remembered that in majority of the old buildings even bare necessary fire installations are not provided. It is, therefore, imperative to have such Fire Risk Audit done.

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08. Having regard to the context of the expression "Fire Prevention and Life Safety Measures" as defined in clause (5) of section 2 of the Fire Act, it means such measures as are necessary in accordance with the building bye-laws or as required by or under the provisions of any law or the National Building Code of India, 2005, for the time being in force, for the prevention, control and fighting of fire and for ensuring the safety of life and property in case of fire. As a sequel to this, the fire risk and safety audit naturally envisages the parameters specified in the National Building Code and the relevant Indian Standards Specifications are to be followed in conducting such audit, particularly where the minimum fire installations in Schedule – I to the Fire Act may fall short.

09. A few of the major devastating and traumatic fire resulting in to death of, or serious injuries to, human beings and loss of property are listed in the Annexure – I. These instances highlight the need for getting the Fire Risk Audit done of buildings periodically, say, at least once in a year. This is all the more necessary particularly in respect of high - rise buildings, Hospitals, Assembly buildings, Industrial buildings, Factory buildings, Commercial establishments and Hotels, etc. It is needless to emphasise the importance of such Fire Risk Audit as it would be in the interest of the owners and occupiers of such buildings.

10. The owners or occupiers of various such buildings as mentioned in paragraph 5 above may get this Fire Risk Audit done from such personnel having qualifications in fire discipline. The Fire Act and rules made thereunder lay down the qualifications for appointment of nominated officers and persons having the said qualifications would be suitably engaged by the owners or occupiers for this purpose. These qualifications are reproduced in Annexure – II.

11. Although, there is no obligation on the part of the owner or the occupier to get the Fire Risk Audit of a building of any of the types of buildings mentioned in paragraph 04., the importance and necessity of the Fire Risk Audit can be visualised or ascertained from the deaths of human beings and loss of property that have occurred due to the devastating and traumatic instances of fire mentioned in Annexure – I. It is being therefore advised that owners or occupiers of buildings give a sincere and serious thought to the aspect of Fire Risk Audit.


 (M. V. Deshmukh)
 Fire Adviser
 Government of Maharashtra

Copy forwarded with compliments for information to, -

1. The Secretary - II, Urban Development Department, Mantralay, Mumbai 400032.
2. All Municipal Commissioners.
3. All Chief Fire Officers of Municipal Corporations.
4. All Chief Officers of Municipal Councils.
5. All Chief Fire Officers of Special Planning Authorities.

Annexure – I

Major Fires In Maharashtra State

Sr.No.	Date	Address	Cause of Fire	Dead Or Injured
1	07-02-2009	vidarbha distillers Teka Naka, Kamptee Road, Nagpur	Not known	2 injured
2	17-10-2009	Punarvasu building, Tarangan society, Samtanagar, Thane	Triggered by cracker	6 fireman dead
3	21-06-2012	Mantralaya, State Head quarter Nariman Point, Mumbai	Electrical short circuit	3 dead, 15 injured
4	31-08-2012	Mayo hospital, Nagpur	Might be smoking in the ward	4 staff members suffered from smoke inhalation
5	14-08-2013	Naval Dockyard, Near lion gate, Mumbai	Not known	18 dead (3 Officers and 15 sailors)
6	27-02-2014	Bhaimala Village fireworks factory, Alibaug town, Raigad	fire cause due to explosion	6 dead, 20 injured
7	18-07-2014	Lotus Business Park, Andheri(W), Mumbai	Electrical short circuit in the central server room	1 fireman dead, 3 injured
8	25-03-2015	Moti Warehouse, Shafique compound, Bhiwandi Kalyan road	Not known	2 dead, 4 injured
9	09-05-2015	Gokul Niwas, Bld.no.33, Kalbadevi, Mumbai	Electrical short circuit which aggravated by cylinder blast and combustible material	4 fire officer dead
10	06-06-2015	Lake Home Near gopal sharma school, Pawai, Mumbai	Electrical short circuit in AC Unit	8 dead and 15 injured

Major Fire In Other States				
Sr.No	Date	Address	Cause of fire	Dead Or Injured
1	23-12-1995	Mandi Dabwali, town in Sirsa district, Haryana	Electrical short circuit	540 dead, 160 injured
2	13-06-1997	Uphar cinema hall, New Delhi	Electrical Transformer burst	9 dead, 103 injured
3	06-08-2001	Moideen Badusha Mental Home in Erwadi Village	Not Known	28 dead
4	01-06-2002	Shreelee international Footwear factory, Agra	Not Known	42 dead
5	23-01-2004	Marriage hall, Srirangam, Tamil Nadu	Not Known	54 dead, 40 injured
6	16-07-2004	Sarwati primary school, Kumbakonam, Tamil Nadu	Not Known	91 dead

7	10-04-2006	Victoria park,Brand India Fair,Meerut	Electrical short circuit	100 dead, 150 injured
8	20-11-2011	Nandnagari,North East Delhi	Electrical short circuit	14 dead, 50 Injured
9	09-12-2011	AMRI Hospital,Kolkata	Not Known	95 dead
10	01-09-2012	Fireworks factory, Mudalipatti near sivakasi, Tamilnadu	Explosion	54 dead, 78 injured
11	27-02-2013	Surya sen street market, Kolkata	Electrical short circuit	19 dead, 17 injured
12	25-04-2014	Vasant Kunj, South Delhi	Not Known	30 Injured

Annexure – II

Qualifications of persons who can be entrusted with the work of Fire Risk Audit

1. The Municipal Corporation of Brihan Mumbai.
2. For Municipal Corporations having minimum population above 15 lakhs classified as 'A' Class Municipal Corporation.
3. For Municipal Corporation having population of 5 lakhs and above up to 15 lakhs., classified as 'B' class Municipal Corporations.
4. All other Municipal Corporations not covered by clauses (a) and (b) above classified as 'C' class Municipal Corporations.
5. Municipal Councils, *Nagar Panchayats*, Industrial Townships and planning authorities, classified as 'D' class.

(1) **Academic Qualifications, -**

(a) For "A" and "B" class Municipal Corporations, a person to be assigned to carry out Fire Risk Audit shall be one who,-

(i) possesses a Degree or an Advanced Diploma in Fire Engineering from the National Fire Service College, Nagpur, Ministry of Home Affairs, Government of India or the State Fire Academy, Government of Maharashtra; and at least two years' experience of regular fire service for inspection and testing of fire prevention and protection work; or

(ii) has passed the Membership Examination of the Institute of Fire Engineers, India or the Institution of Fire Engineers of United Kingdom and has at least two years' experience of regular fire service; and of fire prevention and protection work.

(b) For "C" and "D" class Municipal Corporations, a person to be assigned to carry out Fire Risk Audit shall be one who,-

(i) possesses a Diploma in Fire Engineering from the aforesaid National Fire Service College, Nagpur or the State Fire Academy, Government of Maharashtra; and at

least two years' experience of regular fire service and of fire prevention and protection work; or

(ii) has passed the Grade I (Fire) of the Institute of Fire Engineers, India or the Institution of Fire Engineers of United Kingdom and has at least two years' experience of regular fire service for inspection and testing of fire prevention and protection work.

(c) for Municipal Councils, Nagar Panchayats or Industrial Townships, a person to be assigned to carry out Fire Risk Audit shall be one who,-

possesses a Diploma in Fire Engineering from the aforesaid National Fire Service College, Nagpur or the State Fire Academy, Government of Maharashtra; and at least two years' experience of regular fire service;

(d) for Special Planning Authorities and Special Economic Zones (SEZs), Private Townships and Hill Station Projects, a person to be assigned to carry out Fire Risk Audit shall be one who,-

(i) possesses a Degree or an Advanced Diploma in Fire Engineering from the National Fire Service College, Nagpur, Ministry of Home Affairs, Government of India or the State Fire Academy, Government of Maharashtra; and at least two years' experience of regular fire service for inspection and testing of fire prevention and protection work; or

(ii) has passed the Membership Examination of the Institute of Fire Engineers, India or the Institution of Fire Engineers of United Kingdom and has at least two years' experience of regular fire service and of fire prevention and protection work.

(2) In addition to the academic qualifications specified above, if such person has the experience as a,-

- (a) Fire officer not below the rank of Fire Station Officer in any statutory corporation, or any local authority or special planning authority;
- (b) Senior Fire Safety Manager in major Industrial Sector,
- (c) Chartered Engineer from respective field such as Civil, Mechanical, Electrical, Electronic and Graduates in Computer Science, Chemistry or Architect in conducting Fire and Safety Audit of various types of occupancies,
- (d) a consultant in the field of Fire and Life Safety as insurance risk assessor.
- (e) Civil or Electrical Engineers, having worked on establishment of statutory companies.
- (f) Loss prevention Advisor having functioned for at least 10 years may be considered to carry out such Fire and Life Safety Audit.

(3) However, it shall be the sole responsibility of selection such person based on his competence by the owner or as the case may be, occupier at his own risk and cost.