



The Government Notification of 7/7/2011 and its implications

What does it mean?

What is in it for me?

Background

Post the Carlton Towers fire in Bangalore which claimed 9 lives, there was mounting concern about fire safety of buildings in Bangalore. Beyond Carlton Trust in this direction took the one step by filing PIL (public interest litigation) and post some hearings in High court of Karnataka there was a positive outcome when joint action plan was submitted by Karnataka Fire & Emergency Service and BBMP.

The High court directed the state government to issue appropriate notification as is contemplated under section 13 of Karnataka Fire Services Act, 1964.

With this exercise the powers have been conferred to Fire service through this act for preventive measures of buildings above 15 mtrs & above to save life & property.

Action item 1 No Objection Certificate

•What does it mean?

BBMP or Local Municipal Authority will not grant license without No Objection Certificate from Fire & Emergency Service.

•What is in it for me?

As a builder I need to approach Fire & Emergency service for two stage NoC before occupancy certificate is grant by BBMP.

As on occupant I must ensure that NoC has been obtained by my builder before I occupy it.

Action item 2 Occupancy certificate

•What does it mean?

- Builder, developer, organizer, contractor, architect & engineers, society, associations shall provide fire safety measures as per National Building Code. BBMP not to grant **occupancy certificate** till then.

•What is in it for me?

As a builder I must adhere to National Building Code of India for fire protection measure.

As on occupant I must ensure NBC, part IV has been met for fire safety.

Action item 3 **Building Under construction**

•**What does it mean?**

BBMP or Local Municipal Authority will not grant occupancy certificate unless sufficient fire protection system is installed before building is made operational & is certified by nominated fire officer.

•**What is in it for me?**

As a builder if I have not approached fire service for verification of fire protection system then I need to approach Fire & Emergency service for inspection.

Action item 4 **Fire Safety Certificate Renewal**

•**What does it mean?**

Fire safety certificate issues by Fire & Emergency service should be produced to BBMP & local municipal authority for renewal once in two years.

•**What is in it for me?**

As a builder I need to approach BBMP or local municipal authority for renewal through Fire & Emergency service. Builder/Owner/developer to appoint representative for periodic fire inspection.

As an occupant I must know who is that representative from our side to be involved for inspection with fire service.

Action item 5 **Surprise Inspection**

•**What does it mean?**

Inspecting appointed officer shall carry out surprise inspection once in two years to check adherence to law/rules/regulations/code.

•**What is in it for me?**

As an owner or association or occupant I must maintain my fire protection measures in my building up to date throughout the year irrespective of inspection.

Action item 6 **Time for rectification**

•**What does it mean?**

During inspection if some non conformance is observed then max of three months time for rectification to be given. Re-inspection to be done once deviation is rectified.

•**What is in it for me?**

As an owner or association or occupant or developer I must maintain my fire protection measures in my building up to date throughout the year to avoid any non conformance.

Action item 7 **What if rectification is not done**

•**What does it mean?**

- During re - inspection if lapses have not been attended then Fire & emergency service to intimate Bescom to disconnect electricity connection. Also BBMP & other municipal authority to be informed to suspend occupancy certificate

•What is in it for me?

As an owner or association or occupant or developer I must get lapses attended to avoid electricity supply cut for my building and suspension of occupancy certificate. The building can therefore be sealed to prevent any occupancy.

Action item 8 Power supply & Occupancy certificate

•What does it mean?

Owner or association or occupant or developer shall be allowed to enter only to check only fire safety requirements. Once lapses are met then nominated fire officer shall conduct inspection to verify it and issue certificate of compliance. Fire officer to intimate authorities for electricity supply & occupancy certificate.

•What is in it for me?

Get the lapses attended ASAP to avoid long business interruption.

Action item 9 Criminal prosecution

•What does it mean?

– Fire & Emergency service can launch criminal prosecution under the provision of Fire services act, 1964 in case violations are observed after issuing NOC.

•What is in it for me?

Adhere to norms.

Action item 10 Govt Building

•What does it mean?

– Fire safety measures in all government buildings to be installed within one year from the date of notification.

Action item 11 Akarma-Sakarma scheme implications

•What does it mean?

– Buildings violating the fire safety measures shall not be entitled to Akarma-Sakarma scheme .

Action item 12 Building without NOC-

•What does it mean?

Buildings which are without NoC & Commencement certificate shall also be inspected as per local by-laws & NBC. Such builder/occupier shall pay a penalty of four times Govt fee in force at the time of inspection.

•What is in it for me?

Check if my building (15 mtr & above) has NoC or not.