[25 NOV. 1986]

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, primafacie 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.]

MR. 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. Deputy_Chairman in the Chair]

THE DELHI FIRE PREVENTION AND FIRE SAFETY BILL, 1986

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINTAMANI PANIGRA-HI): 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 1983, 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 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 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 equipment. It was found that 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

^{*}Not recorded.

[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 report 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 enforce fire safety measures, particularly in multi-storeyed buildings were found to be most 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, additional fine of only Rs. 20 per day Although the Delhi Fire Brigade exercise jurisdiction over the entire Union Territory of Delhi, there are 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 generale 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 home, and other industrial and commercial establishments employing

over 50 people are now included in the definition.

The definition of "premises" has also been enlarged to include garden, ground and out-houses 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 most non-controversial. I would appeal to honourable Members, as I got their cooperation in Lok Sabha, I believe I would get their support Rajya Sabha also, because all the were agitated that we Members should bring in safe fire-fighting measures in Delhi. Recently also 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 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, modern, so that we can successfully meet the challenges in the multistoreyed 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.

DR. R. K. PODDAR (West Bengal): Madam Deputy Chairman, rise to support the Bill. As the Minister has said, it is a non-controversial Bill. I only wonder why so much time was taken to bring forward such a Bill. The Bill is, of course, an im-It has provided for increased penalties. It also incorporates a calient feature saying that with three hours' notice any premise can be entered to see whether the 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 make it more rigorous so that such a bill should not be made a smokescreen for doing something anti-social or doing some hazardous things. Penalties been increased, as the Minister said, but the question is, it is not true that rules were not there so far; rules

Siddhartha fire. The report says-"In clear violation of the the hotel management converted its laws car parking area in the basement into a banquet hall."

were there but the rules were never

enforced. Here is a summary of the

report by Justice Khanna on Hotel

There was nobody to check how car parking area was converted into banquet hall. Then the finding of the Inquiry Commission was most of the people did not know that a fire was raging there. There no public address system in the hotel to warn the people that a fire broke 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 these fire prevention rules are being followed and what steps 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 well-connected people. That 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 बापू कालदाते (महाराष्ट्र) : मैडम उपसभापति जी, एकीकृत ग्रभिकरण का प्रयास इस विधेयक के द्वारा श्रापने जो किया है, वह स्वागत योग्य है। यह बात सही है कि जितनी शीघ्रता से, जितनी गति से जो भी म्राघुनिकीकरण इस देश में हो रहा है, उसके साथ ग्रापको चलना चाहिए। उतना भले ही स्राप कहते रहे, लेकिन स्राप बहुत सुस्ती से चल रहे हैं, यह इसी विधेयक में जो देर हो गई उससे लगता है क्योंकि बम्बई जिस ढंग से बढ़ी, मद्रास जिस ढंग से बढ़ा, उसी ढंग से यह राजधानी का शहर भी बढ़ता रहता था। सिछार्थ की घटना तो हाल ही में यहां हुई लेकिन बम्बई जैसे शहरों में इसके पहले भी जो घटनायें घटी है, उसको ध्यान में रखते हुए ग्रह केंद्रीय सरकार का

[डा० वापू कालदाते]

काम था, भ्रौर यह भ्रावश्यकता थी कि श्राप पहले ही ऐसे विधेयक को इस सदन के सामने पेश करते । लेकिन देर क्यों न हो, लेकिन भ्रभी तक इतना भ्रंधेरा नहीं है कि जो ज्यादा गहरा बन जाता।

मैं इस विधेयक का समर्थन करते समय दो-तीन बातों की तरक श्रापका ध्यान दिलाना चाहता हूं। एक बात तो ऐसी है कि यह सारा विवेयक 1983 के बाद वाले मकानों को, खास करके कंचे मकानों के जिए यह लागू करने के लिए ग्रापका प्रयास है। इसमें ग्रापने ग्रविकार दे दिये हैं कि मकान में प्रवेश करने के लिए इतने घंटे का नोटिस देने के बाद, लेकित इसमें भी मुझे कुछ ऐसी खामियां तुजर त्राती हैं, जिससे उत्का प्रवेश भी मुश्किल किया जा सकता है। जैसा कि ग्राप देखिये कि धारा 3(1) में ग्रापने जो प्रवेश करने की बात ग्रा जाती है, तब ग्रापने कहा है कि उनकी सामाजिक तया धार्मिक परम्पराग्रों को ध्यान में रखते हुए।

गृह मंत्री के नाते भी स्नाप जानते हैं कि इस देश में धार्मिक परम्परास्त्रों को विकृत करने का प्रयास किस ढंग से चल रहा है। हम खुद जानते हैं स्वयं कि पूता जैसे शहर में जब रास्ते के संदीकरण का सवाल स्ना गया था, तो किस जगह पर गगाति का मंदिर विठाया गया स्नौर किस जगह पर मस्जिद रखी गई स्नोर सारा जो संदीकरण का प्रयास है, वह सारा विकन्न करने का काम वहां हो गया।

यह जो विकृति है, इसकी जरा ध्यान
में रखना चाहिए। ग्रगर कोई प्रवेश करने
का प्रयास करे ग्रौर कोई मूर्ति रख दे
ग्रौर कहे कि इसके ऊनर से तो जाना
नहीं चाहिए, हमारी भावनाग्रों को धक्का
लगता है, तो भाई घर में प्रवेश करना
बड़ा मुश्किल हो जाएगा किसी भी ग्रिधिकारी के लिए तो मुँ यह नहीं मानता
हं कि भावनाग्रों की कई नहीं करनी

चाहिए लेकिन साथ ही साथ खुद के
गुनाहों को छुपाने का प्रयास धर्म के नाम
पर या परम्पराग्नों के नाम पर इस देश में
जो ग्राम तौर पर सामाजिक स्तर पर
चल रहा है, ग्रगर वह ग्रपने घर में
चलाने का प्रयास करें ग्रौर ग्राप न जा
पायें तो ग्रापकी धारा 3 विफल हो
जाएगी। उसका कोई परिणान नहीं होगा
यह बात में पहले ग्रापके सामने रखना
चाहता हूं। दूसरी बात मुझे यह लगती है कि
जहां तक ग्रापके प्रमुख ग्रधिकारी हैं
1.00 P.M. ग्राग्न शमन दल के, उनको तो ग्राप्ने
नो-ग्राबजेक्शन सार्टिफिकेट देने का

т.00 р.м. ग्रग्नि शमन दल के, उनको तो स्रापने **त्र**धिकार दे दिया है। सवाल यह पैदा होता है कि नो-म्राबजेक्शन साँटिफिकेट दे दे उसके बाद यह ग्रापने लिखा है कुछ धाराग्रों में है। वह भी स्वयं जा सकते हैं। लेकिन मैं यह समझता हूं कि अगर उनको ही प्रीवेंशन के हद तक जो दूसरे मधिकारियों के हाथ में ग्राप दे रहे हैं कि ऐसा हो जाए 3 घंटे के अन्दर वह रिपोर्ट करेंगे ग्रौर रिपोर्ट करने के बाद वह देख लेंगे। यह प्रिक्या जो चल रही है ग्रगर यह हो सकता है कि सारे के सारे अधिकार फायर ब्रिगेड़ के हाथ में चले जाएं प्रिवेंगन के हद तक रोकने का तो है ही, रोकने का काम हो जाता है तो मेरे ख्याल से इससे ज्यादा अच्छा परिणाम हो सकता है, तो डुप्लोकेशन स्नाफ् अयारिटी का मुझे इसमें थोड़ा डर लगती है। क्लाज 6 में उसका थोड़ा ग्राजाता हैं। एक क्लाज़ की ग्रोर मैं ध्यान दिलाता हूं। 8 क्लाज में म्रापने म्रनीज

> ग्रमीन करना चाहिए। ठीक बात है। लेकिन ग्रमीन का निर्णय कब होगा क्योंकि ऐसे ग्रमीन पड़े रहते हैं। ग्राप स्वयं जातते हैं कि जो देहातों में जमीन के झगड़े होते हैं, बाप झगड़ा शुरू कर लेता है तो शायद बेटे के बेटे के समय तक भी उसका कुछ फैसना नहीं होता है। तो यह भी करना ग्रावश्यक है। ग्रगर

के अधिकार दिए हैं। अभीत का तो

म्रापते यह लिखा है कि 30 दिन के म्रन्दर

तो यह भा करना अवश्वक है। जार तीस दिन के अन्दर अभोज करनो है तो इस अभोज का फैसला करना जिस इस अभोज का फैसला करना जिस

न्यायाधिकरण को स्नाप यह सुपुर्द कर न्यायाधिकरण को स्नाप यह भो जिन्मेदारी रहे हैं उसके ऊपर यह भो जिन्मेदारी

डालना ग्रावश्यक है कि इसका निर्णय उसे इतने दिनों में करना चाहिए। नहीं होगा तो जैसे ग्रापने वहां भी ग्रधिकार 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 खुद महसूस करता हं। ग्रगर यह नहीं होगा तो शायद यह हो सकत है कि भले ही उसके ऊपर ग्राप कार्यवाही करें ग्रपील 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। ग्राप कानून से उसको कुछ भी रियायत दीजिए उसका कुछ भी ग्रमल नहीं होता है। ग्रगर इस एक्ट को लागू करना है, इसे सख्ती से लागू करना चाहते हैं तो मुझे लगता है कि इसमें ग्रापको ग्रौर कुछ बातों की तरफ खास कर अपीलों के निर्णयों की तरफ आपको जरूर ध्यान देना होगा। मैडम मैं एक ही बात कहंगा कि फायर सर्विसेज के बारे में ग्राप जानते हैं, बम्बई में जब ग्राग लग गई थी एक ऊंचे टावर को ग्रीर यहां भी सिद्धार्थ होटल है, एक गोपाल टावर है, हाल ही में जो चांदनी चौक में ग्राग का मसला हो गया है यह भी ग्राप जानते हैं तो इस में एक है कि Fire services are to be restructured reorganised and re-intensified.

The Delhi Fire and

यह पुराने ढंग की है उनकी सीढ़ियां ऊंचा नहीं थीं जब बम्बई में ऊंचे टावर को त्राम लगी, यहां पर तो मुझे मालूम नहीं है लेकिन बम्बई जैसे शहर में 25, 27, 28 मंजिल की इमारतें खड़ी हुई है, अगर आपके पास ऊंची सीढ़ी ही नहीं होगी, प्रोपर इक्विपमेंट नहीं होगा तो भायद ग्रापके कानून से भी कुछ होने वाला नहीं है। यह गलती से हो गया है म्रापका 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 स्पेश्यली हजार्डस जाब। यह नहीं है कि पुलिस जैसे रास्ता रोकने का काम करे इसमें तो जान की बाजी

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-स्ट्रक्चर्ड चाहिए । ग्रगर मैं ग्रापको यह कहं कि दुनिया के कई देशों fire fighting system is not only a fire fighting machinery. They also work as a first-aid centre. They do many other services also.

श्राप 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 मद्देनजर रिखए ग्रौर इस दृष्टि को लेकर सारे का सारां पूरा ढांचा, क्योंकि इस रिपोर्ट में जिसका जिक ग्रभी किया है 6 नवम्बर, वाली रिपोर्ट है उसमें यह भी बात कहीं है, लेकिन ग्रखबारों में जो कहा गया है कि फायर ब्रिगेड को वहां पहुंचने में देर लगेगी इसमें कार्य क्षमता की बात ग्राती है, इसमें संगठन की बात त्राती है, इसमें साधनों की बात त्राती है, उसमें उनकी शक्ति की बात स्नाती है, दिष्ट की बात म्राती है, यह सब को मद्देनजर रखते हुए आप इसको री-ग्रागेनाइज करने का प्रयास करें। इतना कह करके मैं अपने भाषण को समाप्त करता हूं।

धन्यवाद ।

SHRI KAMALENDU BHATTACH ARJEE (Assam): Respected Madam Deputy Chairman, I rise here to support 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." Madam, 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 assumed menacing proporations in Delhi.

[Shri Kamalendu Bhattachariee]

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 CPM Party even restricted his criticism to the simple expression wonder why the Government took so much of time in coming with the 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 fighting equipments at all. And this, 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 India honoured in laws are 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 violate it. But if you go in for physical verification, you will find that a 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. But 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 paper. If these laws are not properly implemented, if the Executive authority, if the person who is to execute the law in the field i_S not very sincere in his efforts, then laws will remain on paper only. Now. Madam. definition 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 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 change and, I think, it will save time because in many cases it is a time-consuming process. But, Madam, I am sure about Clause 14 where, I think, many dishonest people will try to take advantage of this provision. provision says, and I quote: "No suit, prosecution or other legal proceeding shall lie against 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 Siddharth 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 Madam, if you go and see for yourself 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 with its labyrithing quarters anđ huts verv appropriately fits in the slum areas of Delhi and if anything happens in such areas the poor people will greatly suffer. would like to draw the attention of the hon. Home Minister, who is here, to this matter and request him 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 be it rich or be it poor. As you see concerned are not the authorities taking adequate measures against accidents by fire or fire fighting measures in these high-rise building, restaurants and cinema halls. 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 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.

The Delhi Fire and

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 non-controversial Bill. But the scope of this Bill is 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 The funds needed are not there. The States are tackling the problem in their own way. Centre must give some guidelines.

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

Secondly, Madam, the subject of and fire-fighting prevention fire 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 levels. But fire prevention and firefighting 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 fire-fighting measures. A comprehensive knowledge of firefighting 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 fire-fighting machinery and knowledge in the subject is given throughout the country.

Then, Madam, no mention is made in the Bill about the funds that are needed for tackling this problem Wherefrom are the funds going t come? The Corporation may some funds. Those funds alone wi Adequate funda not be enough. should be provided for tackling th effectively. An All Ind problem Fire Prevention Commission may t thought of. Such a Commission necessary to reorient and restructu the whole system.

There is another important thin namely, there should be sufficie water available. Even if there fire-fighting equipment if there no water nothing can be dor Therefore the local administratio

[Shri Yalla Sesi Bhushana Rao] should be asked to maintain sufficient water in the hydrants to fight fire. 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 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 fire-fighting 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

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 i_S a very vague provision because it says "...take such steps as may be necessary for the compliance of such notice". I would like to submit that this particular provision may be misused either by the Chief Fire Officeri, or by the nominated authority. This is because there is another clause which clearly says:

'4(2) All expenses incurred by the Chief Fire Officer in relation to any steps taken by him under sub-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 fire-fighting 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 appellate authority or by a court of law. If this specific clause is not

there, a person can pull on with the help of the stay order which can have dangerous. consequences. Therefore, that provision should be there.

The Delhi Fire and

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 budget year. There are more than 3153 calls that they have attended 10 during the year. In this connection, I would like to draw your attention Justice Khanna Commission's Justice Khanna had investigated into the Siddharth Hotel fire, which was the major fire that took place in Delhi. In his report of 1/3 pages, he was able to give a picture about this. He has also pointed out the defects which 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 died `due that 39 persons noticed suffocation. The fire was 23, 1.30 A.M. \mathbf{of} January 1986, and the fire fighting machines reached the place after one hour. Immediately after the fire noticed the hotel authorities cut off the electricity with the result that no other facilities 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 mechaventilation 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 so 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. 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 was no coordination and, therefore, there was delay and the delay caused the loss of life. Therefore, coordination aspect should also be considered at the time of framing the rules.

श्री जगदम्बी प्रसाद यादव (बिहार): माननीय उपसभापति महोदया, मैं एक गांव का रहने वाला हुँ ग्रौर भारत सरकार को यह पता है कि गांवों में फंस के मकात बने रहने के कारण हर साल सैकड़ों गांव, लाखों घर ग्रौर करोड़ों रुपयों की सम्पत्ति जलकर बर्बाद होती है। भारत सरकार का ग्राज तक इस ग्रोर ध्यान नहीं गया। यहां तक कि उनके घर कैसे बनाये जायें श्रीर श्राज इक्कीसवीं सदी में श्राने पर भी उनके घरों में आग न लगे, उनमें मानव कृत सब सुविधाएं प्राप्त हों, इस प्रकार के कम खर्चे में वैज्ञानिक पद्धति से

श्रिः। जगदम्बी प्रसाद यादबी

बन सके, इस पर ध्यान नहीं दिया गया है। दिल्ली के सिद्धार्थ होटल में जब ग्राग लगी तो भारत सरकार का माथा ठनका श्रीर इन्होंने सोचा कि इसके लिए कुछ न कुछ मैं यह कहना व्यवस्था हता चाहिए। चाहता हूं कि भारतवर्ष में मल्ट स्टोर ड बिल्डिंग भले हा कुछ वर्षों का देन रहा हों, लेकिन द्रिनयों में तो बहुत पहले हैं बहु-मंजिले मकान बन चुके हैं। ऐस स्थिति में बहंमंजिले मकान बनाते वक्त ग्रीन से सुरक्षा के कोई न कोई विधि-विधान द्वियां के प्रनेक देशों में किये हा जाते हींगे। देशों में जब इस प्रकार के मकान बनते हैं तो उनके नक्शे पहले मन्ज्र किये जाते हैं। दिल्ला में भार चाहे दिल्ला महोनगर पालिका हो या कोई भ**ापालिका** हीं, वह भी नक्शे पास करता होग कि मेकान इस ढंग से बनेंगे। वैसे दिल्ल में सैकड़ों, हजारों मकान बनते रहते हैं और महानगर पालिका की पता भ नहीं चलता है। अन्य स्थानों पर जब नक्शे पास करके मकान बनते हैं तो उस पर सुविचारित ग्रौर सुव्यवस्थित ढंग सं विचार किया जाना चाहिए। सबसे बड़ा प्रश्न यह हैं कि मंजानों में आग कैसे लग जातः है ? मकानों में ग्राग लगने का सबसे बड़ा कारण बिजल के तार है। पहले यह स्थिति थ। कि बिजल के तार बाहर होते थे तो बड़ सुविधा रहतो थी। सेकिन ग्राजकल बिजली के तार दीवारों के अन्दर लगने लगे हैं। इसका परिणाम यह होता है कि जब आग लगती है तो पता नहीं चलता है और भ्राग लगने का पतातभी लगता है जब ग्राग भयकर रूप धारण कर लेती है। क्या ग्रापने श्रापने में इस प्रकार का कोई बदल लाने की कोशिश की है ? आग लगे, यह व्यवस्था तो भ्रापने की लेकिन तारों से घरों में ग्राग न लगने पाये, इसके लिए कोई व्यवस्था नहीं की गई है। प्रभी स्थिति यह है कि जब किसी के घर में आग लग जाती है तो उसकी लाखों और करोड़ों की सम्पत्ति नंदर हो जाती है। मकान में रहने वाले भी

तवाह हो जाते हैं। यह ठीक है कि भवन निर्माण कला में द्वागति से विकास हम्रा है । इन मकानों में भ्राग लगने से सूरक्षा की व्यवस्थाकिस प्रकार होगी, इस पर कोई विचार इस विधेयक में नहीं हुग्रा है । चृंकि यह विधेयक ग्रचानक ग्राया है, इसलिए हम इसको ग्रच्छी तरह से पढ़ नहीं पाये हैं । यहीं पर हमने इसकी देखा है । इसलिए मैं माननीय मंत्री जी से विशेष रूप से निवेदन करना चाहता हं कि इसका संशोधन करने के लिये सभी 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 भ्रपना योगदान दे सकें, इसके लिये ग्रगर **ग्रा**प इसको प्रवर समिति के स्पूर्द करते तो अच्छी बात होती । लेकिन अब वह-स्थिति नहीं है । इसलिये मैं ग्रापसे विनतीपूर्वक निबेदन 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 लगे तो उसको ग्रवंश्य लायें। (सं**मंग** घंटी) में थोड़ा सावक्त ग्रौर लुंगा ।

मै दूसरी बात यह कहना चाहता है कि जब तक कोई दुर्घटना न हो जाये ग्रीर वह दुर्घटना भी भयंकर ढंग की न हो जाय जब तक भारत सरकार का ध्यान इस ग्रौर नहीं जाता है। यह जो प्रक्रिया है यह हर क्षेत्र में व्याप्त हो गई हैं। इस प्रक्रिया को ग्रगर हम ठीक करें तो निश्चितपूर्वक कुछ न कुछ लाभ होगा । हमारे डा० बापू कालदाते जी ने कहा कि फायर ब्रिगेड के मामले में नियमों काकानन का पालन नहीं होता है इसलिये जो फायर ब्रिगेड है, उसका जो स्ट्रक्चर बना हुआ है उसमें सुधार होना चाहिए । इस विधेयक का नाम क्योंकि दिल्ली ग्रग्नि निवारण ग्रोर ग्रग्नि सुरक्षा विधेयक है इसलिये इसमें संपूर्ण रूप से मकान मालिकों के ऊपर ही नहीं बल्कि उनकी संचरना, ग्रग्नि शमने यंत्र, उसके साधन, उसके उपयोग करने की विधि इसको भी ग्रापको विश्वेयक का कहीं च कहीं पर ग्रंग बनाना चाहिए । ग्रंगर

यह उसका ग्रंग न बन सके तो रूल बनाते समय भी ग्रगर इसका कुछ समावेश कर सकें तो मैं समझता हं कि शायद ग्राप चीज चाहते हैं उसके लिये यह उपयुक्त होगा । (समय की घंटी) यहां पर मेरो मंशा आपके बिल का विरोध करने कः नहीं है बल्कि ग्रापका यह बिल सफल हो सके, मदद करना हैं । वैसे महोदया, बार-बार घंटी बजा रही है, श्रापका श्रादर करता ह । लेकिन इस बिल पर ग्रनेक बातें ऐसी हैं जिनको मैं जरूरी समझता हं। लेकिन मेरे पास वक्त कम है जौ इसके ऊपर ग्रपने विचार दे सकें। वैसे मझे स्राशा थी कि इस बिल पर पूरा विचार करने का मौका मिलेगा लेकिन पता नहीं कि इनके मन में क्या विचार है। इसलिये मैं म्रादरणीय उपसभाध्यक्ष महो-दया, ग्राप के विचारों का ग्रादर करते हए ग्रन्त में ग्रापसे यह कहना चाहता हूं कि ग्रापका यह बिल सफल होकर लोगों की जान-माल की रक्षा करे!

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

> The House then adjourned lunch at thirty-three for 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 ग्राग्ति निवारण ग्रौर ग्रम्नि सुरक्षा 1986 का समर्थन करता हं। देश की राजधानी दिल्ली की बढ़ती हुई स्राबादी को देखते हुए जमीन की कमी के कारण ऊंची-अंची इमारतों के बनने का प्रचलन

हम्रा है। इन ऊंची इमारतों में म्राग लगने पर जन-धन की अपार क्षति होती है। आग पर काब पाने के लिए ग्रग्नि शामक और ग्रग्नि प्रतिरोधक उपायों की ग्रत्यंत ग्राव-श्यकता है। राजधानी दिल्ली के परिपेक्ष्य में ग्राग बुझाने के लिए दिल्ली ग्राग्नि शामक दल है जो दिल्ली नगर निगम के **ग्र**धीन कार्यरत है। बड़ी बड़ी ऊंची इमा-रतों में ग्रग्नि शमन के लिए ग्रावश्यक व्यवस्था इमारतों के मालिकों की लापर-वाही या गैर जिम्मेदारी के कारण नहीं रहती जिसे नियंत्रित करने के लिए यह विधेयक सदन में प्रस्तत किया गया है। मैं इसका स्वागत करता हूं। ग्रग्नि शमन या ग्राग्नि के प्रतिरोध हेत् वर्तमान समय में दिल्ली नगर निगम ग्रधिनियम, 1957 में प्रावधान है किन्तु यह वर्तमान परि-स्थितियों के ग्रनुकूल नहीं है ग्रौर उप-युक्त तथा प्रभावपूर्ण भी नहीं है। इसलिए उस में ऐसी इमारतों में ग्रग्नि से सुरक्षा के प्रभावपूर्ण ढंग से लागू करने के लिए प्रावधान कम है स्रतः प्रभावशाली ढंग से ग्रग्नि शमन के लिए कदम उठाया जा**ना** ग्रावश्यक 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 किसी प्रकार के दण्ड की व्यवस्थान होने से इमारतों के मालिकों के लिए ग्रग्नि से सुरक्षा करने के उपायों के प्रति धोर उदासीनता रहती है। इमारत बनाने की स्वीकृति के साथ ही मालिकों ग्रग्नि शमन के संबंध में निर्देश दिये जाते है उनका भी वह यथार्थतः पाल**न न**हीं करते है जिससे ग्रन्ति लंगने पर इमारत के धन तथा जन के हानि होती है। इसलिए जनहित में एक व्यापक कान्न की आवश्यकता है। जो इस विधेयक के द्वारा पूरी होने जा रही है। इस विधेयक की धारा 3 म्राफिसर द्वारा चीफ फायर **अधिकारी जो स्टेशन अग्राफिसर से कम पद** होगा ग्रौर लोकल ग्रर्थाटी प्रशासन द्वीरा नामजद द्वारा इमारत पर को ग्रथवा किसी के काबिज न

श्रिः केशव प्रसाद श्वली हीने की सुरत में मालिक को 3 घंटे की पूर्वसूचना देकर सूर्योदय से सूर्यास्त के ब्रन्दर अग्नि से सुरक्षा के प्रावधानों की लाग करने के लिए उस इमारत में प्रविश करने व उसका निरक्षण करने का प्रावधान किया गया है जो यथार्थतः उचित हैं।

...इसी प्रकार नामजुद ग्रधिकारी निरीक्षण पूर्ण करने के ईमारत या उसके परिक्षेत्र में इमारत संबंधी उपनियमों में निर्दिष्ट ग्रग्नि प्रति-रोध एवं सुरक्षा उपायों की ग्रवहेलना श्रीर उन उपायों की कमी तथा इमारत की ऊंचाई ग्रादि के संबंध में ग्रपने ग्राभ-मत के साथ चीफ फायर ग्राफिसर को प्रतिवेदन प्रस्तुत करेगा । इस प्रतिवेदन पर चीफ फायर भाकि सर उस इमारत या परिक्षेत्र में र्जुनके मालिक या काबिज को इमारत को तुरत्त खाली करने का ग्रादेश देगा ग्रीर खाली न करने पर उसे पुलिस के ब्राफिसर द्वारा खाली कराएगा। इस प्रकार से अग्नि शमन करने में सहायता मिलेगी।

इसी प्रकार से धारा 7 के द्वारा चील्फ फायर ग्राफिसर को भी घारा 3 के ग्रनसार इमारत या उसके परिक्षेत्र में प्रवेश करने श्रीर निरीक्षण करने के ग्रधिकार दिये गये हैं ग्रीर घारा 3 के उपबंधों के ग्रधीन सम्पूर्ण कार्यवाही करने के लिए **अधिकृत किया गया है। इस विधेयक** की धारा 7 में चीफ फायर ग्राफिसर को धारा 4 ग्रौर 6 के ग्रग्तर्गत जारी की गयी सूचना के निर्देशों की अवहेलना करने पर उसके परिपालन के लिए ग्रावश्यक कदम उठाने के लिए प्रधिकृत किया गया है। इस विधेयक की धारा 8 में चीफ फायर श्राफिसर या नामजद श्रधिकारी द्वारा दी गयी नोटिस या श्रादेश के विरुद्ध 30 दिन के ग्रंदर ग्रंपीली ट्रिब्यूनल के समक्ष अप ल करने का प्रावधान रखा ग्या है तथा अपीलेट ट्रिब्यूनल के आदेश के विरुद्ध ग्रादेश 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

प्रपील का प्रावधान रखकर नागरिकों के ग्रधिकारों की सुरक्षा की गयी है ग्रौर उसके प्रयोग की छट दी गयी है।

इस विधेयक की धारा 9 के द्वारा न्यायालयों में नोटिस ग्रथवा ग्रादेश के विरुद्ध किसी भी प्रकार का वाद प्रस्तत करने को अग्रहगाय करके प्रशंसन यः कदम उठाया जा रहा है। इससे प्रावधानों को लागु करने में जो कठिनाई पड़तें हैं उसे दूर करने का प्रयास किया गया है। नोटिस मिलने पर न्यायालय में वाद प्रस्तुत कर स्थगन ग्रादेश लेकर नीटिस के निर्देशों के अनुसार कार्यवाही न करने की जो प्रक्रिया थी उस की रोकने के लिए यह प्रावधान बनाया गया है जिससे मकदमों में कार्यवाही में देशी न हों।इसलिए यह प्रावधान बहुत ही उचित है मैं इसका स्वागत करता ह।

इसः प्रकार धारा 10 में विधेयक के प्रावधानों के उल्लंधन करने पर 6 मह ने की सजा या 50 हजार रुपये तक ग्रर्थदण्डया दोनों प्रकार की का प्रावधान रखा गया है। इसमें में अपना यह सुझाव दुंगा कि जी दण्ड का प्रावधान हैं यह मेरे मत में कम रखा गया है लोगों के जुर्म करने की प्रवृति को रोकने के लिए कठोर दण्ड व्यवस्था ग्रत्यंत ग्रावश्यक हैं अप्रतः इसमें कम से कम एक वर्ष के सजा ग्रौर सश्रम कारावास होना चाहिए था ग्रौर 50 हजार से एक लाख रुपये तक भ्रर्थदण्ड को सजा देना उचित होगा क्योंकि मालिक के लापरवाई से जन श्रौर धन की हानि होती है जिसे रोकने के लिए इस प्रकार के कठोर दण्ड का प्रावधान रखना जरूर है।

धारा 11 में कस्पनी के द्वारा अप-राध किये जाने पर ग्रयराध घटित होने के समय जो व्यक्ति कम्पन के कार्यों के चार्ज में रहा होगा अथवा जो व्यक्ति उनके सम्बंध में उत्तरदाय रहा होगा वह ग्रपरार्ध माना जायेगा तथा उसे धारा 10 के प्रावधानों के ग्रनुसार दण्ड दिया जायेगा इसमें डाय-रेक्टर, मैनेजर, सचिव ग्रादि ग्रधिकारियों को भे गया है । डायरेक्टर शामिल किया

में पार्टनर कोभः माना गया है, प्रावधान भः है। इससे कम्पनः के द्वार कोई जुर्म होने पर या ग्रग्निशमन प्रयत्नों के न करने पर जो यह दण्ड की प्रिक्तिया की गयी है यह सराहत ये है।

नामजद अधिकारः को मुकदमें दायर करने का अधिकार दिया गया है मुकदमें क: सुनवाई का ऋधिकार मैट्रो-पोलिटन मैजिस्ट्रेट से नाचे का ग्रदालत को नहीं दिया गया है। यह भा उचित कदम

इस विधेयक द्वारा इमारतों में अग्नि से सूरक्षा के लिए व्यापक कदम उठाये जा रहे हैं श्रीर जन हित में यह विधेयक **ग्रावश्यक ग्रीर समय के शनुकूल है ग्र**तः मैं भ्रापके इस विधेयक का स्वागत करता हूं। लेकिन एक सुझाव मेरा यह है कि यह विधेयक केवल दिल्लः भर के लिए है। दिल्लं। के श्रलावा श्रौर बड़े-बड़े नगर हैं जहां बड़ -बड़ा ऊंचे: इमारतें हैं। वहां पर इसः प्रकार कः प्रतिकिया होतः है । भः पर्याप्त ग्रग्नि शमन के लिए वहां प्रबंध नहीं होता है इस लिए मैं यह सुझाव देता हूं कि एक व्यापक कानून संबंध में बनाया जाना चाहिए जिससे सभा बड़े-बड़े नगरों में जहां बड़:-बड़ा इमारतें बनतः हैं,वहां ग्रग्नि से लोगों कः रक्षा को जाए। इसलिए इस तरह मैं इस विधेयक का स्वागत करता है।

महोदय, म्रापने मुझे इस विधेयक पर ग्राने विचार रखने के लिए समय दिया है, इसके लिए मैं ग्रापका ग्रत्यन्त ग्राभारः हूं **ग्रौर ग्रापको धन्यावद देता** हु।

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Mr. Vice-Chairman, Sir, I rise support 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 consideration but also other factors like location, etc., of the factories, houses, hospitals and hotels. 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 incident.

The only salint feature, to my mind in this Bill is the making of the rules which has been provided under section 16. Sir, this Bill is a mode! Bill and this Bill has got to b€ model \mathbf{Bill} for entire country. therefore, request I, you and suggest to you while framing rules you should call a meeting of the Chief Fire Officers of all the States and emphasis in that meeting that height alone should not be a consideration. As our hon. friend Mr. Jagdambi Prasad Yadav has sai that electric wiring is the main rea son for the fires that take place. W have seen in Jammu and Kashmi also that electric wiring causes fir accidents. Under these rules yo have to specify as to what type (electric wire a particular buildir has to use so that this hazardous a cidents do not take place. This poi has to be taken into consideration. say this because there are

shops, and many small houses. whi

are not covered under this Bill. U

height ranging from 1 ft. to 1,000 t

specific

der the rules and height

because the height is not

So it can come under any

[Shri Ghulam Rasool Matto] The rule formation is the most portant part of this Bill and, therefore, you can discuss it · 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

"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 such 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".

I have to state. It is stated that three

hours notice will be given.

"Now, what will happen? Neither the pronor any prietor of the House Manager 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 may be thought of in advance so that this loophole is plugged. I have seen two cases myself. 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.

कुमारी सईदा खाठुन (मध्य प्रदेश): जनाब सदर साहब ग्रीर हजरात ग्राज इस बिल का समर्थन करने के लिए मैं खड़ी हुई हूं। मैं इस बिल का समर्थन तो बाद में करूंगी सब से पहले इस बिल का जो नाम है दिल्ली ग्रग्नि निवारण ग्रौर ग्रग्नि सूरक्षा विधेयक मेरे ख्याल से तो इस बिल का नाम दिल्ली का न रहते हुए पूरे भारत के लिए यह कान्न बनना चाहिए था। चूंकि सिद्धार्थ बिल्डिंग में ग्राग लगी ग्रौर वह दिल्ली की थी इसलिए बिल में दिल्ली नाम लगाया गया है ग्रीर ऐसी कई घटनाएं हिन्द्स्तान में कई स्टेट्स के शहरों में घटित हो चुकी हैं ग्रौर वह कांड का रूप ले लेती हैं। जैसे बालाघाट में भी थाना कांड हम्रा था उस जंगह पर फायर **ब्रिगेड को रोक लिया गया था ग्रौर** भ्राग बुझाने के लिए वह समर्थ नहीं थे। ऊंची-ऊँची बिल्डिगों में जो ग्राग लगती है उसके लिए कई सुझाव मेरे पूर्व वक्ताओं ने दिए थे बिल्डिगों के मालिक को यह ग्राब्तियारात 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 बड़े-बड़े शहरों में देखा है चार-चार, छ:-छ: मंजिलों की बिल्डिंगे रहती ग्रौर उनमें 'लिफ्ट की सहूलियत तक

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 ग्रौर जो घटना होती है, वह कोई कहकर नहीं प्राती है, इसलिए मेरी थोड़ी सी सलाह थी, सजेशन था कि ऐसी बिल्डिगों में पूर्ण तरीके से सहलियत दी जाय, उसके बाद ही किराएदारों को रखा जाय। जब किराएदार ग्रा जाते हैं तो बाद में जब लिफ्ट के लिए कहा जाता है, तो नीचे की मंजिल वाले या ग्राउण्ड फ्लोर वाले कहते हैं कि हमें कोई लिपट की म्रावश्यकता नहीं है, जबिक ऊपर वालों को रहती है। इसलिए सभी को थोड़ा खर्चा सहन करना पड़ता है। तो पहले लिपट की सहलियत होनी चाहिए।

श्रन्त में, यह जो बिल लाया गया है, या तो हरेक स्टेट के लिए इस तरीके का एक श्रीर बिल लाया जाय या फिर इसी बिल में श्रमेण्ड करें कि हरेक राज्य में, अगर किसी बिल्डिंग में श्राग लगती है, तो उसको फायर ब्रिगेड की सहूलियत वी जाय।

इतना कहकर मैं श्रापको धन्यवाद देती हूं श्रौर ग्रपना स्थान ग्रहण करती हूं। चूंकि श्रापने मुझे इस बिल पर बोलने का मौका दिया, इसके लिए धन्यवाद।

†[کماری سعیدہ خاتون (مدھیہ پردیھر): جناب صدر صاحب اور حضرات - اھی بل کا سمرتھوں کرنے کیلئے میں کھڑی ھوئی ھوں - میں اس بل کا سمرتھوں تو بعد میں کرونگی سب سے پہلے اس ل کا جو نام ھے - دددلی اللی نوازن سرکھا ودھیہک، میرے خیال سے تو اس بل کا نام دلی کا نام

تها - چونکه سدهاته بلدنگ سهر آگ لکی اور وہ دلی کی قهی اسلئے بل میں دلی نام لکایا ہے اور ایسی کئی گهتنائیں تو هندوستان میں کئی اسٹیٹس کے شہروں میں کهالت هو چکی هیس اور وه کانگ کا روپ لے لیتی هیں - بالا کہات میں بهی تهانه کاند هوا تها اس جگهه فائر بریکیت کو روک لیا گیا نها اور آک بدچهانے کیلئے وہ سمرته نہیں تھے ۔ اوٹجی اونجی بلڈنگوں کے مالک کو یہ اختیارات هونے جاهئے که پہلے هی بلڈنگ میں سهولیت دى جانى چاھئے چاھے وہ كرالددار کھلگے ھو یا کسی آنس کیلگے ھوں میں نے کئی ہوے ہوے شہروں میں ديکها چار چار چه چه منزلون کې بلدّگین رهتی هین اور انبین للت کی سهولهت تک نههن دی جاتی-جب تک لفت کی سہوایت نہیں دی جائیگی اور یا تو جو پانی کی سهولیت رهدی هے 🕝 ولا بھی وآت وقت ہر دی جاتی ہے اور جو کھٹلا هوتي هے۔ ولا كوئي كهكر نهين آتي هے اسلیے میری تهوری سی صلاح تھی۔ سجيش تها كه ايسي بلذنكون مهن پورن طریقے سے سہولھت دی ہجائے أسكے بعد هي كوائے داروں كو ركها جائے - جس کرائے دار أِ آ جاتے هيں تو بعد میں جب لفت کیلئے کہا جاتا مے - تو نیچے کی مذول یا گراؤنڈ فلور والے کھتے ھیں که ھمیں

^{†[]} Translitration in Arabic Language.

[کماری سفیده خاتون]
لفت کی آوشیکتا نهیں جبکه
اویر والوں کو رهتی هے - اسلئے
سبهی کو تهورا خرچ سهن کونا پرتا
هے - تو پہلے لفت کی سهولت

انت میں یہ جو بل الیا گیا ہے یہا تو ھر ایک استیت کیلئے اس طریقے کا ایک اور بل الیا جائے یہا پھر اسی بل میں املت کریں که ھر ایک راجیه میں اگر کسی بلتنگ میں آگ لگتی ہے تو اسکو فائر بریکیٹ کی سہولیت دی جائے۔ اتلا کہکر میں آپ کو دھلیہواد دیتی اور اینا استہاں گرھی کرتی ھوں ۔ چونکہ آئے مجھے اس بل پر بولنے کا موتع دیا ۔ اس کے لئے بولنے کا موتع دیا ۔ اس کے لئے

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 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 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 note of so that we can see that 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 Members may come to know what are the deficiencies in thesehigh-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 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 want, they can accept this and frame their own Acts in their respective States. We can give whatever guidence they may want from the Centre. We can also help them in framing their rules and Acts, as they like. So far as Siddharth Hotel is concerned, some hon. Members pointed certain deficiencies as mentioned the Khanna Commission report. 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 Now this commission was appointed by the Delhi Administration. is not from our side: it is from their side. It has pointed out that Delhi Administration is taking action to fix individual responsibility 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 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 doing, we are trying to see whether it is implementing the reommendations are not. Honourable Members have expressed their anxiety as what we have to do. Honourable Members have asked what we are doing for modernising the fire fighting services in Delhi. It concerns all us. What we have done is we have given about Rs 11.5 crores and Delhi Administration also is trying spend about Rs. 5.6 crores this year. Whatever deficiencies have found from the report, we are trying to remove them, we are trying improve the equipment. We providing five more fire service stations in Delhi. Wherever there a lack of ladders, we are providing them, whatever equipment is necessary, we are trying to provide 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 exsting ones?

SHRI CHINTAMANI PANIG-RAHI: 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 more new equipment we are bringing One hundred building apparatus sets have already been obtained and a hundred more are in the process. One hydraulic platform-cum-turn 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 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 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 insany 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, Clause 16 we have power to frame

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 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 have said just now, there should not be any delay in these cases.

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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 it that this does not seen to 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 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 PANI_ GRAHI. Sir, I beg to move:

"That the Bill be passed."

The question was putandthe motion was adopted

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

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

VADUTHALA SHRI T. K. C. (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 wellknit 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 while taking upthe extension programmes so far as Kerela State is concerned. 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 Alleppev is at a stand still. The amount sanctioned for this line in 1979-80 Rs. 15.00 crores. The work not been completed and the cost as per the revised estimate is Rs. 30.25 crores. If this is going to be post. poned 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 Kayamkulam from Alleppey is also delayed for want of funds and also the Kuthipuram-Guruvayur line is