MR. CHAIRMAN: There is no final decision yet of the High Court. (*Interruptions*).

SHRI K. MOHANAN; The High Court has asked the Governor to direct the Govt, to dismiss the Minister. That is the only point referred *to* the Bench. (*Interruptions*),

MR. CHAIRMAN; Whether the Court can order such a dismissal is itself under question. Therefore, it cannot be raised. *(interruptions)...*

SHRI K. MOHANAN: Sir, prima-fecie case has been established that his particular Minister who has encouraged ... (Interruptions)

MR. CHAIRMAN: You have some other method to protest. I cannot allow. Please excuse me. (*Interruptions*).

SHRI K. MOHANAN:*

MR. CHAIRMAN: This will not go On record. It will not be recorded by anybody.

SHRI K. MOHANAN: I strongly protest against this.

[At this stage, some hon. Members left the Chamber,]

MIR. CHAIRMAN: Shri Chintaman, Panigrahi. (Interruptions).

(SHRI SATYA PRAKASH MALA-VIYA (Uttar Pradesh); Sir, what about the Calling Attention?

MR. CHAIRMAN: It will be taken up at 5 p.m. I will explain. I have forgotten to do that. Some Members said that they are anxious to go to the airport to receive a distinguished visitor and therefore, they won't be in a position to participate in the Calling Attention. They requested me — have it taken up at 5 p.m. and I have agreed.

[Mr. Depnty.Chairman in the Chair] *Not

recorded.

THE DELHI FIRE PREVENTION AND FIRE SAFETY BILL 1986

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINTAMANI PANIGRAHI): Madam, Deputy Chaiman, 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, as passed by the Lok Sabha, be taken into consideration."

Madam, in June 1993, the targic fire accident that took place in the Gopal Tower Rajendra Place, Delhi, greatly agitated the minds of the general public and also agitated the minds of our hon. Members. This incident highlighted the inadequacy of fire safety and fire prevention arrangements in multi-storeyed buildings. Therefore, the Buildings Byelaws 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 in all these buildings. And no completion certificate for any biulding would be issued without a "no objection" certificate from the Chief Fire Officer. But this was not so in respect of buildings constructed before the enactment of these building bye-laws, that is, before June 1983. Therefore, Madam, the position was reviewed in regard to equipping high-rise buildings in Delhi with necessary fire-fighting equipmert. It was found that out of 220 high-rise buildings reviewed after the Gopal Tower fire, 194 buildings continued to be deficient in respect of fire prevention and safety precautions. Inspections then were carried out and major defects were pointed out by the Chief Fire Officer to the plan-sanctioning authorities, the New Delhi Municipal Committee, the Municipal Corporation, Delhi the

[Shri Chintamani Panigrahi] D.D.A. and the Delhi Cantonment Boad. The owners of these buildings were requested to remove the deficiencies. But the local bodies reporti-ed that the owners and the builders of those buildings did not respond to the requests and did not attend to the deficiencies which were pointed out to them. All these things were taken into consideration. Therefore, it was felt that the problem could not be tackled unless some stringent provisions existed for the enforcement of fire safety measures.

The existing provisions in the Delhi Municipal Corporation Act, 1957 to enforce fire safety measures, particularly in multistoreyed buildings were found to be moat inadequate as they provided for imposition of a maximum penalty of Rs. 500 only for the infringement of bye-laws and in case of continuing infringement, for an additional fine of only Rs. 20 per day Although the Delhi Fire Brigade exercise jurisdiction over the entire Union Territory of Delhi, there are four local authorities which are also functioning and they have their respective jurisdictions. Therefore, it was found that it was better to have a single unified agency which could ensure the safety of all these high-rise buildings and also fire safety in general in the Union Territory of Delhi. So to have effective control and to take necessary safety measures for both prevention and fire safety, this measure has been brought.

Madam, the salient features of the Bill are here in the Statement of Objects and Reasons. But I can point out that in clause 2(c), the scope of the definition of the word building" has been enlarged to include any structure whether of masonry bricks, wood, mud metal or other material.

Cinemas, hotels, restaurants, nursing homes and other industrial and commerctel establishments employing Fire Safety Bill, 1986

The definition of premises" has also been enlarged to include garden, ground and outhouses as well as all temporary structures. Improvised tents and "shamianas" also now come within the purview of this Bill.

This Bill also contains provisions for imposition of penalty of imprisonment up to six months and a fine of Rs. 50,000 or both in cases of noncompliance. Where the offence is a continuing one, a further fine of Rs. 3,000 per day will be levied until necessary measures are adopted to render the building and premises completely safe from fire.

We have made provision for appeal also. In case any person feel aggrieved, he can go in appeal to the Appellate Tribunal and them to the Lt. Governor. Delhi. So a unified authority is being provided so that it can coordinate and supervise the efforts of these local bodies. This Bill is most non-controversial. I would appeal to honourable Members, as I got their cooperation in Lok Sabha, I believe I would get rheir support in Rajya Sabha also, because all the Members were agitated that we should bring in safe fire-fighting measures in Delhi. Recently also the fire in Hotel Siddhartha was inquired into by a commission of inquiry and we have laid on the Table of the House the report of the commission of inquiry. Many deficiencies were found in the present system and through this Bill we are trying to see that we will overcome those deficiencies and make our fire-fighting machinery in Delhi more efficient, m»re modern, so that we can successfully meet the challenges in the multistore-yed buildings in Delhi and other places. I hope I will receive the same cooperation from honourable Members in this House as I received in the other House.

The question was proposed.

Fire safety Bill

DR. *R*. *K*. PODDAR (West Bengal): Madam Deputy Chairman, I rise to support the Bill.-As the Minister has said, it is a noncontroversial Bill, I only wonder why so much time was taken to bring forward such a Bill. The Bill is, of course, an improvement. It has provided for increased penalties. It also incorporates a salient feature saying that with three hours' notice any premise can be entered to see whether the fire prevention rules have been adhered to, fulfilled, or not. Sometimes we find that on religious grounds or because of social customs it may be said that the premises is occupied by women and it cannot be entered. Therefore, there is a provision in the Bill that with proper notice such premises also can be entered. However, I request the Minister to rigorous so that such a bill make it more should not be made a smokescreen for doing something anti-social or doing some hazardous things. Penalties have been increased, as the Minister has Said, but the question is, it is not true that rules were not there so far; rules were there but the rules were never enforced. Here is a summary of the report by Justice Khanna on Hotel Siddhartha fire. The report says-

"In clear violation of the laws the hotel management converted its car parking area in the basement into a banquet hall."

There was nobody to check how car parking area was converted into a banquet hall. Then the finding of the Inquiry Commission was that most of the people did not know that a fire was raging there. There was no public address system in the hotel to warn the people that a fire broke out. Justice Khanna says-

"The hundreds of hotel guests doors or through the public address were not informed of the disaster at any time either by knocking their system or internal telephones, forcing most of them to fed for themselves. The fire broke out at 1.30 A.M. and the Fire Services men. were handed over the master key of the hotel at 3 A.M."

So the point is when rules are made, , I request the Minister to see that the rules are obeyed, the rules are enforced. One suggestion I would like to make and that is every year the Minister should place before Parliament a list of the buildings where these flre prevention rules are not being followed and what steps the Minister or the Ministry, or the authority concerned has taken -to see that these rules are obeyed.

AN HON. MEMBER: And who owns those buildings.

DR. R. K. PODDAR: Why acen't the Rules obeyed? It is because of the people who matter. It is not the ordinary roadside 'dhaba' or the poor people who stay there. It is the people who have their connections; they are wellconnected people. That is why the rules are flouted. They are above rules. There are so many Acts on the Statute Book. Many of them adorn the book-shelves of lawyers and brokers. Kindly see that these rules are obeyed and enforced.

Thank you Madam.

डा० आपू कालदाते (महाराष्ट्र) : मैडम उपसभापति जी, एकी कृत अभिकरण का प्रयास इस विधेयक के द्वारा आपने जो किया है, वह स्वागत योग्य है। यह बात सही है कि जितनी शीघता से, जितनी गति से जो भी ग्राधनिकीकरण इस देश में हो रहा है, उसके साथ आपको चलना चाहिए। उतना भले ही ग्राप कहते रहे, लेकिन ग्राप बहुत सुस्ती से चल रहे हैं, यह इसी विधेयक में जो देर हो गई उससे लगता है क्योंकि बम्बई जिस ढंग से बढी. मद्रास जिस ढंग से बढा, उसी ढंग से यह राजधानी का शहर भी बढ़ता रहता था। सिद्धार्थं की घटना तो हाल ही में यहां हुई लेकिन बम्बई जैसे शहरों में इसके पहले भी जो घटनायें घटी हैं, उसको ध्यान में रखते हुए यह केंद्रीय सरकार का

चाहिए लेकिन साथ ही साथ खुद के गुनाहों को छुपाने का प्रयास धर्म के नाम पर या परम्परात्रों के नाम पर इस देश में जो ग्राम तौर पर सामाजिक स्तर पर जुल रहा है, ग्रार वह ग्रपने घर में बलाने का प्रयास करें ग्रीर ग्राप न जा पायें तो ग्रापकी धारा 3 विफल हो जाएगी। उसका कोई परिगान नहीं होगा यह बात मैं पहले ग्रापके सामने रखना चाहता हूं। दूसरी बात मुझे यह लगती है कि जहां तक ग्रापके प्रमुख श्रधिकारी है

т.00 р.м. अग्नि शमन दल के, उनको तो आपने नो-ग्राबजेक्शन सटिफिकेट देने का

अधिकार दे दिया है। सवाल यह पैदा होता है कि नो-ग्राबजेक्शन सॉटफिकेट दे दे उसके बाद यह आपने लिखा है कुछ धाराओं में है। वह भी स्वयं जा सकते हैं। लेकिन मैं यह समझता हूं कि अगर उनको ही प्रीवेंशन के हद तक जो दूसरे अधिकारियों के हाय में आप दे रहे हैं कि ऐसा हो जाए 3 घंटे के अन्दर वह रिपोर्ट करेंगे और रिपोर्ट करने के बाद वह देख लेंगे। यह प्रक्रिया जो चल रही है अगर यह हो सकता है कि सारे के सारे अधिकार फायर बिगेड़ के हाथ में चले जाएं प्रिवेंगन के हद तक रोकने का तो है ही, रोकने को काम हो जाता है तो मेरे ख्याल से इससे ज्यादा अच्छा परिणाम हो सकता है, तो डुप्लोकेशन आफ अवारिटी का मुझे इसमें थोड़ा डर लगतो है। क्लाज 6 में उसका थोड़ा झाजता है। एक क्लाज को स्रोर मैं ध्यान दिनाता हूं। 8 क्लाज में ग्रापने अभीत के अधिकार दिए हैं। अभीत का तो अ। पने यह लिखा है कि 30 दिन के अन्दर अमोज करना चाहिए। ठीक बात है। लेकित अमोज का निर्णय कब होगा क्योंकि ऐसे अभीज पड़े रहते हैं। आप स्वयं जानते हैं कि जो देहातों में जमीन के झगड़े होते हैं, बाप झगड़ा शुरू कर लेता है तो शायर बेटे के बेटे तबेटे के समय तक भी उसका कुछ फैसना नहीं होता है। तो यह भी करना आवश्यक है। अगर तील दिन के अन्दर अगोत करनो है तो इस अपोज का फैसजा करना जिस न्यायाधिकरण को आप यह सुपुर्द कर रहे हैं उसके ऊरर यह भो जिम्मेदारी

[डा॰ वापू क!लदाते]

काम था, और यह आवश्यकता थी कि ग्राप पहले ही ऐसे विधेयक को इस सदन के सामने पेश करते। लेकिन देर क्यों न हो, लेकिन अभी तक इतना ग्रंधेरा नहीं है कि जो ज्यादा गहराबन जाता।

मैं इस विधेयक का समर्थन करते समय दो-तीन वातों की तरफ आपका ध्यान दिलाना चाहता हूं। एक बात तो ऐसी है कि यह सारा विधेयक 1983 के बाद वाले मकानों को, खास करके ऊंचे मकानों के लिए यह लागू करने के लिए आपका प्रयास है। इसमें आपने अधिकार दे दिये हैं कि मकान में प्रवेश करने के लिए इतने घंटे का नोटिस देने के बाद, लेकिन इ.मिंभी मुझे कुछ ऐसी खामियां नजर आती हैं, जिससे उत्का प्रवेश भी मूक्तिल किया जा सकता है। जैसा कि आँभ देखिये कि धारा 3(1) में आपने जो प्रवेश करने की बात ग्रा जाती है, तव ग्रापने कहा है कि उनकी सामाजिक तथा धार्मिक परम्पराम्रों को ध्वान में रखते हुए।

गृह मंत्री के नाते भी आप जानते हैं कि इस देश में धार्मिक परम्पराम्रों को विक्वत करने का प्रयास किस ढंग से चल रहा है। हम खुद जानते हैं स्वयं कि पूता जैसे शहर में जत्र रास्ते के घंदीकरम का सवाल आ गया था, तो किस जगह पर गमरति का मंदिर विठाया गया और किस जगह पर मस्जिद रखी गई खोर सारा जो छंदीकरम का प्रयास है, वह सारा विकन करने का काम वहां हो गया।

यह जो वि हति है, इस को जरा ध्यान में रखता चाहिए । ग्रगर कोई प्रवेश करने का प्रयास करे ग्रीर कोई मूर्ति रख दे और कहे कि इसके ऊगर से तो जाना नहीं चाहिए, हनारो भावनायों को धक्का लगता है, तो भाई घर में प्रवेश करना बड़ा मुक्तिल हो जाएगा किसी भी ग्रावि-कारी के लिए तो मैं यह नहीं मातजा हं कि भावनाओं की कड़ नहीं करनो

डालना ग्रावश्यक है कि इसका निर्णय उसे इतने दिनों में करना चाहिए। नहीं होगा तो जैसे आपने वहां भी अधिकार दिया है कि अगर कुछ देर हो गई तो वह शायद उस तिथि को बढ़ा संकता है। लेकिन एक मुद्दत डालने की, या एक निश्चित समय तय करने की आवश्यकता में खद महसूस करता हं। ग्रगर यह नहीं होगा तो शायद यह हो सकत है कि भले ही उसके ऊपर आप कार्यवाही करें अपील के झगड़े में लेकिन रेंट कंट्रोल के बारे में तो ग्राप जानते हैं कि उसकी तिथियां सालों तक बढ़ती रहती हैं, झगड़े चलते रहते हैं। आप कानून से उसको कुछ भी रियायत दीजिए उसका कुछ भी अमल नहीं होता है। अगर इस एक्ट को लागू करना है, इसे सख्ती से लागू करना चाहते हैं तो मुझे लगता है कि इसमें ग्रापको ग्रौर कुछ बातों को तरफ खास कर अपीलों के निर्णयों की तरक आपको जरूर ध्यान देना होगा। मैडम मैं एक ही बात कहंगा कि फायर सॉवसेज के बारे में आप जानते हैं, वम्बई में जब आग लग गई थी एक ऊंचे टावर को ग्रौर यहाँ भी सिद्धार्थ होटल है, एक गोपाल टावर है, हाल ही में जो चांदनी चौक में ग्राग का मसला हो गया है यह भी आप जानते हैं तो इस में एक है कि Fire services are to be restructured reorganised and re-intensified.

यह पुराने ढंग की है उनकी सीढ़ियां ऊंचा नहीं थीं जब बम्बई में ऊंचे टावर को ग्राग लगी, यहां पर तो मुझे मालूम नहीं है लेकिन बम्बई जैसे शहर में 25, 27, 28 मंजिल की इमारतें खड़ी हुई है, ग्रार ग्रापके पास ऊंची सीढ़ी ही नहीं होगी, प्रोपर इक्विपमेंट नहीं होगा तो गायद ग्रापके कानून से भी कुछ होने वाला नहीं है। यह गलती से हो गया है ग्रापका प्रयास उसको रोकने का है।

Then the whole fixe fighting system has to be totally reorganised and not only this,

क्योंकि इसमें जो लोगों को चुना जाता है इट इज ए स्पेक्र्यली हजार्डस जाब। यह नहीं है कि पुलिस जैसे रास्ता रोकने का काम करे इसमें तो जान की बाजी 1584 RS-7 लगाकर काम करना पड़ता है। इसके लिए तो जब ग्राप उनको ले लेते हैं, उनको चुनते हैं तो उसी से उसकी ट्रेनिंग के हद तक ग्रौर उसके साथ इक्विपमेंट के हद तक ग्रापको पूरा का पूरा री-स्ट्रक्वर्ड करना चाहिए । ग्रगर मैं ग्रापको यह कट्टं कि दुनिया के कई देशों में

fire fighting system is not only a fire fighting machinery. They also work as a first-aid centre. They do many other services also.

ग्राप वहां जाते हैं, लोग जले हुए हैं कुछ बीमार हैं, वहीं के वहीं वह कुछ काम कर सकते हैं तो यह जो नई बात फायर ब्रिगेड के बारे में सोच रहे हैं जैसे बहुत जगहों पर कर रहे हैं उसको भी मद्देनज़र रखिए और इस दृष्टि को लेकर सारे का सारां पूरा ढांचा, क्योंकि इस रिपोर्ट में जिसका जिक अभी किया है 6 नवम्बर, वाली रिपोर्ट है उसमें यह भी बात कही है, लेकिन अखबारों में जो कहा गया है कि फायर ब्रिगेड को वहां पहुंचने में देर लगेगी इसमें कार्य क्षमता की बात आती है, इसमें संगठन की बात आती है, इसमें साधनों की बात आती है, उसमें उनको शक्ति की बात झाती है, दुष्टि की बात आती है, यह सब को मद्देनजर रखते हुए आप इसको री-ग्रागेंनाइज करने का प्रयास करें। इतना कह करके मैं अपने भाषण को समाप्त करता हं।

धन्यवाद ।

SHRI KAMALENDU BHATTACHARJEE (Assam): Respected Madam Deputy Chairman, I rise here to sup-port the Delhi Fire Prevention and Fire Safety Bill, 1986. This Bill seeks to make more effective provisions for the fire prevention and fire safety measures in certain buildings and premises in the Union Territory of Delhi. Madam, we all know the famous story of Tolstoy, "'A spark neglected burns the house." Madani this saying is not only true in spiritual terms but it is also true in physical terms. Fire has always been a great menace, but of late it has really assu-l med menacing proporations in Delhi-

[Shri Kamalendu Bhattacharjee] And after that fire in Siddharth Hotel, fire broke out in so many pandals all over Delhi. And it is a very welcome move and it is something very significant that the Government has come forward with a Bill to effectively fight this menace of fire. And that the Bill itself is a very non-controversial one is apparent from the fact that a very severe critic from the CPM Party even restricted his criticism to the simple expression of wonder why the Government took so much of time in coming with the Bill. This proves the impartiality, this proves the most non-controversial nature of he Bill.

Madam, it is a very distrubing piece of news that out of 220 high rise buildings in Delhi, more than 190 buildings do not have the proper fire fight-Bng equipments at all-And this, I think, has been a very good step on the part of the Government to come out with this sort of legislation to effectively fight this fire. But though paradoxical, it is true, Madam, that laws honoured in are India more in breach than in adherence. There are many laws. For example, you cannot start a pharmacy without purchasing a refrigerator. It is a specified law and nobody can violate at. But if you go in for physical verification, you will find that а pharmacy has on register a particular refrigerator but it will be in another's place living in a different locality. You will go on making laws. Bvt many people who want to cheat would just make some other provision and try to find out how to get away with the law. Laws will be there on If these laws are not properly paper. implemented, 5f the, Executive authority, if thte person who is to execute the law in the field is not very sincere in his efforts, then laws will remain on paper Now, Madam, the definition only. of the two terms, building and premises, has been enlarged and it is really a welcome change

in the. law. And in Clause 9 it is specified that "No court shall entertain any suit, application or other proceeding in respect of any notice or order under this Act and no such notice or order shall be . called in question otherwise than by preferring an appeal under this Act." It is a . very welcome dhange and, I think, it will save time because in many cases it is a time.consuming process. But, Madam, I am not sure about Clause 14 where, I think,, many dishonest people will try to take advantage of this provision. This provision says, and I quote: "No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rules made thereunder." So, somebody may try to take advantage of this wording-"anything which is in good faith done".

Now, Madam, I want to submit one more thing. The Hotel Sad-dharth or the big pandals are the places where people from big families gather and spend their time. This is one aspect of the problem. But I want to draw the attention of the Government to another aspect. That is about slum areas and the thickly populated market areas: Madam, if you go and see for your-jself how is this Bhagirath Market and other places, you will find how a single match stick might lead to a great conflagration within seconds-. Madam, this is a very dangerous thing, especially in the, slums. I very recently- read! Dominique (Lapierre's 'City of Joy. It relates to a slum town near Calcutta, Anandnagar. This description given in the book with its labyrithine, quarters and huts very appropriately fits in the slum areas of Delhi and if anything happens in such areas the poor people will greatly suffer. So, I would like to draw the attention of the hon. Home Minister, who is here, to this matter and request Mm to

do something special about the poor people who live in these slum areas because when a fire breaks out, these people become really the targets and they are helpless. I know when there is fire, it means loss of life. And loss of life is an equally serious thing be it rich or be it poor. As you see the authorities concerned are not taking adequate measures against accidents by fire or fire fighting measures in these high-rise building, restaurants and cinema halls. They are not following the prescribed rule and regulations in this matter. And, therefore, stringent action must be taken against them whenever such lapses come to the notice of the Government. I would therefore request the Government that they should give their sharp and pointed attention to this particular aspect, i.e. saving the life of the poor people from accidental fires who live in slum areas.

With these words, Madam, I support the Bill. Thank you.

SHRI YALLA SESI BHUSHANA RAO (Andhra Pradesh) Madam Deputy Chairman, I welcome this Bill, which is a noncontroversial Bill. But the scope of this Bill is very much limited. The Bill is called Delhi Fire Prevention and Fire Safety Bill. But the Government has a responsibility to think beyond the scope of this Bill also, which pertains only to delhi. Fire is an accident and an emergency. -But it is an emergency out of all emergencies, because it causes a lot of havoc both in respect of loss of life and loss of property. That being so, a new thinking) is necessary in this matter not only for the territory of Delhi but there must be a new conception of fire prevention and fire fighting for the whole of the country. So far it has been a non-Plan area. The funds needed are not there. The States are tackling the prioblem in their own way. The Center must give some guidelines.

Moreover, this must also be included in the Plan programme so that comprehensive, firefighting and fire prevention measures can be thought of.

Secondly, Madam, the subject of fire prevention and fire -fightinti measures are not included in any syllabus of our educational ssystem. The traffic rules and first aid do form a part of our curicula at certain levels. But fire prevention and fire-fighting measures are a very important aspect of our educational system and should form a part of the syllabus at appropriate levels. As the position obtains today, most of the people in hotels, cinema houses and other sectors do not know of firefighting measure?. A comprehensive knowledge of fire-fighting measures is absolutely" necessary and this knowledge and consciousness must be imparted right from the childhood.

Now, Madam, in this country there are a number of villages and small towns where there is no fire-fighting equipment or machinery. We must see that some firefighting machinery and knowledge in the subject is given throughout the country.

Then, Madam, no mention is mad in the Bill about the funds that any needed for tackling this problem Wherefrom are the funds going t come? The Corporation may allo some funds. Those funds slone will not be Adequate fund; should be enough. provided tackling th for problem All-Ind Fire Prevention effectively. An Commission may t thought of. Such a Commission necessary to reorient and restructu' the whole system-There is another important this namely, there should be sufficie water available. Even if there fire-fighting equipment if there no water nothing can be dot Therefore the local administratie

[Shri Yalla Sesi Bhushana Rao] should he asked to maintain sufficient water in the hydrants to fight Are. Yesterday, there was a fire in the, town hall of the" Delhi Municipal Corporation. This shows that even Government institutions are not careful in this regard.

With these words, I welcome the Bill and I once again suggest, the Government may consider the question of setting up an all-India Fire Prevention Commission. Thank you.

SHRI V. NARAYANASAMY (Pondicherry). Madam, thank you very much for giving me this opportunity though I came late because I went to the airport.

DR. BAPU KALDATE: That is right. That we know. I told Madam before you came.

SHRI V. NARAYANASAMY: Madam, I rise to support the Delhi Fire Prevention and Fire Safety Bill, 1986. Madam, this Bill has been brought forward in view of the disaster which took place in the Siddharth Hotel and in some function at Ashok Vihar and other places in Delhi. We find that in Delhi, a number Of highrise buildings are coming up and the builders have not taken precautionary measures and they have not installed firefighting equipment in the buildings for fighting fire as and when it is sparked off. Therefore, the Government have brought forward this Bill for the purpose of making more effective provision for fire prevention and fire safety measures in the Union Territory of Delhi.

I would like, to take up one or two aspects in this Bill. Section 7 says:

•"" "(1) The Chief Fire Officer shall, in the event of non-compliance of any notice issued under section 4 or section 6 takes such steps as may be necessary for the compliance of such notice This is a very vague provision because it says "...take such steps as may be necessary for the compliancy of such notice. I would like to submit that this particular provision may be misused either by the Chief Fire Officer!, or by the nominated authority. This is because there is another clause which clearly says:

'1(2) All expenses incurred by the Chief Fire Officer in relation to any steps taken by him under pub-section (1) shall be payable by the owner or occupier on demand and shall, if not paid within ten days after such demand, be recoverable as arrears of land revenue".

The- Chief Fire Officer may instal the firefighting equipment and recover the amount as arrears of land revenue. Therefore, this particular provision should have been made very specific, enabling the occupier or owner of the building to comply with the notice properly. This provision should be made specific I would also like to suggest here that when the notice is sent to - the occupier or owner of the building and if he does not comply with that notice, the Chief Fire Officer should send another notice as to what steps he is going to take. An opportunity should be given to the occupier or owner of the building. This is missing in the Bill.

There is another- aspect which I would like to mention, in regard to appeals. The first appeal lies to the Appellate Tribunal and second appeal to the Administrator. Here, I would like to point out that this is a very important legislation. If there is a delay of even one or two hours, it will create havoc in the locality. Environment will also be affected. Therefore,, there should be a specific clause added that there will not be any stay granted either by the appellate authority or by a court of law. If this specific clause is not

Then, Madam, in Delhi there is more than 1005 operational staff working as of today and a sum of Rs. 4,57,91,000 has been allocated by the Government for the current budget year. There are more than 3153 calls that they have attended to during the year. In this connection, I would like to draw vour attention to Justice Khanna Commission's report. Justice Khanna had investigated into the Siddharth Hotel fire, which was the major fire that took place in Delhi. In his report of 173 pages, he was able to give a clear picture about this. He also pointed out the defects which has were, noticed at the time of the enquiry. In his report he has said: The disaster that took place in the Siddharth Hotel is very pathetic. He also said that 39 persons died due to suffocation. The fire was noticed at A.M. of January 23, 1986, and 1.30 the fine fighting machines freached the place after! one hour. Immediately after the fire was noticed the hotel authorities cut off the electricity with the, result that no then faiqilBtie^ were available. The doors could not be opened because the key was not to be found. Further, he has said that the hotel fire detection system also failed, the management staff switched off the power supply and therefore, the entire hotel became dark. The fire broke out in the basement due to leakage of cooking gas. That was the finding given by the Justice Khanna Commission. He says: The Hotel basement did not have mechanical ventilation and signs of escape routes. The hotel was constructed in such a way that it is not accessible by the fire extinguishers. Therefore, I would like to suggest that the, findings given by Justice Khanna Commission are very important. In his final observation, Mr. Justice Khanna has said:-. One

cannot escape the remoresful assessment that sq far as human tragedy, it was avoidable if all the system worked well. Therefore, it is very clear that the Government .should have a policy that all the. buildings -having an height of more than 200 ft. will not be allowed within the vicinity of the town limits of Delhi. It should -be made very clear in the rules that 200 ft. highrise buildings within the vicinity of the Delhi town limits would not be permitted to come up. Government should be careful to see that high-rise buildings are not constructed. Otherwise, it will be a problem for the Government and for the fire fighting people because they do not have even sufficient ladders. The fire extinguishers will not work properly.

Finally, I would like to say that the findings of Justice Khanna Commission are very important. They were placed before the House and the Government has accepted . the report *in toto.* Care should also be taken while framing rules. About the Bill I have already mentioned two points. For efficient fire service, there should be coordination between the local authorities and the fire fighting officers because Justice Khanna has stated that- there wag/no coordination and, therefore, there was delay and the delay caused the loss of life. Therefore, coordination aspect should also be considered at the timrs of framing the rules.'

श्री जगदम्बी प्रसाद यादव (बिहार): माननीय उपसभापति महोदया, मैं एक गांव का रहने वाला हूँ और भारत सरकार को यह पता है कि गांवों में फूंस के मकान बने रहने के कारण हर साल सैकड़ों गांव, लाखों घर और करोड़ों रुपयों की सम्पत्ति जलकर बर्वाद होती है । भारत सरकार का आज तक इस ओर ध्यान नहीं गया । यहां तक कि उनके घर कैसे बनाये जायें और आज इक्कीसवीं सदी में आने पर भी उनके घरों में आग न लगे, उनमें मानव करत सब सुविधाएं प्राप्त हों, इस प्रकार के कम खर्च में बैजानिक प्रदर्ति से

[श्रें जगदम्बी प्रसाद यादव]

मकान वन सके, इस पर भी ड्यान नहीं दिया गया है । दिल्ली के सिदार्थ होटल में जब आग लगी तो भारत सरकार का माथा ठनका और इन्होंने सोचा कि इसके लिए कुछ न कुछ व्यवस्था हाना चाहिए। मैं यह कहना बाहता हूँ कि भारतवर्ष में मल्ट' स्टोर ब बिल्डिंग भले हा कुछ वयी का देन रहा हो, लेकिन दुनियां में तो बहु। पहले हे बहु-मंजिले सकान बन चुके हैं । ऐस स्थिति में बहंमंजिले महान बनाते बनत ग्राग्न से सुरक्षा के कोई न कोई विधि-विधान दुनियों के अनेक देशों में किये हु: जाते होंगे । देशों में जब इस प्रकार के मकान बनते हैं तो उनके नक्शे पहले मन्ज्र किये अति हैं। दिल्ल' में भं चाहे दिल्ला महोनगर पालिका हो या कोई भा पालिका हों, यह भी नक्से पास करती होगी कि मकान इस ढंग से बनेंगे। वैसे दिल्ला में सैकड़ों, हजारों मकान बनते रहते हैं झीर महानगर पालिका को पता भे नहीं चलता है। अन्य स्थानों पर अब नक्ये पास करके मकान बनते हैं तो उस पर सूविचारित और सुव्यवस्थित ढंग से विचार किया जाना चाहिए । सबसे बड़ा प्रश्न यह है कि मंत्रानों में आग कैसे लग जातः हे ? मकानों में आग लगने का सबसे बड़ा कारण बिजल के तार हैं। पहले मह स्थिति ये कि बिजल के तार वाहर होते ये तो बड़ संविधा रहतो थो । लेकिन झाजकल बिजली के तार दीवारों के मन्दर लगने लगे हैं। इसका परिणाम यह होता है कि जब झाग लगती है तो पता नहीं चलता है और ग्रांग लगने का पता तभी लगता है जब माग भयंकर रूप धारण कर लेती है। क्या ग्रापने प्रापने में इस प्रकार का कोई बदल लाने की कोशिश की है ? आग नहीं लगे, यह व्यवस्था तो झापने की है, लेकिन तारों से घरों में झाग न लगने पाये, इसके लिए कोई व्यवस्था नहीं की गई है। अभी स्थिति यह है कि जब किसी के घर में प्राग लग जाती है तो अप्रकी लाखों घीर करोड़ों की सम्पति नघट हो जाती है। मकान में रहने वाले भी

तबाह हो जाते हैं । यह ठीक है कि भवन निर्माण कला में द्वतगति से विकास हमा है। इन मकानों में आग लगने से सुरक्षा की व्यवस्था किस प्रकार होगी, इस पर कोई विचार इस विधेयक में नहीं हुआ। है । चुंकि यह विधेयक ग्रचानक ग्राया है, इसलिए हम इसको ग्रच्छी तरह से पढ नहीं पाये हैं । यहीं पर हमने इसको देखा है। इसलिए मैं माननीय मंत्री जी से विश्वेष रूप से निवेदन करना चाहता हं कि इसका संशोधन करने के लिये समी तरह के लोगों के विचारों को जानने के लिये, जो इसके विशेषज्ञ हैं, सरकार में ही नहीं, सरकार के बाहर भी जो हैं, जिनको इसका ग्रनुभव है, वे भी इसमें अपना योगदान दे सकें, इसके लिये झगर ग्राप इसको प्रवर समिति के सुपूर्व करते तो मच्छी बात होती । लेकिन मब बह स्थिति नहीं है । इसलिये मैं आपसे विनतीपूर्वक निवेदन करना चाहंगा कि ग्राप ऐसे लोगों के लिये ग्रगर इसे लाये हो तो इसमे बिना हिचक के ग्रगर निकट भविष्य में किसी संशोधन की बात ग्रापको लगेतो उसको ग्रवंश्य लायें। (समय की घंटों) मैं थोड़ा सा वक्त और लुंगा ।

मैं दूसरी बात यह कहना चाहता हूं कि जब तक कोई दुर्घटना न हो, जाये **भीर वह दूर्घटना भी भयंकर ढंग की** न हो जाय जब तक भारत सरकार का घ्यान इस और नहीं जाता है । यह जो प्रक्रिया है यह हर क्षेत्र में व्याप्त हो गई हैं । इस प्रक्रियां को अगर हम ठीक करें तो निश्चितपूर्वक कुछ न कुछ लाभ होगा । हमारे डा॰ बापू कालदाते जी ने कहा कि फायर ब्रिगेड के मामले में नियमों का कानून का पालन नहीं होता है इसलियें जो फायर बिगेड है, उसका जो स्ट्रक्चर बना हुंगा है उसमें सुधार होना चाहिए । इस विश्वेषक का नाम क्योंकि दिल्ली ग्रग्नि निवारण ग्रीर ग्रग्नि सुरक्षा विधेयक है इसलिये इसमें संपूर्ण रूप से मकान मालिकों के ऊपर ही नहीं बल्कि उनकी संचरना, प्रग्नि गमन यंत्र, उसके साधन, उसके उपयोग करने की विधि इसको भी झापको विद्वेषक का कहीं च कहीं पर भग वनाना चाहिए । भगर

Υų.

यह उसका ग्रांग न बन सके तो रूल बनाते समय भी अगर इसका कुळ समावेश कर सकें तो मैं समझता हं कि जायद आप जो चीज चाहते हैं उसके लिये यह उपयुक्त होगा । (समय की घंटी) यहां पर मेर) मंगा आपके बिल का विरोध करने कः नहीं है बल्कि ग्रापका यह बिल सफल हो सके, इसमें मदद करना हैं । यैसे महोदया, क्रांप बार-बार घंटी बजा रही हैं, आपका आदर करता है। लेकिन इस बिल पर ग्रनेक वातें ऐसी हैं जिनको मैं जरूरी समझता हं। लेकिन मेरे पास व≆त कम है जी इसके ऊपर अपने विचार दे सकें। वैसे मझे आणा थी कि इस बिल पर पुरा विंचार करने का मौका मिलेगा लेकिन पता नहीं कि इनके मन में क्या विचार है। इसलिये मैं बादरणीय उपसभाध्यक्ष महो-दया, ग्राप के विचारों का ग्रादर करते हए ग्रन्त में ग्रापसे यह कहना चाहता हं कि आपका यह बिल सफल होकर लोगों की जान-माल की रक्षा करे !

THE DEPUTY CHAIRMAN. The "House stands adjourned for lunch and will meet again at 2.30 P.M.

The House then adjourned for lunch at thirty-three minutes past one of the clock.

The House reassembled after lunch at thirty-two minutes past two of the clock; the Vice-Chairman (Shri G. Swaminathan) in the Chair.

श्री केशव प्रसाद शुक्ल (मध्य प्रदेश) : उपसभाध्यक्ष महोदय, मैं दिल्ली अगिन निवारण और अगिन सुरक्षा विधेयक, 1986 का समर्थन करता हूं। देश की राजधानी दिल्ली की बढती हुई आवादी को देखते हुए जमीन की कमी के कारण ऊंची-ऊंची इमारतों के वनने का प्रचलन

हन्ना है। इन ऊंची इमारतों में ग्राग लगने पर जन-धन की अपार क्षति होती है। आग पर काब पाने के लिए अगिन शामक और अग्नि प्रतिरोधक उपायों की अत्यंत आव-श्यकता है। राजधानी दिल्ली के परिपेक्ष्य में ग्राग बझाने के लिए दिल्ली ग्रगिन शामक दल[ँ]है जो दिल्ली नगर निगम के अधीन कार्यरत है। बड़ी बड़ी ऊंची इमा-रतों में अग्नि शमन के लिए आवश्यक व्यवस्था इमारतों के मालिकों की लापर-जिम्मेदारी के कारण वाही या गैर नहीं रहती जिसे नियंत्रित करने के लिए यह विधेयक सदन में प्रस्तुत किया गया है। मैं इसका स्वागत करता हूं। अग्नि शमन या अग्नि के प्रतिरोध हेतु वर्त्तमान समय में दिल्ली नगर निगम अधिनियम, 1957 में प्रावधान है किन्तु यह वर्त्तमान परि-स्थितियों के अनुकुल नहीं है और उप-युक्त तथा प्रभावपूर्ण भी नहीं है। इसलिए उस में ऐसी इमारतों में अग्नि से सुरक्षा के प्रभावपूर्ण ढंग से लागू करने के लिए प्रावधान कम है अतः प्रभावशाली ढंग से ग्रग्नि शमन के लिए कदम उठाया जाना म्रावश्यक है जिसकी पूर्ति इस विधेयक के द्वारा की जा रही है। दिल्ली निगम ग्रधिनियम, 1957 में ग्रग्नि से बचाव के उपायों तथा उन उपायों को बरतने के लिए इमारतों के मालिको को बाध्य करने तथा उनका उल्लंधन करने के लिए किसो प्रकार के दण्ड की व्यवस्थान होने से इमारतों के मालिकों के लिए अग्नि से सरक्षा करने के उपायों के प्रति धौर उदासीनता रहती है । इमारत बनाने की स्वीकृति के साथ ही मालिकों को अगिन शमन के संबंध में निर्देश दिये जाते है उनका भी वह यथार्थतः पालन नहीं करते है जिससे अगिन लगने पर इमारत के धन तथा जन के हानि होती है। इसलिए जनहित में एक व्यापक कानून की झावश्यकता है। जो इस विधेयक के ढ़ारा पूरी होने जा रही है। इस विधेयक की धारा 3 में चीफ फायर झाफिसर ढोरा नामजद अधिकारी जो स्टेशन आफिसर से कम पद होगा और लोकल अर्थाटी का न ग्रयवा रेलवे प्रशासन दौरा नामजद ग्रधिकारी द्वारा इमारत पर কাৰিজ व्यक्ति को ग्रथवा किसी के काबिज न

[श्री केशव प्रसाद शक्ल]

होने की सूरत में मालिक को 3 घंटे की पूर्वसूचना देकर सूर्योदय से सूर्यास्त के अन्दर अपिन से सुरक्षा के प्रावधानों को लागू करने के लिए उस इमारत में प्रवेश करने व उसका निर क्षण करने का प्रावधान किया गया है जो यथा यतः उचित हैं।

इसी प्रकार नामजुद अधिकारी ି କି निरीक्षण पूर्ण करने पक्ष्वात् इमारत या उसके परिक्षेत्र में इमारत संबंधी उपनियमों में निर्दिष्ट ग्रग्नि प्रति-रोध एवं सूरका उपयों की अवहेलना और उन उपायों की कमी तया इमारत की ऊंचाई ग्रादि के संबंध में अपने अभि-मत के साथ चीफ फायर ग्राफिसर को प्रतिवेदन प्रस्तुत करेगा । इस प्रतिवेदन पर चीफ फायर श्राफिसर उस इमारत या परिक्षेत्र में उनके मालिक या काबिज को इमारत को तुरन्त खाली करने का आदेश देगा और खाली न करने पर उसे पुलिस के आफिसर डारा खाली कराएगा। इस प्रकार से अग्नि शमन करने में सहायता मिलेगी।

इसी प्रकार से धारा 7 के दारा चील्फ फायर आफिसर को भी धारा 3 के अनसार इमारत या उसके परिक्षेत्र में प्रवेश करने और निरीक्षण करने के अधिकार दिये गये हैं और धारा 3 के उपबंधों के झधीत सम्पूर्ण कार्यवाही करने के लिए भी ग्रधिकृत किया गया है।इस विवेयक की घारा 7 में चीफ फायर आफिसर को धारा 4 और 6 के अग्तर्गत जारी की गयी सूचना के निर्देशों की अवहेलना करने पर उसके परिपालन के लिए आवश्यक कदम उठाने के लिए अधिकृत किया गया है। इस विधेयक की धारा 8 में चीफ फायर आफिसर या नामजद अधिकारी द्वारा दी गयी नोटिस या आदेश के विरुद्ध 30 दिन के अंदर अपीली टिब्यनल के समक अप ल करने का प्रावधान रखा गया है तया अपीलेट ट्रिब्यूनल के आदेश के विरुद्ध आदेश के 30 दिन के भीतर प्रशासक के समक्ष अपील करने का प्राव-धान भी किया गया है। इस प्रकार इस विधेयक में चीफ फायर आफीसर तथा नामजद अधिकारी के आदेशों के विरुद्ध

अपील का प्रावधान रखकर नागरिकों के अधिकारों की सुरक्षा की गयी है और उसके प्रयोग की छूट दी गयी है।

इस विधेयक की घारा 9 के ढारा न्यायालयों में नोटिस अथवा आदेश के विरुद्ध किसो भा प्रकार का वाद प्रस्तुत करने को अप्रहगाय करके प्रशंसन य कदम उठाया जा रहा है।इससे प्रावधानों को लागू करने में जो कठिनाई पहता हैं उसे दूर करने का प्रयास किया गया है। नोटिस मिलने पर न्यायालय में वाद प्रस्तुत कर स्थगन आदेश लेकर उस नीटिस के निर्देशों के अनुसार कार्यवाही न करने की जो प्रक्रिया थी उस को रोकने के लिए यह प्रावधान बनाया गया है जिससे मुकदमों में कार्यवाही में देरी न हों।इसलिए यह प्रावधान बहुत ही उचित है मैं इसका स्वागत करता ह।

इस प्रकार धारा 10 में विधेयक के प्रावधानों के उल्लंघन करने पर 6 महने की सजा या 50 हजार रुपये तक अर्थदण्ड या दोनों प्रकार के सजा का प्रावधान रखा गया है।इसमें मैं ग्रपना यह सझाव दंगा कि जो दण्ड का प्रावधान हैं यह मेरे मत में कम रखा गया है लोगों के जर्म करने की प्रवृति को रोकने के लिए कठोर दण्ड व्यवस्था ग्रत्यंत ग्रावण्यक हैं ग्रतः इसमें कम से कम एक वर्ष का सजा ग्रीर सअम कारावास होना चाहिए था और 50 हजार से एक लाख रुपये तक अर्थदण्ड को सजा देना उचित होगा क्योंकि मालिक क' लापरवाई' से जन और धन की हानि होते. है जिसे रोकने के लिए इस प्रकार के कठोर दण्ड का प्रावधान रखना जरूर है।

धारा 11 में कम्पन के ढारा ग्रप-राध किये जाने पर अपराध घटित होने के समय जो व्यक्ति कम्पन के कार्यों के चार्ज में रहा होगा अववा जो व्यक्ति उनके सम्बंध में उत्तरदाय रहा होगा वह अपरार्ध माना जायेगा तथा उसे धारा 10 के प्रावधानों के अनुसार दण्ड दिया जायेगा इसमें डाय-रेक्टर, मैनेजर, सचिव आदि अधिकारियों को भे आमिल किया गया है । डायरेक्टर में पार्टनर को भा माना गया है, यह प्रावधान भा है। इससे कम्पनः के द्वार कोई जुर्म होने पर या अग्निक्सरुन प्रय°टनों के न करने पर जो यह दण्ड की प्र^{(फ्र}या की गया है यह सराहन य है।

नामजद अधिकारों को मुकदमें दायर करने का अधिकार दिया गया है और मुकदमें क: सुनवाई का अधिकार मैंट्रो-पोलिटन मैंजिस्ट्रेट से नाचे का अदालत को नहीं दिया गया है। यह भं। उचित कदम है।

इस विवेयक ढारा इमारतों में अग्नि से सुरक्षा के लिए व्यापक कदम उठाये जा रहे हैं और जन हित में यह विधेयक ग्रावश्यक ग्रीर समय के अनुकुल है ग्रत: में आपके इस विधेषक का स्वागत करता हं। लेकिन एक सुझाव मेरा यह है कि यह विद्येयक केवल दिल्ला भर के लिए है । **दिल्लो के अलावा और बड़े-बड़े** नगर हैं जहां बडा-बडा ऊंचे इमारते हैं। वहां पर इस प्रकार को अतिकिया होत है। ग्रमिन शमन के लिए वहां में पर्याप्त प्रबंध नहीं होता है इस लिए में यह सुझाव देता हं कि एक व्यापन कानून इसके संबंध में बनाया जाना चाहिए जिससे सभा बडे-बड़े नगरों में जहां बड़ा-बड़ा इमारतें बनता हैं, वहां अगिन से लोगों का रक्षा को जाए। इसलिए इस तरह मैं इस विधेयक का स्वागत करता हूं।

महोदय, ग्रापने मुझे इस विधेयक पर ग्रुपने विचार रखने के लिए समय दिया है, इसके लिए मैं ग्रापका प्रत्यन्त ग्रामार हूं ग्रीर ग्रापको धन्यावद देता हूं।

SHRIGHULAMRASOOLMATTO (Jammu and
Mr. Vice-Chairman, Sir,Kashmir)Mr. Vice-Chairman, Sir,I rise tosupport the Bill.

The Bill is a little belated, but anyhow it has come. This Bill is a very important one,. The emphasis in this Bill under clause 3 and 4 is on the height. -I would request the hon. Minster to take into consideration this fact that it is not only the height that should be taken into

Fire Safety Bill, 1986 210

consideration but also other factors like location, etc, of the factories, houses, hospitals and hotels. Sir, this Bill takes into consideration the height of the rising building because obviously this Bill has come after the Hotel Sidharth incident.

Sir, I had an occasion to visit Old Delhi near Jamma Masjid area. There is a big by lane going parallel to Jamma Masjd road and in that lane I found hazardous shops having lathes, printing presses, etc. They have to use certain explosive things right in the lane itself. I want to know how this Bill going to cover such shops which are more hazardous than this hole incident.

The only salint feature, to my mind in this Bill is the making of the rule which has been provided under sec tion 16. Sir, this Bill is a mode Bill and this Bill has got to b а model Bill for the entir country. I, therefore, es you and suggest to you while fram ing rules you should call a meeting of the Chief Fire Officers of all th j States and emphasis in that nieetin that height alone should not be consideration. As our hon. friend Mr. Jagdambi Prasad Yadav has sa that electric wiring is the main rea son for the fires that take place. W have seen in Kashrru also that electric Jammu and wiring causes fii accidents. Under these rules y have to specify as to what type electric wire a particular buildir has to ulse so that this hazardous a cidents do not take place. This poi) has to be taken into consideration say this because there are mai shops, and many small houses, wh are not covered under this Bill. U der the rules and height means j height ranging from 1 ft. to 1,000 because the height is not specifi So it can come under any heig

[Shri Ghulam Rasool Matto] The rule important part of this formation is the most Bill and, therefore, you can discuss it with the Chief Fire Officers of all the States, You can discuss with them not only with respect to the high rise hotels, but with respect to the existing buildings where such hazards are already there. I have studied this Bill only a few minutes ago and I have seen in this Bill that there is a room for making rules to cover those areas also which are not covered under this Bill. I hope, the Minister will take this into consideration. With respect to the rules, there are two things that I have to state. It is stated that three hours notice will be given.

"The nominated authority may, after giving three hours notice to the occupier, or, if there be no occupier, to the owner of any building having suci: height as may be specified by rules framed under this Act, or premises, enter and inspect the said building or premises at any time between sunrise and sunset where such inspection appears necessary for ascertaining the adequacy or contravention of fire prevention and fire safety measures".

Now, what will happen? Neither the proprietor the House nor any Manager of of the hotel will be there at that particular time. So, under the rules, you have to cover this also that in case nobody is there and notice has to be given, there must be somebody in whose presence, the notice can be given. It is restricted here to the occupier and the owner. If the occupier gets a person who can come under the employment of the hotel or of the house which is to be inspected, then it is alright. Otherwise, this lacuna should be plugged by rule. That is very important because somebody-will say, neither I am an occupier nor an owner. Whatever action they have taken against me is illegal. This mays be thought of in advance so that this loophole is plugged. I have seen two cases mysilf. For instance, the prescribed authority prescribes that a fire fighting equipment should be there. But what do they do? They go to the kachra bazar, buy an old

set and keep it there. When the inspector comes, they show him that here is the fire fighting equipment that you have prescribed under the rules but actually, that equipment is not in working condition. So, under the rules, it should also be provided that whatever equipment is provided under the instructions of the Fire Officer must be in perfect working condition: This is a very important aspect and it must be kept in view. I again reiterate that rules framing in this Bill is a very important thing and for that, a meeting of the Fire Officers of all the State Governments should be convened in Delhi to discuss it at length. This Bill is going to be a model Bill which will be adopted by all States. Once this Bill is adopted, this should be circulated to all the States and they should be asked to make similar Bill on the same lines. This will have a" pioneering effect. Thank you.

212

कुमारी सईदा खाठून (मध्य प्रदेश): जनाव सदर साहव ग्रीर हजरात ग्राज इस बिल का समर्थन करने के लिए मैं खडी हई हं। मैं इस बिल का समर्थन तो बाद में करूंगी सब से पहले इस बिल का जो नाम है दिल्ली ग्रग्नि निवारण ग्रौर ग्रग्नि सुरक्षा विधेयक मेरे ख्याल से तो इस बिल का नाम दिल्ली का न रहते हए पूरे भारत के लिए यह कानून बनना चाहिए था। चुंकि सिद्धार्थ बिल्डिंग में आग लगी और वह दिल्ली की थी इसलिए बिल में दिल्ली नाम लगाया गया है ग्रौर ऐसी कई घटनाएं तो हिन्दुस्तान में कई स्टेट्स के शहरों में घटित हो चुकी हैं ग्रीर वह कांड का रूप ले लेती हैं। जैसे बालाघाट में भी थाना कांड हम्रा था उस जंगह पर फायर त्रिगेड को रोक लिया गया था और ग्राग बझाने के लिए वह समर्थं नहीं थे। ऊंची-ऊंची विल्डिगों में जो ग्राग लगती है उसके लिए कई सुझाव मेरे पूर्व वक्ताम्रों ने दिए थे बिल्डिगों के मालिक को यह ग्रस्तियारात होने चाहिएँ कि पहले ही बिल्डिंग में सहलियतें दी जानी चाहिएँ चाहे वह बिल्डिंग किरायेदार के लिए हो या किसी ग्राफित के लिए हो । मैंने कई बडे-बडे शहरों में देखा है चार-चार, छः-छः मंजिलों की बिल्डिंगें रहती ग्रीर उनमें 'लिफ्ट की सहलियत तक

213 The Delhi Fire and

नहीं दी जाती। जब तक लिफ्ट की सहलियत नहीं दी जायगी और या तो जो पानी की सहलियत रहती है, वह भी वक्त-वक्त पर दी जाती है और जो घटना होती है, वह कोई कहकर नहीं ग्राती है, इसलिए मेरी थोड़ी सी सलाह थी, सजेशन था कि ऐसी बिल्डिगों में पूर्णं तरीके से सहलियत दी जाय, उसके बाद ही किराएदारों को रखा जाय। जब किराएदार ग्रा जाते हैं तो वाद में जब लिभट के लिए कहा जाता है, तो नीचे की पंजिल वाले या ग्राउण्ड फ्लोर वाले कहते हैं कि हमें कोई लिफ्ट की ग्रावश्यकता नहीं है, जबकि ऊपर वालों को रहती है। इसलिए सभी को थोडा खर्चा सहन करना पड़ता है। तो पहले लिपट की सहलियत होनी चाहिए।

अन्त में, यह जो बिल लाया गया है, या तो हरेक स्टेट के लिए इस तरीके का एक ग्रौर बिल लाया जाय या फिर इसी बिल में ग्रमेण्ड करें कि हरेक राज्य में, अगर किसी बिल्डिंग में आग लगती है, तो उसको फायर ब्रिगेड की सहलियत दी जाय ।

इतना कहकर मैं आपको धन्यवाद देती हं ग्रीर ग्रंपना स्थान ग्रहण करती हूं। चुंकि अपने मुझे इस बिल पर बोलने का मौका दिया, इसके लिए धन्यवाद ।

†[كبارى سعيدة خاتون (مدهيه پرديش) : جناب مدر ماهب اور حضرات - اهن بل کا سمرقهن کرنے کیلگے میں کیوی ہوئی ہوں - میں ایس بل کا سمرتھن تو بعد میں کرونگی سب سے پہلے اس بل کا جو نام ہے ۔ دددلی اگلی توارن سرکھا ودهههک، مهرم خیال سے تو اس بل کا نام دلی کا نم رعلے هوئے بورے بهارت كهلكم يه قانون بلغا جاهل

تها - چونکه سدهاته بادنگ مهن آگ لگی اور وہ دلی کی قہی اسللے بل میں دلی تام لکایا ہے اور اينسى كدى كهتدائهين دو هدوستان میں کئی اسٹیٹس کے شہروں میں کهلت هو چکی هیں اور وہ کانڈ کا روپ لے لیتے ہیں ۔ بالا کہات میں بهی تهانه کاند هوا تها اس جگهه فالر بريكية كو روك ليا كيا بها اور آف بدجهانے کیلئے وہ سمرتھ نہیں تھے - اونچی اونچی بلڈنگوں کے مالک کو یہ اختیارات ہونے جالئے كه يهل هي بلذنگ مين سهوليت دی جانی چاهئے چاھے وہ کرالدار کھلٹے ہو یا کسی آنس کیلئے ہوں میں نے کلی بڑے بڑے شہروں میں ديکها چار چار چه چه ملزلوں کی بلدگین رهتی هین اور النین للن کې سهوليت ټک تېنېن دې جاتي-جب دک لغت کی مہوایت نہیں دی جالیگی ارر یا تو جو یانی کی سهوليت رهد ۾ ج وه بهي وآت وقت پر دبی جاتی ہے اور جو کھٹلا هوتى 🙇 🛛 وتا كوئى كهكر تهين آتى <u>م اللَّيْ مَنْرِي تَهْرَدِي سِي صلح تَهْرَ</u> سجهش تها که ایسی بلذنگون مهن پورن طريقے ہے سہوليت دی چائے اسکے بعد کی کرائے داروں کو رکہا جائے - جس کرائے دار اِ آ جاتے میں دو بعد میں جب لفت کیلئے کہا جاتا ہے - تو نیجے کی مازل یا **گراؤنڈ فلور والے کیت**ے ھیں ک*ہ* ھنیں

^{†[]} Translitration in Arabic Language.

[کیاری سمیدہ خاتون] لفت کی آوشیکتا نہیں جبکہ اوپر والوں کر رھتی ہے - اسلئے سبھی کو تھوڑا خرچ سہی کونا پڑتا ہے - تو پہلے لفت کی سہولت ہونی چاھئے -

انت میں یہ جو بل لایا گیا یہ یا تو عر ایک استیت دیلئے اس طریقے کا ایک اور بل لایا جائے یا پہر اسی بل میں امند کریں کہ هر ایک راجیہ میں اگر کسی بلدنگ میں آگ لکتی ہے تو اسکو فائر بریکیڈ کی سہولیت دی جائے-میں آی لکتی میں ای کو دھلیہواد دیتی اور اینا استہان گرھن گرتی ھوں - چونکہ آئے مجھے اس بل پر بولنے کا موقع دیا - اس کے لیے دھنیہ واد -]

SHRI CHINTAMANI PANIGRAHI; Hon. Vice-Chairman, Sir, I am extremely grateful to all our hon. freinds who participated in this debate. I am also extremely happy at the interest that the hon. Members have shown so far as this important and non-controversial Bill is concerned. I am grateful to the hon. Members Shri Poddar, Dr. Kaldate, Shri K. Bhattacharjee. Shri Sesi Bhushana Rao, Shir Narayanasamy, Shri J. P. Yadav, Shri Shukla, Shri Matto and the last speaker, Kumari Sayeeda Khatun. > The hon. Members have given their whole-hearted support to this Bill and while supporting this Bill, they have put forward many good suggestions for improving this Bill and while framing the rules, for taking into consideration the suggestions that they have made. Here I may point out in the beginning itself

that while framing rules under this-Act. all the suggestions will be taken of so that we can that note see whatever deficiencis are there. are overcome.

Now, two or three points were made about Siddharth Hotel. We placed the enquiry commission's report on the Table of the House so that the hon. Members may come to know what are the deficiencies in thess high-rise buildings in Delhi itself. But at the very beginning let me make it clear that we will be very happy if this can be a model bill for all the-State Governments. We shall be Very happy if all the State Governments can accept this model Bill and rules, whatever we are framing here. But, as you know, the fire fighting service is a State subject. If they Want, they can accept this and frame their own Acts in their respective States. We can give whatever gui-dence they may want from the Centre. We can also help them in framing their rules and Acts, as they like. Sa far as Siddharth Hotel is concerned, some hon. Members pointed out certain deficiencies as mentioned by the Khanna Commission report. We placed it on the Table so that hon. Members could go through it and put forward their suggestions as to how. these deficiencies could be overcome and whether some amendments are also necessary to overcome them. Hon. Members wanted to know what responsibility was fixed on whom. Now this commission was appointed by the Delhi Administration. So it is not from our side; it is from their side. It has pointed out that the Delhi Administration is taking action to fix individual responsibility for acts of omission and commission contributing to this tragedy. So far as we are concerned, we have also set up a kind of task force to look into what the recommendations are and how they are being implemented. We are monitoring it.

DR. BAPU KALDATE: Will the task force investigate into the report and come out with its: conclusions?

SHRI CHINTAMANI PANIGRAHI: Whatever Delhi Administration is doing, we are trying to see whether it is implementing the reommenda-tions are not. Honourable Members have expressed their anxiety as to what we have to do. Honourable Members have asked what we are doing for modernising the fire fighting •services in Delhi. It concerns all of us. What we have done is we have given about Rs. 11.5 crores and Delhi Administration also is trying to spend about Rs. 5.6 crores this year. Whatever deficiencies have been found from the report, we are trying to remove them, we are trying to improve the equipment. We are providing five more fire service stations in Delhi. Wherever there is a lack of ladders, we are providing them, whatever equipment is necessary, we are trying to provide it, if necessary, by improting it from other countries. So, we are trying to make Delhi fire fighting service one of the most modern fire fighting services...

SHRI V. NARAYANASAMY: You are providing more Fire service stations; are they in addition to the exsting ones?

SHRI CHINTAMANI PANIGRAHI; Yes, they are additional fire

fighting service stations. In order to strengthen Delhi Fire Service a scheme of Rs. 11.83 crores has been approved and Delhi Administration has also released Rs. 5 crores during he current financial year and it proposes to release Rs. 633 crores during the next year Five more fire service stations have been sanstioned and civil works for four of them have already started. Honourable Members have asked what thore new equipment we are bringing in. One hundred building apparatus sets have already been obtained and a hundred more are in the process.

One hydraulic platform-cum-tum table ladder costing Rs. 14 lakhs has been procured and three more such ladders are being manufactured abroad and we are improting them. In respect of high-rise buildings about which honourable Members have as-

ked, owners of 220 high-rise buildings have been informed of the fire safety requirements needed in their buildings and they have been asked to make good the deficiencies within ninety days. These instructions have been issued after spot inspection conducted by Delhi Fire Service. A few owners have complied with the instructions and some others are in the process of implementing the recommendations. These instructions are being pursued vigorously. Therefore, from all accounts we are trying to come up to the expectations of our honourable Members. I would like to touch some of the points made by honourable Members. Regarding protection to public servants, under Clause 14 we have provided for protection to public servants acting in good faith. When public servants take some action and they need to be protected, they will be protected. As regards inspection we have made a provision in Clause 3(1) which gives power to the nominated authority to enter into and inspect any building or premises at any time if there is any urgency. Therefore, we have already taken into consideration whatever suggestions honourable Members have made. And if any suggestion does not find a place already in the Bill. under Clause 16 we have power to frame rules.

rules. You also mentioned 3.00 P.M. about hazardous materials

being stored in certain places. While making the rules while framing the rules, *I* think we can take into consideration all these things.

DR. BAPU KALDATE: What about the disposal of appeals which I mentioned? Because you have not mentioned about the time for going in for appeals, I had asked about the time schedule. If it goes on for months together, then this Bill cannot be effective at all.

SHRI CHINTAMANI PANIGRAHI: I quite agree with you. As you have said just now, there should not be any delay in these cases.

219 The Appropriation [RAJYA SABHA] (Railways)

DR. BAPU KALDATE; But how can you do it?

SHRI CHINTAMANI PANIGRAHI: You know, we have inherited a system and in that system you have the scope for appeals. That is why we have (barred the jurisdiction of the courts in this and we have seen to it that this does not go to the court at all. Even then we shall take care of this depending on the urgency of the situation and the man who is there has to take this into consideration and see what the urgency of the situation is and I hope that our sentiments and the sentiments of the people will be considered by those who sit in judgment in such cases.

I have received all co-operation from the honourable Members and I am extremely grateful to them and I hope that the Bill will be passed. Thank you, Sir.

clock, the Vice-Chairman (Shri G. SWAMINATHAN): The question is

"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, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI G. SWAMINATHAN): We shall now take up the clause-by-clause consideration of the Bill.

Clauses 2 to 16 were added to the Bill.

Clause 1 the Enacting, Formula and the Title were added to the Bill.

SHRI CHINTAMANI PANIGRAHI- ' Sir, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted

THE APPROPRIATION (RAIL-WAYS) NO. 4 BILL, 1986,

THE VICE-CHAIRMAN (SHRI G. SWAMINATHAN): We shall now take up the Appropriation (Rail ways) No. 4 Bill, 1986. Mr. Vaduthala.

SHRI T. K. C. VADUTHALA (Kerala): Mr. Vice-Chairman, Sir, I am thankful to you for having given me a chance to speak on this important Bill.

Sir, at the outset, I would like to invite, the attention of the honourable Minister to the deteriorating conditions in the railway network in Kerala which has become the subject matter of criticism in the Press and also among the people of Kerala.

Sir, transport system has a very important role to play in the economic growth of the country, A well-knit and co-ordinated transport system is an asset to the nation's commerce and industry. But this significant factor does not seem to have been kept in view white taking up-the extension programmes so far as concerned. Kerela State is Since Independence, the only expansion in rail traffic in Kerala is the Quilon-, Ernakulam line and the extension from Trivandrum to Kanyakumari. Work on the new Broad Gauge line between Ernakulam and Alleppey is at a stand still. The amount sanctioned for this line in 1979-80 was-Rs. 15.00 crores. The work has-not been completed and the cost as per the revised estimate is Rs. 30.25 crores. If this is going to be postponed again, the estimated cost will rise even to a high amount. The delay in completion, apart from the increase in cost, has delayed its utility and resulted in loss of revenue return on the, investment Similarly, the extension up to Kayamkulam from Alleppey is also delayed for want of funds and also-the Kuthipuram.Guruvayur line is

220