



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

बुधवार, जुलै १९, २००६/आषाढ २८, शके १९२८

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Fire Prevention and Life Safety Measures Bill, 2006 (L. A. Bill No. LXXVIII of 2006), introduced in the Legislative Assembly on the 19th July 2006, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

L. A. BILL No. LXXVIII OF 2006.

A BILL

to make more effective provisions for the fire prevention and life safety measures in various types of buildings in different areas in the State of Maharashtra.

WHEREAS it is expedient to make more effective provisions for the fire prevention and life safety measures in various types of buildings in different areas in the State of Maharashtra, for imposition of fee, constitution of a special fund and for the purposes connected therewith, or incidental thereto; it is hereby enacted in the Fifty-seventh Year of the Republic of India as follows:—

CHAPTER I PRELIMINARY

1. (1) This Act may be called the Maharashtra Fire Prevention and Life Safety Measures Act, 2006. Short title, extent and commencement.
- (2) It extends to the whole of the State of Maharashtra.

(५१२)

(3) It shall come into force—

(a) in the areas of the local authorities and the planning authorities, on such date as the State Government may, by notification in the *Official Gazette*, appoint ;

(b) in other areas or part of the areas, on such date as the State Government may, by the same or like notification appoint; and different dates may be appointed for different provisions thereof and for different areas or part of the areas; and

(c) any reference in the Act to the commencement of this Act shall, in relation to a provision or an area, be constructed as a reference to the coming into force of this Act or any provision thereof in that area.

Definitions.

2. In this Act, unless the context otherwise requires,—

(1) the expression “building” shall have the same meaning assigned to it in the relevant municipal law or any law for the time being in force in the area in which this Act is in force; and includes places or premises comprising land or building, or part of a land or building, whether authorized or otherwise, outhouses, if any, appertaining to such building or part thereof and petrol, diesel or gas lines, installations or pumps.

Explanation.—For the purposes of this Act the definition of “building” herein shall extend and apply only to such building in respect of which fee is assessable and leviable as specified in the Schedule-II ;

(2) “building bye-laws” means the building bye-laws, rules or regulations made under any relevant municipal law and includes the development control rules or regulations, by whatever name they are called, or any other building rules or regulations made under any other law for the time being in force and are in operation in the area in which this Act is in force;

(3) “Chief Fire Officer” means the Chief Fire Officer or any other fire officer by whatever designation called, in charge of the fire-brigade maintained by a local authority or a planning authority ;

(4) “Director” means the person appointed by the State Government to be the Director, Maharashtra Fire Services, Group A, under section 18 ;

(5) the expression “fire prevention and life safety measures” means such measures as are necessary in accordance with the building bye-laws or as required by or under the provisions of any law or the National Building Code of India, 2005, for the time being in force, for the prevention, control and fighting of fire and for ensuring the safety of life and property in case of fire ;

(6) "Licensed Agency" means a person or an association of persons licensed by the Director, or within the area under his jurisdiction, the Chief Fire Officer or the nominated officer, for undertaking or executing fire prevention and life safety measures or performing such other related activities required to be carried out under this Act within the area of the local authority or a planning authority;

(7) "local authority" means a Municipal Corporation or a Municipal Council or a *Nagar Panchayat* or an Industrial Township constituted under any relevant municipal law for the time being in force in the State;

(8) "National Building Code of India, 2005" means the book containing Fire Prevention and Life Safety Measures to be implemented in the buildings, places, premises, workshops, warehouses and industries, published by the Bureau of Indian Standards, from time to time, with or without amendments;

(9) "nominated officer" means an officer possessing the prescribed qualifications and nominated by the Director or the Chief Fire Officer and includes an officer nominated by a local authority or a planning authority for the purposes of this Act:

Provided that, for the areas not covered by any Municipal Corporation or Municipal Council, the Director shall nominate an officer to be "a nominated officer", and different such officers may be nominated for different areas;

(10) "Occupier" includes—

(a) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent for the land or building or any part thereof in respect of which such rent is paid or is payable;

(b) an owner in occupation of or otherwise using land or building or part thereof;

(c) a rent-free tenant of any land or building or part thereof;

(d) a licensee in occupation of any land or building or part thereof;

(e) a member of a co-operative housing society or an apartment owner; and

(f) any person who, or an association, corporation (whether incorporated or not) or an organisation which is liable to pay to the owner damages for the use and occupation of any land or building or part thereof;

(11) "owner" includes a person who for the time being is receiving or is entitled to receive, the rent of any land or building or part thereof whether on his account or on account of himself and others or as an agent, a registered co-operative housing society, trustee, guardian or receiver or any other person

who should so receive the rent or be entitled to receive it if the land or building or part thereof were let to a tenant, or a builder, developer or promoter who constructs flats or apartment for sale under the provisions of the Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963, or, as the case may be, the Maharashtra Apartment Ownership Act, 1970 ;

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of
1963.
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1971.

(12) "planning authority" includes,—

(a) the Nagpur Improvement Trust constituted under the Nagpur Improvement Trust Act, 1936 ;

C.P.
and
Berar
XXXVI
of
1936.

(b) a Special Planning Authority constituted or appointed or deemed to have been appointed under section 40 or the New Town Development Authority constituted or declared under the provisions of section 113 of the Maharashtra Regional and Town Planning Act, 1966 ;

Mah.
XXXVII
of
1966.

(c) in respect of the slum rehabilitation area declared under section 3C of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, the Slum Rehabilitation Authority appointed under section 3A of the said Act ;

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XXVIII
of
1971.

(13) "prescribed" means prescribed by rules ;

(14) "relevant municipal law" means,—

(a) the Mumbai Municipal Corporation Act ;

Bom.
III of
1888.

(b) the Bombay Provincial Municipal Corporations Act, 1949 ;

Bom.
LIX
of
1949.

(c) the City of Nagpur Corporation Act, 1948 ;

C.P.
and
Berar
II of
1950.

(d) the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 ;

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XL of
1965.

(15) "rules" means rules made under this Act ;

(16) "Schedule" means Schedule appended to this Act.

CHAPTER II

PROVISIONS RELATING TO FIRE PREVENTION AND
LIFE SAFETY MEASURES

3. (1) Without prejudice to the provisions of any law or the rules, regulations or bye-laws made thereunder or the National Building Code of India, 1997, relating to fire prevention and life safety measures and in operation in the State for the time being in force, the owner or where the owner is not traceable, the occupier, of a building as classified in the Schedule-I or part of any such building shall provide fire prevention and life safety measures in such building or part thereof, minimum fire fighting installations as specified against such building in the said Schedule; and the owner or, as the case may be, the occupier shall maintain the fire prevention and life safety measures in good repair and efficient condition at all times, in accordance with the provisions of this Act or the rules:

Owners or occupiers' liability to provide for fire prevention and life safety measures.

Provided that, in the case of such building or part thereof the construction of which has been completed immediately before the date of commencement of this Act, the occupier, and subject to the provisions of sub-section (2), in the case of such building or part thereof which is under construction on such date, the owner, shall undertake and carry out such additional fire prevention and life safety measures, as are specified in the notice served on him under section 6.

Explanation.—The classification of buildings as mentioned in the Schedule-I under this section and that in Schedule-II under section 11, conforms to the classification of buildings made under the provisions of the National Building Code of India, 2005.

(2) Notwithstanding anything contained in any law for the time being in force, no authority empowered to sanction the construction plan of any building or part of a building and to issue certificate of completion thereof, shall issue any certificate of completion or part completion thereof, unless it is satisfied that the owner has complied with the requirements specified in Schedule-I, or as the case may be, in the notice so served on him as aforesaid.

(3) The owner or occupier, as the case may be, shall furnish to the Chief Fire Officer or the nominated officer, a certificate in the prescribed form issued by a Licensed Agency regarding the compliance of the fire prevention and life safety measures in his such building or part thereof, as required by or under the provisions of this Act, and shall also furnish to the Chief Fire Officer or a nominated officer, a certificate in the prescribed form, twice a year in the months of January and July regarding the maintenance of fire prevention and life safety measures in good repair and efficient condition as specified in sub-section (1).

(4) No person shall tamper with, alter, remove or cause any injury or damage to any fire prevention and life safety equipment installed in any such building or part thereof or instigate any other person to do so.

Preventive
measures.

4. (1) The State Government may, by notification in the *Official Gazette*, require owner or occupier of premises in any area or of any class of premises used, which in its opinion, are likely to cause risk of fire, to take such precautions as may be specified in such notification.

(2) Where such notification has been issued, it shall be lawful for the Director or Chief Fire Officer of local authority or planning authority or any fire officer authorized either by the Director or Chief Fire Officer to direct the removal of objects or goods likely to cause the risk of fire, to a place of safety and on failure by the owner or occupier to do so, the Director or any Chief Fire Officer or fire officer may, after giving the owner or occupier a reasonable opportunity of making the representation, seize, detain or remove such objects or goods.

(3) The Director or the Chief Fire Officer or any other fire officer while performing his duties in Fire Fighting operations or any other duties of seizure, detention or removal of any goods involving risk of fire may require the assistance of a police officer or members of the police force as an aid in performance of such duties and it will be the duty of police officer of all the ranks or such members to aid the Director or such fire officer in the execution of their duties under this Act.

Power of
inspection.

5. (1) The Director or the Chief Fire Officer or the nominated officer may, after giving three hours' notice to the occupier, or if there is no occupier, to the owner of any place or building or part thereof, enter and inspect such place or building or part thereof at any time between sunrise and sunset where such inspection appears necessary for ascertaining the adequacy or contravention of fire prevention and life safety measures :

Provided that, the Director or the Chief Fire Officer or the nominated officer may enter into and inspect any such place or building or part thereof at any time if an industry is working or an entertainment is going on at such place, building or part thereof, or if it appears to him to be expedient and necessary to do so in order to ensure safety of life and property.

(2) The Director or the Chief Fire Officer or the nominated officer shall be provided with all possible assistance by the owner or occupier, as the case may be, of such place or building or part thereof for carrying out the inspection under sub-section (1).

(3) The owner or occupier or any other person shall not obstruct or cause any obstruction to the entry of a person empowered or authorised under this section into or upon any land or building or shall not molest such person after such entry for inspection.

(4) When any such place or building or part thereof used as a human dwelling is entered under sub-section (1) due regard shall be paid to the social and religious sentiments of the occupiers; and before any flat, apartment or a part of such building in the actual occupancy of any woman, who, according to the custom does not appear in public, is entered under sub-section (1), notice shall be given to her that she is at liberty to withdraw; and every reasonable facility shall be afforded to her for withdrawing.

(5) Where the inspection is carried out by the nominated officer under the preceding provisions of this section, he shall give a report of any such inspection to the Director and the Chief Fire Officer of the authority concerned.

6. The Director or the Chief Fire Officer or the nominated officer shall, after completion of the inspection of the place or building or part thereof under section 5, record his views on the deviations from or the contraventions of, the requirements with regard to the fire prevention and life safety measures or the inadequacy or non-compliance of such measures provided or to be provided therein with reference to the height of the building or the nature of activities carried on in such place or building or part thereof and issue a notice to the owner or occupier of such building or part thereof directing him to undertake such measures within such time as may be specified in the notice.

Notice regarding fire prevention and life safety measures.

7. (1) Without prejudice to the prosecution for offence of non-compliance of the notice issued under section 6, the Director or the Chief Fire Officer may, in the event of non-compliance of any such notice, take such steps including exercising the power to have the place, building or any part thereof sealed under section 8, as may be necessary for the compliance of such notice.

Steps to be taken in the event of non-compliance of notice.

(2) All expenses incurred by the Director or the Chief Fire Officer in relation to any steps taken by him under sub-section (1) shall be payable on demand, by the owner or occupier on whom such notice is served, and shall, if not paid within fifteen days after such demand be recoverable, without prejudice to the provisions of sub-section (3) of section 20, as if it were the arrears of tax on property and the provisions under the relevant municipal law or any other law for the time being in force and is in operation within the area of jurisdiction of the local authority or planning authority concerned for recovery of arrears of tax on property, shall apply *mutatis mutandis* for such recovery as they apply to the recovery of arrears of tax on property or where any such law is not so in operation then, as an arrears of land revenue.

8. (1) If the Director or the Chief Fire Officer is satisfied that due to inadequacy of fire prevention and life safety measures the condition of any place or building or part thereof is in imminent

Power to seal building.

danger to person or property, then notwithstanding anything contained in this Act, or any other law for the time being in force, he shall, by order in writing, require the persons in possession or in occupation of such place or building or part thereof to remove themselves forthwith from such place or building or part thereof.

(2) If an order made by the Director or the Chief Fire Officer under sub-section (1) is not complied with, the Director or the Chief Fire Officer may direct,—

(a) the authority responsible for supply of electricity or the authority responsible for supply of water to disconnect the supply of electricity or water, as the case may be;

(b) any police officer having jurisdiction in the area to remove such persons from such place or building or part thereof; and such authority or police officer shall comply with such direction;

(3) After the removal of the persons under sub-section (1) or sub-section (2), as the case may be, the Director or the Chief Fire Officer shall cause such place or building or part thereof, to be sealed by such police officer forthwith.

(4) No person shall remove such seal except under a written order made by the Director or the Chief Fire Officer *suo motu* or on an application of the owner or occupier.

CHAPTER III

LICENSED AGENCY

Power to
grant
licence to
act as
Licensed
Agency.

9. (1) The Chief Fire Officer may grant any person or association of persons as he thinks fit, a licence to act as a Licensed Agency for the purposes of this Act.

(2) Any person intending to have or renew such licence shall apply to the Chief Fire Officer in the prescribed form and in the prescribed manner. Such application shall bear a court-fee stamp of five rupees and shall be accompanied by the prescribed fee.

(3) On receipt of such application, the Chief Fire Officer may, after holding such inquiry as he deems fit, either grant the licence in the prescribed form for a period of one year or renew the same for a like period or, for reasons to be recorded in writing, by order refuse to grant or renew the licence.

(4) Where the Chief Fire Officer has reason to believe that any person to whom a licence has been granted has contravened any provisions of this Act or of the rules or failed to comply with the conditions of the licence or is unfit by reason of incompetency, misconduct or any other grave reasons, the Chief Fire Officer may, after giving to the person a reasonable opportunity to show cause, for reasons to be recorded in writing, by order suspend or cancel the licence.

(5) The Director and the nominated officer may also exercise the powers under this section, within their respective jurisdiction.

10. (1) No person other than a Licensed Agency shall carry out the work of providing fire prevention and life safety measures or performing such other related activities required to be carried out in any place or building or part thereof:

Licensed Agency to carry out work of providing fire prevention and life safety measures.

Provided that, if the Chief Fire Officer is satisfied that, for any reason, to be recorded in writing, the owner or occupier is not able to carry out the fire prevention and fire safety measures in any such place or building or part thereof through a Licensed Agency, he may authorise any person or persons he thinks fit to carry out such work, and any work carried out by such authorized person or persons shall be deemed to be carried out by a Licensed Agency.

(2) No Licensed Agency or any other person claiming to be such Licensed Agency shall give a certificate under sub-section (3) of section 3 regarding the compliance of the fire prevention and life safety measures or maintenance thereof in good repair and efficient condition, without there being actual such compliance or maintenance.

CHAPTER IV

PROVISIONS RELATING TO LEVY, COLLECTION AND RECOVERY OF FIRE SERVICE FEES

11. (1) With effect from such date as the State Government may, by notification in the *Official Gazette*, appoint in this behalf, and subject to the provisions of this Act, there shall be levied a Fire Service fee at the rates specified by or under the provisions of this Chapter, for the purposes of this Act on all owners of various types of buildings specified in the Schedule-II (hereinafter in this Chapter, referred to as "the said Schedule"), within the areas of a local authority or a planning authority (hereinafter, save as otherwise mentioned, throughout in this Act, collectively referred to as "the Authority"), to which this Act applies; and different such dates may be appointed for different types of buildings and different areas of different Authorities.

Imposition of fees; and enhancement or reduction thereof.

(2) The rate of such fee in respect of each type of building situated within the area of any of the Authorities and classified in column 2 of each of the Part-I, Part-II or, as the case may be, Part-III of the said Schedule shall, in the first instance, be at the rate specified in each of the sub-column (1), but subject to the minimum fee specified in each of the sub-column (2), of columns 3, 4, 5, 6 and 7 of Part-I or of columns 3, 4, 5 and 6 of Part-II, or, as the case may be, of columns 3 and 4 of Part-III, as aforesaid.

(3) The Authority may, subject to the other provisions of this Chapter, enhance, from time to time, the rate of fee, including the annual fee, and levy the fee at such enhanced rate:

Provided that, the Authority may, subject to the other provisions of this Chapter, reduce, from time to time, such enhanced rate and levy fee at such reduced rate, so, however, that in no case the rate shall be reduced below the minimum rate specified in the said Schedule.

(4) In determining the rate of fee to be enhanced or reduced under sub-section (3), the Authority shall take into consideration the balance available in the Fire Protection Fund constituted under section 25 and the estimated income and expenditure (including any capital expenditure) of the Fire Services and ensure that the expenditure incurred or to be incurred has reasonable correlation with the carrying out of the purposes of this Act.

(5) The other matters relating to imposition (including guidelines), assessment and collection of such fee shall be such as may be prescribed.

Authority
to follow
preliminary
procedure
before
enhancing
or reducing
enhanced
fee.

12. (1) The Authority, before enhancing or reducing the enhanced rate and levying the fee at such rate shall observe the following preliminary procedure, namely:—

(a) the Authority shall, by a resolution passed at a special meeting, approve the rate of fee at which it proposes to levy such fee;

(b) when such a resolution is passed, the Authority shall take further action to obtain the previous sanction of the State Government to the proposal.

(2) The State Government may, by an order published in the *Official Gazette*, accord sanction to the said proposal of the Authority and specify in such order the date on or after which the proposal shall be brought into force.

(3) (a) The Authority shall display on the notice board of its office the said order, and shall also publish a notice in a local newspaper informing the inhabitants of the area within its jurisdiction, of the subject matter of the order so displayed;

(b) When the rates at which the fee is leviable are enhanced or reduced under sub-section (3) of section 11, it shall not be necessary to give any separate notice thereof to the owners or occupiers of the buildings affected thereby.

Imposition of
annual fee
and
enhancement
and reduction
thereof.

13. (1) There shall also be levied annually a further fee at the rate of one per cent. of the minimum fees specified in the respective columns of the Parts-I, II or, as the case may be, Part-III of the said Schedule against each type of building classified in column 2 of the said Parts of the said Schedule for providing the amount to defray the expenses for the purposes mentioned in sub-section (3) of section 25, and also for regular check and inspection, and other incidental expenses so as to require and cause the owner or occupier thereof to keep the necessary installations in fit condition.

(2) The Authority may, subject to the other provisions of this Chapter, enhance or reduce, from time to time, the rate of annual fee and levy such enhanced or reduced fee.

(3) In determining the rate of annual fee to be enhanced or reduced and the procedure to be followed in that regard, the provisions of sub-section (4) of section 11, sections 12 and 16 shall *mutatis mutandis* apply as they apply in respect of rate of initial fee and levy thereof.

14. (1) Any person who, after the commencement of this Act, intends to construct a building for which permission of the Authority is required, whether he has applied for such permission or not, or who has commenced construction of a building, shall apply to the Authority within such time and in such manner as may be prescribed, for the assessment of fees payable in respect thereof. Assessment and collection of fees.

(2) The Authority shall, on such application being made or if no such application is made, by a person constructing a building, then after serving a notice in writing on the person liable to such payment and after calling for a report in this behalf from the concerned officer of the Authority and after taking into consideration the report aforesaid, determine whether or not and, if so, what fee is leviable in respect of that construction, and after giving the person concerned an opportunity to be heard, shall then assess the amount of fee payable by such person and give to such person a notice in writing of such assessment:

Provided that,—

(a) where permission has not been granted for constructing a building, the Authority may postpone the assessment of the fee;

(b) where the application relates to the construction of a building, the Authority may refuse to assess the amount of fee payable by such person concerned unless it is satisfied that the applicant has an interest in the land or building sufficient to enable him to carry out the construction or that the applicant is able to acquire such interest and that the applicant shall carry out the construction within such period as the Authority may determine.

(3) (a) In case of every building the construction of which has been completed immediately before the date of coming into force of this Act, no fees shall be levied under this Chapter.

(b) In the case of every building the construction of which has been completed on or after the date of coming into force of this Act, such fee, unless it has already been paid in accordance with the provisions of any law or building bye-laws or regulations in force immediately before the date appointed under sub-section (1) of section 11, shall be payable, by the owner and if the owner is not traceable by the occupier.

(4) The annual fee leviable under this Act shall be payable by the owner or occupier, in the case of the existing such building, from the date appointed under sub-section (1) of section 11, and in the case of such building the construction of which is completed after such date, from the date of occupancy certificate granted in respect of such building by the Authority, and in advance in half yearly installment or in the same manner in which property taxes are payable under the relevant municipal law, or as the case may be, any other law for the time being in force, within the area of jurisdiction of the Authority :

Provided that, the liability of the occupier to pay the fee under this sub-section shall be only to the extent of the fee payable in respect of built-up area under his occupation including his share in the area comprising common facilities in such building or part thereof.

Explanation.—For the purposes of assessment of fee under this Act, the built-up area shall be gross built-up area, which includes area of easements, stilts, stair-cases, lifts, lobbies, passages, balconies, cantilever portions and refuge areas as shown in the building plan certified by the Architect and submitted to the Authority alongwith the application for permission for construction of a building. The built-up area to be calculated for this purpose will have no relation with the floor space index or the built-up area calculated in any other manner.

(5) The amount of fee as shown in the notice of assessment shall be paid within thirty days of the date of receipt thereof by such person as aforesaid and where the amount has not been so paid or has been partly paid, an interest at the rate of eighteen per cent. per annum upon any amount outstanding shall be payable from the date immediately following the date on which the period of thirty days as aforesaid expires till the date of payment of such amount.

(6) The Authority shall, in regard to the area lying within its jurisdiction, collect all fees due under this Act in respect of construction of any building in that area.

Explanation.—For the removal of doubt, it is clarified that where the area of jurisdiction of any two or more Authorities overlaps, the Authority which is empowered by or under the provisions of the law under which it functions, to grant permission for construction of a building shall be the Authority for the purposes of this section.

(7) (a) The fee, together with interest, if any, payable in respect of any building shall, subject to the provisions of sub-section (8), be the first charge on such building and the land appurtenant thereto, subject to the prior payment of land revenue, if any, due to the Government thereon.

(b) The fee payable in respect of any building by any person shall, together with interest due upto the date of realization, be recoverable from the owner, or as the case may be, occupier or his successor in interest in such building, in the same manner in which property taxes are payable under the relevant municipal law, or as the case may be, any other law for the time being in force within the area of jurisdiction of the Authority :

Provided that, the liability of the occupier to pay the fee shall be only to the extent of the fee payable in respect of the built-up area under his occupation including his share in the area comprising common facilities in such building or part thereof.

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(8) Notwithstanding anything contained in clause (11) of section 2 or sub-section (7) of this section, where a promoter as defined in clause (c) of section 2 of the Maharashtra Ownership Flats (regulation of the promotion of construction, sale, management and transfer) Act, 1963 (hereinafter, in this sub-section, referred to as "the said Act of 1963") has constructed or intends to construct any building consisting of flats or apartments, the liability to pay the fee (including annual fee) in respect of any such building and interest, if any, shall be that of such promoter; and any amount of such fee and interest remaining outstanding shall, without prejudice to any other mode of recovery thereof available against such promoter, be the first charge on any other property which he owns or in which he has a right, title or interest (in which case such charge shall be limited to the extent of his such right, title or interest), subject to the prior payment of land revenue, if any, due to Government thereon :

Provided that, the liability of the Promoter to pay such fee and interest, if any, shall extend to and be limited to the date of execution of the conveyance by the promoter under section 11 of the said Act of 1963.

15. No fee shall be levied on any building vested in or under the control or possession of the Central or State Government or any Authority. Exemption.

16. (1) Where it appears to the State Government that the balance of the Fire Protection Fund of any Authority is insufficient for meeting any expenditure required to be incurred for purchasing and maintaining fire fighting equipment and property and for maintenance thereof or for creating posts of officers, staff and servants for meeting the requirements to provide fire services or generally for performance of fire fighting operations; or that such balance is more than the requirements for the purposes aforesaid, the State Government may, by notification in the Official Gazette, require the Authority to enhance the rate of fee or reduce the enhanced fee, if any, at such rate as may be specified Power of State Government to require Authority to enhance or reduce enhanced fee.

in the said notification, so, however that any reduction in rate shall not affect the minimum rates as specified in the relevant sub-columns in the said Schedule;

(2) After receipt of such requisition as aforesaid the Authority shall forthwith proceed to enhance or, as the case may be, reduce the enhanced fee in accordance with the requisition and the resolution of the Authority passed in that behalf and the rate of fee specified therein shall take effect from the date of resolution; and the provisions of sub-section (3) of section 12 shall *mutatis mutandis* apply for the publication of such resolution.

Assessment of fee not invalid for defect or error.

17. No assessment or no charge or demand of any fee including interest, if any, made under the authority of this Act shall be invalid by reason of any clerical error or other defect of form, and when any property is described for the purpose of assessing any such fee, it shall be sufficient to describe it so that it shall be generally known, and it shall not be necessary to name the owner or occupier thereof.

CHAPTER V

DIRECTOR OF FIRE SERVICES

Appointment of Director, other officers and staff to assist Director.

18. (1) The State Government shall appoint a person to be the Director of Fire Services and such other officers and staff as may be necessary from time to time to assist the Director while exercising his powers or discharging his duties or functions under this Act or the rules made thereunder.

(2) The jurisdiction of the Director so appointed shall extend to the entire State in matters relating to fire services.

(3) Subject to the control, direction and supervision of the State Government, the Director shall exercise such powers and perform such duties as are conferred and imposed upon him by this Act or rules or orders made thereunder.

Powers and duties or functions of Director.

19. Without prejudice to the provisions of sub-section (3) of section 18, the Director shall,—

(i) function as Head of Department in the office of the Director;

(ii) keep liaison with the Central Government and State Government offices for the development of fire services;

(iii) frame the policies in relation to the development of fire services in the State and, on approval by the State Government, take steps to implement the same;

(iv) exercise supervision and control, over all Authorities in matters of fire prevention and fire safety measures; and subject to the approval of the State Government, issue such directions to any Authority in respect of fire services maintained or required to be maintained by them;

(v) represent the State Government on National and International forums with a view to updating the standard of fire services in the State of Maharashtra;

(vi) prepare and submit plans and proposals to the State Government with regard to the periodical review of fire equipment, fire property and fire manpower for effective implementation of fire services by the Authorities;

(vii) take or cause to be taken such effective steps and measures in cases of major fires, house collapse and other emergencies or calamities;

(viii) investigate or cause to be investigated the cause of fire and advise the Authorities for implementing fire precautionary measures;

(ix) advise the State Government to set up additional Fire Training Center or Centers for imparting training to the officers and staff already employed in the Fire Brigades maintained by the Authorities as also to cater to the need of the various industries, commercial and mercantile establishments in the private sector and to train their officers or staff or to provide them the trained and qualified fire service personnel;

(x) requisition fire-fighting property of any Authority or any institution or individual, which in his opinion is required for the purpose of extinguishing fire in any area; and to determine the amount of compensation payable in respect of such property by an authority in the area of which authority, such fire operation is required to be carried out;

(xi) exercise such other powers and perform such other duties and functions as may be conferred, imposed or allotted to him by or under the provisions of this Act.

20. (1) When the Director is informed, on a complaint made or otherwise that default has been made in the performance of any duty imposed on an Authority by or under this Act or by or under any enactment in relation to fire fighting measures or operations for the time being in force, the Director, if satisfied after due inquiry, that the alleged default has been made, may, by order, fix a period for the performance of that duty and ~~communicate such order to the Authority.~~ Power of Director to enforce performance of duties.

(2) If the duty is not performed within the period so fixed, the Director may appoint some person to perform it, and may direct that the expenses of performing it, with a reasonable remuneration to the person appointed to perform it, shall be forthwith paid by the Authority.

(3) If the expense and remuneration are not so paid, the Director may make an order directing the bank in which any moneys

of the Authority are deposited or the person in charge of the local Government Treasury or of any other place of security in which the moneys of the Authority are deposited, to pay such expenses and remuneration from such moneys as may be standing to the credit of the Authority in such bank or may be in the hands of such person or as may, from time to time, be received from or on behalf of the Authority by way of deposit by such bank or person, and such bank or person shall be bound to obey such order. Every payment made pursuant to such order shall be a sufficient discharge to such bank or person from all liability to the Authority in respect of any sum or sums so paid by it or him out of the moneys of the Authority so deposited with such bank or person.

CHAPTER VI

PROVISIONS REGARDING FIRE OFFICERS AND FIRE PERSONNEL

Classification
of
Authorities
and creation
of posts in
fire services.

21. (1) For the purpose of providing adequate number of officers and staff for meeting the needs of fire services within the jurisdiction of the local authorities and planning authorities having regard to the potential fire hazards in certain industries and large commercial and mercantile establishments and buildings and the number of fire stations required to be provided for and maintained within the respective areas of the local authorities and the planning authorities, such Authorities shall be classified as under :—

(a) the Municipal Corporation of *Brihan Mumbai* ;

(b) Municipal Corporations having minimum population above fifteen lakhs to be classified as 'A' Class Municipal Corporations ;

(c) Municipal Corporations having population of five lakhs and above upto fifteen lakhs, to be classified as 'B' Class Municipal Corporations ;

(d) all other Municipal Corporations not covered by clauses (a), (b) or (c) to be classified as 'C' Class Municipal Corporations ; and

(e) Municipal Councils, *Nagar Panchayats*, Industrial Townships and planning authorities to be classified as 'D' Class Municipal Councils, *Nagar Panchayats*, Industrial Townships and planning authorities.

(2) Subject to the directions, if any, as the Director may, with the approval of the State Government, by notification in the *Official Gazette*, issue from time to time, in this behalf, the existing pattern of the Fire Brigade including the qualification, pay, allowances and other conditions of service and method of recruitment of the officers and other staff engaged therein, in the Municipal Corporation of *Brihan Mumbai* shall continue.

(3) The Municipal Corporations and the Municipal Councils, *Nagar Panchayats*, Industrial Townships and the planning authorities may, and, if so required by the State Government, shall create all or any of the following posts, namely:—

(a) for Municipal Corporations of 'A', 'B' and 'C' Classes,—

- (i) Chief Fire Officer,
- (ii) Deputy Chief Fire Officer,
- (iii) Divisional Fire Officer,
- (iv) Assistant Divisional Fire Officer,
- (v) Station Officer,
- (vi) Assistant Station Officer,
- (vii) Sub-Officer,

(viii) any other Fire Officer and Fire Personnel with such designations as the State Government may, by order, direct from time to time.

(b) for 'D' Class Municipal Councils, *Nagar Panchayats*, Industrial Townships and planning authorities,—

- (i) Chief Fire Superintendent or Fire Superintendent,
- (ii) Assistant Chief Fire Superintendent or Assistant Fire Superintendent,
- (iii) Station Officer,
- (iv) Assistant Station Officer,
- (v) Sub-Officer,

(vi) any other Fire Officer and Fire Personnel with such designations as the State Government may, by order, direct from time to time.

(4) Without prejudice to the provisions of sub-section (2) but, subject to the provisions of section 22, the qualification, pay, allowances and other conditions of service and method of recruitment of the officers specified in sub-sections (2) and (3) shall be regulated by orders issued by the State Government in this behalf.

(5) Subject to the provisions of section 22 or any order issued by the Director or the State Government in this behalf, the power of making appointment to the posts specified in sub-sections (2) and (3) shall vest in the Municipal Corporation, Municipal Council, *Nagar Panchayats*, Industrial Townships or planning authority, as the case may be.

22. (1) If the State Government considers it necessary or expedient for the purpose of bringing about a more efficient Fire Service of Officers of Municipal Corporations, Municipal Councils, *Nagar Panchayats*, Industrial Townships and planning authorities with uniform terms and conditions of service to carry out the functions and duties by or under this Act, the State Government may, notwithstanding anything contained in this Act or any other law for the time being in force, by notification in the *Official Gazette*,—

Constitution
of
Maharashtra
Fire Services
and
provisions
relating
thereto.

(a) constitute, in respect of all or any class or classes of Municipal Corporations, Municipal Councils, *Nagar Panchayats*, Industrial Townships or planning authorities as specified in sub-sections (2) and (3) of section 21, a fire service or services (to be called by such designations as may be specified in the notification) of,—

(i) Chief Fire Officers of such Authorities or any of them, and

(ii) all or any of the other officers, specified in sub-sections (2) and (3) of section 21;

(b) direct from time to time that each such fire service shall consist of such classes, cadres and posts (including grades of posts) and the initial strength of officers in each such classes or cadres shall be such, as may be specified in the notification, and

(c) further direct that the officers included in any such classes or cadres shall belong to such service of the State Government as may be specified in the notification.

(2) The State Government may make rules for regulating the mode of recruitment by holding examinations or otherwise; including provisions for the absorption of person or persons already working under any of the Authorities in fire service or services constituted under this section or otherwise and providing for terminal benefits as compensation, pension or gratuity or the like, to persons who elect not to be absorbed or cannot be absorbed, or who elect to retire, and the conditions of service of persons appointed or absorbed, to such fire services and in respect of persons appointed or absorbed in such services constituted under this section, the provisions with regard to punishment of officers and servants applicable to them by virtue of the provisions made by or under any law for the time being in force and in operation within the area of jurisdiction of such Authority under which such persons are serving on the date of such appointment or absorption, shall cease to apply:

Provided that, such cessor shall not, in relation to absorbed officers, affect the previous operation of such provisions in respect of anything done or omitted to be done before such absorption:

Provided further that, the terms and conditions of service applicable immediately before the appointed day to any officer shall not be varied to his disadvantage, except with the previous approval of the State Government.

(3) Except as otherwise provided in any rules made under sub-section (2), all rules, regulations or orders as amended from time to time and for the time being in force in the State and applicable to officers in the relevant class of service of the State Government

shall continue to apply to officers appointed to, or absorbed in, any such service and shall be deemed to be rules, regulations or orders made under this Act, until other rules, regulations or orders, if any, are made in this behalf or subject to such modifications, as the State Government may, from time to time, by notification in the *Official Gazette*, and in any other prescribed manner make.

(4) Notwithstanding anything contained in sub-section (5) of section 21, the power of making appointments of officers to any such fire service under this section including promotions, transfers and all matters relating to any conditions of service shall vest in the State Government or the Director when duly authorized by the State Government for that purpose.

(5) The officers included in any fire service constituted under this section shall be the servants of the State Government; but they shall draw their salaries and allowances directly from the municipal fund or the fund of the planning authority.

(6) There shall be paid every year out of the municipal or planning authority fund to the State Government such cost as the State Government may determine on account of pension, leave and allowances, other than those drawn from the municipal fund or the fund of the planning authority under sub-section (5), of the officers belonging to any of the fire services constituted under this section and all the expenses incurred by the State Government for administering the fire service or services constituted under this section. If any such Municipal or planning authority fails to pay such cost and expenses (or the salaries and allowances of such officers) within the period prescribed in this behalf, then the provisions of sub-section (3) of section 20 shall apply to the payment of such cost and expenses (or the salaries and allowances of such officers) as they apply in relation to the payment of the expense and remuneration not paid under that section.

23. The Authority may create posts of other clerical staff and servants and appoint persons thereto for carrying out day to day activities and maintenance of records in the office of the Fire Brigade, in the same manner as they are created and appointed by or under the provisions of the law for the time being in force and applicable to such Authority.

Appointment
of other staff
and servant.

24. Save as otherwise provided by or under this Act, every person holding office either as a Chief Fire Officer or Fire Officer or Staff or employee or servant (by whatever designation called) on an existing Fire Brigade or fire service of any Authority on the date immediately before the commencement of this Act shall continue to hold office on the same terms and conditions as were applicable to him immediately before such date and shall exercise such powers and perform such duties as before and in addition to those as are conferred on them by or under this Act.

Continuation
of existing
Fire Officer
and staff.

CHAPTER VII

CONSTITUTION OF SPECIAL FUND

Constitution
of special
fund.

25. (1) There shall be constituted a special fund called the "Fire Protection Fund" to which shall be credited the fees imposed and collected under this Act.

(2) The special fund shall be reflected into the budget estimate of the respective Authority and the Accounts in respect thereof shall be maintained and audited in accordance with the procedure prescribed for the purpose of maintenance of accounts in the relevant law or the rules and orders made thereunder and are applicable to the respective Authority.

(3) The amounts in the fund shall subject to the provisions of this Act and subject to the general or special order of the State Government, be applied for the purpose of maintaining Fire Brigade in general (which shall also include the expenditure on salaries, allowances and other incidental expenses on the Fire Officers and Staff) and for providing sophisticated equipments and appliances, in particular, for the purpose of preventing and extinguishing fire on any land or in any building within or without the limits of the Authority and to no purpose other than the purposes mentioned in this Act.

CHAPTER VIII

SUPPLEMENTAL AND MISCELLANEOUS

Requisitioning
of Fire
Fighting
property.

26. (1) Where the Director or the Chief Fire Officer or any other Fire Officer of any Authority, who is incharge of a fire fighting operation requires fire fighting equipment or property of any other Authority or any institution or individual, he may by order requisition such equipment or property for the purpose of extinguishing fire in any area and take possession thereof from the Authority or any institution or individual, as the case may be.

(2) As soon as may be, after the fire fighting operations are over, such officer shall release the equipment or property, taken possession of under sub-section (1) from requisition and restore the same to the Authority, institution or individual from whose possession such property was taken.

(3) Where any fire fighting equipment or property is requisitioned under sub-section (1), there shall be paid to the owner of such property, compensation the amount of which shall be determined in accordance with the principles hereinafter set out, that is to say,—

(a) where the amount of compensation can be fixed by agreement between the Director or, as the case may be, the Chief Fire Officer and the owner of the fire fighting property, it shall be paid in accordance with such agreement;

(b) where no such agreement can be reached, the Director or, as the case may be, the Chief Fire Officer shall refer the matter to the Magistrate having jurisdiction over the area in which the fire fighting equipment or property was kept and the Magistrate shall, after hearing the parties and such other persons as he deems necessary, fix the amount of compensation taking into consideration the rent which the fire fighting equipment or property would normally fetch if rented out for a similar purpose. The orders of the Magistrate fixing the amount of compensation shall be final.

27. (1) On the occasion of fire in any area, the Director or the Chief Fire Officer or any other Fire Officer who is incharge of fire fighting operations on the spot may,—

Powers of Director or Fire Officer on occasion of fire.

(a) remove, or order any other fire officer or fire personnel to remove, any person who by his presence, interferes with or impedes the operations for extinguishing the fire or for saving life or property;

(b) close any street or passage in or near which fire is burning;

(c) break into or through, or pull down, any premises, for the passage of hose or appliances or cause them to be broken into or through, or pulled down, doing as little damage as possible for the purpose of extinguishing fire:

Provided that, the owner or occupier, as the case may be, of any such premises shall be granted reasonable compensation to the extent of the damage so caused in such manner as may be prescribed;

(d) require the authority incharge of water supply in the area, to regulate the water mains so as to provide water at a specified pressure at the place where the fire has broken out and utilize the water of any stream, cistern, well or tank or of any available source of water, public or private, for the purpose of extinguishing or limiting the spread of such fire;

(e) exercise, in the absence of aid from the police, the same powers for dispersing an assembly of persons likely to obstruct the fire-fighting operations as if he were an officer-in-charge of a police station and as if such an assembly were an unlawful assembly and be entitled to the same immunities and protection as such officer, in respect of the exercise of such powers;

(f) generally take such measures as may appear necessary for extinguishing the fire or for the protection of life or property.

(2) Any damage done to any premises or property, on the occasion of fire, by members of the service in the due discharge of their duties shall be deemed to be damage by fire within the meaning of any policy of insurance against fire.

Power of the officer-in-charge of fire fighting arrangements for supply of water. 28. It shall be lawful for the officer-in-charge of the fire-fighting operations to draw water from any source in the area which he considers necessary for such operations and on such occasions as may be required and the authority or owner or occupier having control over such water source shall supply water for that purpose at such rates as may be prescribed.

Power of Director or Chief Fire Officer or Fire Officer to enter into agreements for assistance. 29. Notwithstanding anything contained in section 26, the Director or the Chief Fire Officer of any Authority or any other Fire Officer authorized by the Authority, may enter into agreements with any person who employs and maintains personnel or equipment or both for fire-fighting purposes, to secure, on such terms as may be prescribed, the provisions by that person of assistance for the purpose of dealing with fires occurring in any area in which this Act is in force.

Training Centres. 30. The State Government may establish and maintain one or more training centres in the State for providing courses of instruction in the prevention and extinguishment of fire and may close down or re-establish any such centre.

Levy of training fee. 31. The State Government may prescribe such fee and such procedure as it may deem fit for providing a course of instruction in the prevention and extinguishment of fire.

Appeals. 32. (1) Any person aggrieved by—
 (a) the notice issued under section 6, or
 (b) the refusal of the Director or Chief Fire Officer to pass an order under sub-section (4) of section 8, or
 (c) the notice of assessment under sub-section (2) or (4) of section 14;

may prefer an appeal to such an officer as the State Government may, by notification in the *Official Gazette*, designate in this behalf, being an officer not below the rank of Director, and may, by the same notification or by a like notification designate one or more such officers and assign to them the areas or part of the areas of the local authorities or planning authorities over which each of such officers shall exercise his jurisdiction.

(2) Such appeal shall be made in such manner and accompanied by such fee, as may be prescribed.

(3) (a) ~~The officer~~ so designated may, after giving a reasonable opportunity to the appellant and the Authority, of being heard, by an order confirm, reduce, enhance or annul the assessment of fee.

(b) Where the assessment is annulled or set aside in an appeal, such officer deciding the appeal may direct the Authority to make a fresh assessment after such further enquiry as may be directed.

(4) Every order passed in appeal under this section shall be final and conclusive.

33. No appeal under section 32 shall be entertained unless,— Procedure for filing appeal.

(a) the appeal—

(i) under clause (a) or (b) of sub-section (1) of section 32 is brought within fifteen days from the date of service of notice or the date on which the refusal is communicated to the appellant;

(ii) under clause (c) of sub-section (1) of section 32 is brought within forty-five days after the receipt of notice of the assessment:

Provided that, the Officer so designated may admit an appeal preferred after the expiration of the fifteen days or, as the case may be, forty-five days as aforesaid if, such officer is satisfied that the appellant had sufficient cause for not preferring the appeal within the said period,

(b) the full amount claimed in the notice of assessment from the appellant together with the amount of interest, if any, due thereon till the date of preferring an appeal, has been deposited by him in the office of the Authority.

34. If as a result of an order passed in appeal under section 32, the assessment is enhanced and any amount of difference is required to be recovered from the appellant or any amount from out of the amount paid under clause (b) of section 33 is required to be refunded to the appellant, an interest at the rate of eighteen per cent. per annum shall be payable,— Interest on amount of enhanced assessment or refund.

(a) in the case of amount to be so recovered, from the date of receipt of notice of original assessment till the date of recovery thereof;

(b) in the case of amount to be so refunded, from the date on which the amount was paid under clause (b) of section 33 till the date of refund thereof.

35. No court shall entertain any suit, application or other proceeding in respect of any notice under section 6 or any action taken under section 8 or order of refusal to permit removal of seal passed under sub-section (4) of section 8 of this Act or notice of assessment under sub-section (2) or (4) of section 14; and no such notice or action or order shall be called in question otherwise than by preferring an appeal as provided by this Act. Bar of jurisdiction of courts.

36. (1) Whoever contravenes any provision of any of the following sections, namely:— Offences and penalties.

(a) under section 3,—

(i) sub-section (1), failure of the owner or, as the case may be, the occupier to provide and maintain the fire prevention and life safety equipment in good repair and efficient condition;

(ii) sub-section (4), tampering with, altering, removing or causing any injury or damage to any fire prevention and life safety equipment installed in a building or instigating any other person to do so;—

(b) under section 4, sub-section (2), failure to remove objects or goods likely to cause the risk of fire;

(c) under section 5, sub-section (3), obstructing the entry by a person or molesting such person after such entry for inspection;

(d) under section 6, failure to comply with the notice, directing the owner or occupier to undertake measures regarding fire prevention and life safety;

(e) under section 8,—

(i) sub-section (2), failure to comply with the direction issued by the Director or the Chief Fire Officer, as the case may be,

(ii) sub-section (4), removing the seal of the building without written order made by the Director or the Chief Fire Officer;

(f) under section 10, sub-section (1),—

(i) carrying out the work of providing fire prevention and life safety measures, or performing such other related activities by a person other than the Licensed Agency;

(ii) giving a certificate under sub-section (3) of section 3 without there being actual compliance or maintenance of fire prevention and life safety measures and equipment;

(g) under section 14, sub-sections (1) and (2), construction of a building without applying for permission of the Authority or without such permission and thereby avoiding to apply for assessment of fee payable under this Act;

shall, without prejudice to any other action taken or which may be taken under any of the provisions of this Act, be punished with rigorous imprisonment for a term which shall not be less than six months but which may extend to three years and with fine which shall not be less than rupees 20,000 but which may extend to rupees 50,000; and where the offence is continuing one with a further fine which may extend to rupees 3000 for every day during which such offence continues after the conviction for the first such offence:

Provided that, in the absence of any special and adequate reasons to the contrary to be mentioned in the judgement of the court, such punishment shall not be less than three months and such fine shall not be less than ten thousand rupees or such daily fine shall not be less than one thousand rupees per day for a continuing offence.

Explanation.—The expressions used in clauses (a) to (g) are not intended as the definitions of offences described in the sections mentioned in each of these clauses or even as abstracts of those sections but are mentioned merely as references to the subject matter of the offences under those sections.

(2) Whoever—

(a) willingly attempts, in any manner whatsoever, to evade any fee leviable under this Act, or

(b) willingly attempts, in any manner whatsoever, any payment of any fee or interest or both under this Act, or

(c) contravenes any of the provisions of this Act or the rules for which no specific penalty has been provided by this Act, or

(d) fails to comply with the requirements of any order or any notice or any directions issued under any of the provisions of this Act or the rules by the Director or any Authority or the Chief Fire Officer of such Authority or any other officer authorised by any of them, for which no specific penalty has been provided by this Act,

shall, on conviction, be punished,—

(i) in case where the amount of fees or interest or both involved exceeds rupees 50,000 during the period of a year, with rigorous imprisonment for a term which shall not be less than six months but which may extend to three years and with fine;

(ii) in case where such amount is less than rupees 50,000 during a year, with rigorous imprisonment for a term which shall not be less than three months but which may extend to one year and with fine;

(iii) in case of contravention of any provision of this Act or the rules made thereunder or failure to comply with the requirements of any order or notice as aforesaid, with rigorous imprisonment for a term which shall not be less than six months but which may extend to three years and with fine:

Provided that, in the absence of any special and adequate reasons to the contrary to be mentioned in the judgement of the court, punishment under any of these paragraphs shall not be less than one month and such fine shall not be less than two thousand rupees.

(3) Whoever aids or abets any person in commission of any offence specified in sub-section (1) or (2) shall, if the act is committed in consequence of the abetment, and no express provision is made by this Act for the punishment of such abetment, be punished with the punishment provided for the offence.

Explanation.—An act or offence is said to be committed in consequence of abetment, when it is committed in consequence of the instigation, or in pursuance of the conspiracy, or with the aid which constitutes the abetment.

37. Offences under sub-section (4) of section 3 and of removal of seal without an order under sub-section (4) of section 8 shall be cognizable and non-bailable.

Cognizable and non-bailable offences.

38. (1) Where an offence under this Act has been committed by a company every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the

Offences by companies.

company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” means a body corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm, and in relation to any association of persons or body of individuals, means any member controlling the affairs thereof.

Compounding
or
withdrawal
of
proceedings.

39. (1) The Director or Chief Executive Officer of the Authority, by whatever designation called, or any person authorised in this behalf by any of them by general or special order may either before or after the institution of the proceedings, compound any offence, excluding those referred to in section 37, made punishable by or under this Act or the rules or withdraw from such proceedings.

(2) When an offence has been compounded, the offender, if in custody, shall be discharged, and no further proceedings shall be taken against him in respect of the offence compounded.

Cognizance
of offence.

40. Save in the case of cognizable offences, no court shall take cognizance of an offence under this Act or the rules except on the complaint of, or upon information received from, the Director or the Chief Fire Officer or any other officer authorised by any of them in this behalf.

Jurisdiction.

41. No court inferior to that of a Metropolitan Magistrate or Judicial Magistrate First Class, shall try an offence punishable under this Act or the rules.

Protection
of action
taken in
good faith.

42. No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or the rules.

Officers, etc.,
to be public
servants.

43. Every officer or servant acting under the provisions of this Act or the rules shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

44. (1) The provisions of this Act and the rules shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any other law.

Act to have overriding effect, but shall be in addition to existing laws.

(2) Subject to the provisions of sub-section (1), the provisions of this Act shall be in addition to, and not, save as expressly provided hereinabove, be in derogation of the provisions of any relevant municipal law or any other law for the time being in force in any area in which this Act has come into force.

45. (1) There shall be appointed by every owner or occupier, a fire officer or fire supervisor for every building of the following description, namely:—

Appointment of fire officer or fire supervisor in certain buildings.

Building with height more than 30 metres and used for,—

- (1) hotel,
- (2) hospital,
- (3) business,
- (4) mercantile,
- (5) mixed occupancy of whatever kind or purposes.

(2) The qualifications and duties of such fire officer or fire supervisor shall be such as the Director may, with the approval of the State Government, by order in the *Official Gazette*, specify.

46. Notwithstanding anything contained in any other law for the time being in force, when anything in relation to the fire prevention and life safety measures is required to be done or approved under this Act, any such thing shall not be deemed to have been lawfully done or approved by reason only of the fact that permission, approval or sanction required under such other law therefor has been obtained.

Effect of other laws.

47. (1) The State Government may, by notification in the *Official Gazette*, delegate any power (except the power of making rules) exercisable by it under this Act or rules made thereunder to the Director in such case and subject to such conditions, if any, as may be specified in such notification.

Power to delegate.

(2) The Director may, by an order in writing, delegate any power exercisable by him under this Act or rules made thereunder to any officer of the State Government subordinate to him or the Chief Officer of an Authority (by whatever designation called) or the Chief Fire Officer of any Authority in such case and subject to such conditions, if any, as may be specified in such order.

48. Every Authority or the Chief Fire Officer when specifically authorised by the Authority in this behalf, shall furnish to the Director such reports, returns and other information as the Director may, from time to time, require.

Power to call for report, return or information.

CHAPTER IX

RULES

Power to
make rules.

49. (1) The State Government may, by notification in the *Official Gazette*, and subject to the condition of previous publication, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the minimum standards for fire prevention and fire safety measures;

(b) eligibility and the procedure for granting, renewing or refusing licence to act as Licensed Agency under section 9;

(c) the form in which an appeal shall be made and the fees which shall accompany such appeal under section 32;

(d) procedure to be followed at the hearing and disposal of appeal under section 32;

(e) any other matter which may be or is required to be provided by rules.

(3) Every rule made under this section shall be laid, as soon as may be, after it is made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify such decision in the *Official Gazette*, the rule shall, from the date of publication of such decision in the *Official Gazette*, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Power to
remove
difficulty.

50. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion requires, by order do anything not inconsistent with the objects and purposes of this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty:—

Provided that, no order shall be made under this section after the expiry of two years from the date of coming into force of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

Sr. No.	Type of Building Occupancy	Type of Fire Fighting Installation										Water Supply (in litres)		Pump Capacity (in litres)	
		Fire Extinguisher	Hose Reel	Dry Riser	Wet Riser	Down Yard Corner Hydrant	Automatic Sprinkler System	Manually Operated Electric Fire Alarm System	Automatic Detection and Alarm System	Underground Static Water Storage Tank	Terrace Tank	Pump Near Underground Static Water Storage Tank (Fire Pump) with Minimum Pressure of 0.3 N/mm ² at Terrace Level	At the Tank Level with Minimum Pressure of 0.3 N/mm ²		
(2)	15m and above but not exceeding 35m in height	R	R	NR	NR	R	R (see Note 2)	R (see Note 7)	NR	NR	NR	25000	NR	NR	900
(3)	above 35m but not exceeding 45m in height	R	R	NR	NR	NR	R (see Note 2 and Note 8)	R (see Note 7)	R	50000 (see Note 4)	900	5000 (10000) (see Note 4)	NR	NR	NR
(4)	above 45m in height	R	R	NR	R	R	R (see Note 8)	R	R	75000	1200	5000 (10000) (see Note 4)		NR	NR
(c)	Hotels (A-5)														
(1)	Less than 15m in height														
	(i) Covered area not exceeding 800 m ² on each floor	R	R	NR	R	R	R (see Note 2)	NR	NR	NR	NR	5000 (10000) (see Note 4)	NR	NR	450 (900) (see Note 4)
	(ii) Covered area exceeding 1000m ² on each floor	R	R	NR	R (see Note 9)	NR	R (see Note 10 and Note 11)	R	R (see Note 11)	100000	1800	100000	NR	NR	NR
(2)	15m and above but not exceeding 30m	R	R	NR	R	NR	R (see Note 10)	R	R	150000	2250	20000	NR	NR	NR
(3)	Above 30m in height	R	R	NR	R	NR	R (see Note 10)	R	R	200000	2850	20000	NR	NR	NR
(d)	Hotels (Starred) (A-6)	R	R	NR	R	NR	R (see Note 10)	R	R	200000	2850	20000	NR	NR	NR
	EDUCATIONAL BUILDINGS (B)														
(1)	Less than 15m in height														
	(i) Ground plus one storey	R	NR	NR	NR	NR	R (see Note 2)	NR	NR	NR	NR	5000 (see Note 3)	NR	NR	450

Sr. No.	Type of Building Occupancy	Type of Fire Fighting Installation										Water Supply (in litres)		Pump Capacity (in litres)	
		Fire Extinguisher	Hose Reel	Dry Riser	Wet Riser	Down Comer	Yard Hydrant	Automatic Sprinkler System	Manually Operated Electric Fire and Alarm System	Automatic Detection and Alarm System	Underground Water Storage Tank	Terrace Tank	Pump Near Underground Static Water Storage Tank (Fire Pump) with Minimum Pressure of 0.3 N/mm ² at Terrace Level	At the Tank Level with Minimum Pressure of 0.3 N/mm ²	
	(ii) Ground plus two storey	R	R	NR	NR	NR	NR	R (see Note 2)	NR	NR	NR	10000 (15000) (see Note 4)	NR	450 (900) (see Note 4)	
(2)	15m and above but not exceeding 30m in height	R	R	NR	NR	R	NR	R (see Note 2)	R	NR	NR	25000	NR	900	
	INSTITUTIONAL BUILDINGS (C) (see Note 12)														
(a)	Hospitals, Sanatoria and Nursing Homes (C-1)														
(1)	Less than 15m in height														
	(i) Up to ground plus one storey with plot area less than 1000m ² with no beds.	R	R	NR	NR	NR	NR	R (see Note 2)	R	NR	NR	2500 (5000) (see Note 4)	NR	NR	
	(ii) Up to ground plus one storey with plot area greater than 1000m ² with beds.	R	R	NR	NR	NR	NR	R (see Note 2)	R	NR	NR	5000 (10000) (see Note 4)	NR	450 (900) (see Note 4)	
	(iii) Above two storeys with no beds	R	R	NR	R	R	R	R (see Note 2)	R	NR	NR	5000 (10000) (see Note 4)	NR	450	
	(iv) Above two storeys with beds	R	R	NR	R	NR	R	R (see Note 2)	R	R	50000 (10000) (see Note 4)	1620	NR	NR	
(2)	15m and above but not exceeding 24m height	R	R	NR	R	NR	R	R (see Note 2)	R	R	75000	10000	1800	NR	

Sr. No.	Type of Building Occupancy	Type of Fire Fighting Installation										Water Supply (in litres)		Pump Capacity (in litres)	
		Fire Extinguisher	Hose Reel	Dry Riser	Wet Riser	Down Corner Hydrant	Automatic Sprinkler System	Manually Operated Electric Fire Alarm System	Automatic Detection and Alarm System	Underground Static Water Storage Tank	Terrace Tank	Pump Near Underground Static Water Storage Tank (Fire Pump) with Minimum Pressure of 0.3 N/mm ² at Terrace Level	At the Tank Level with Minimum Pressure of 0.3 N/mm ²		
(3)	Above 24m but not exceeding 30m in height	R	R	NR	R	R	R	R	R	R	75000	10000	1800	NR	
(b)	Custodial (C-2), and Penal and Plental (C-3)														
(1)	Less than 10m in height														
	(i) Up to 300 persons	R	R	NR	NR	NR	R	R	R	NR	10000 (15000) (see Note 4)	NR	NR	450 (900) (see Note 4)	
	(ii) More than 300 persons	R	R	NR	NR	NR	R	R	R	NR	15000 (20000) (see Note 4)	NR	NR	450 (900) (see Note 4)	
(2)	10m and above but not exceeding 15m in height	R	R	NR	R	R	R	R	R	R	50000	5000 (10000) (see Note 4)	1620	NR	
(3)	15m and above but not exceeding 24m in height	R	R	NR	R	R	R	R	R	R	75000	10000	1800	NR	
(4)	24m and above but not exceeding 30m in height	R	R	NR	R	R	R	R	R	R	75000	10000	1800	NR	
	ASSEMBLY BUILDINGS (D) (D-1 TO D-5) (see Note 12)														
(1)	Less than 10m in height														
	(i) Up to 300 persons	R	R	NR	NR	NR	R	R	R	R	NR	10000 (15000) (see Note 4)	NR	450 (900) (see Note 4)	

Sr. No.	Type of Building Occupancy	Type of Fire Fighting Installation										Water Supply (in litres)		Pump Capacity (in litres)	
		Fire Extinguisher	Hose Reel	Dry Riser	Wet Riser	Down Corner Hydrant	Automatic Sprinkler System	Manually Operated Electric Fire and Alarm System	Automatic Detection and Alarm System	Underground Static Water Storage Tank	Terrace Tank	Pump Near Underground Static Water Storage Tank (Fire Pump) with Minimum Pressure of 0.3 N/mm ² at Terrace Level	At the Tank Level with Minimum Pressure of 0.3 N/mm ²		
		R	R	NR	NR	R	NR	R (see Note 2)	R	NR	10000 (15000) (see Note 4)	NR	450 (900) (see Note 4)		
(2)	(ii) More than 300 persons.	R	R	NR	NR	R	NR	R (see Note 2)	R	NR	5000 (10000)	1620	NR		
(3)	Above 10m but not exceeding 15m in height	R	R	NR	NR	R	NR	R	R	75000	10000	1800	NR		
(4)	Above 15m and above but not exceeding 24m in height.	R	R	NR	NR	R	NR	R	R	75000	10000	1800	NR		
(1)	Above 24m but not exceeding 30m in height	R	R	NR	NR	R	NR	R	R	75000	10000	1800	NR		
	BUSINESS BUILDINGS (E)														
(1)	Less than 10 m in height.	R	R	NR	NR	NR	NR	R (see Note 2)	R	NR	5000 (10000) (see Note 4)	900	450 (900) (see Note 4)		
(2)	Above 10m but not exceeding 15m in height.	R	R	NR	NR	R	NR	R (see Note 2)	R	NR	5000 (10000) (see Note 4)	1620	NR		
(3)	Above 15m and up to 24m in height	R	R	NR	NR	R	NR	R	R	100000	10000	1800	NR		
(4)	Above 24m in height	R	R	NR	NR	R	NR	R	R	150000	10000	2250	NR		
	MERCANTILE BUILDINGS (F)														
(a)	F-1 and F-2 (see Note 12)														
(1)	Less than 15 m in height.														

Sr. No.	Type of Building Occupancy	Type of Fire Fighting Installation										Water Supply (in litres)		Pump Capacity (in litres)	
		Fire Exting- visher	Hose Roel	Dry Riser	Wet Riser	Down Corner Hydrant	Yard Hydrant	Automatic Sprinkler System	Manually Operated Electric Fire Alarm System	Automatic Detection and Alarm System	Under- ground Static Water Storage Tank	Terrace Tank	Underground Static Water Storage Tank (Fire Pump) with Minimum Pressure of 0.3 N/mm ² at Terrace Level	Pump Near Underground Static Water Storage Tank (Fire Pump) with Minimum Pressure of 0.3 N/mm ² at Terrace Level	At the Tank Level with Minimum Pressure of 0.3 N/mm ²
	(i) Ground plus one storey, with total covered area not exceeding 500m ²	R	R	NR	NR	NR	NR	R (see Note 2)	R	NR	25000	5000 (10000) (see Note 4)	450 (900) (see Note 4)	NR	
	(ii) Ground plus one storey and covered area exceeding 500m ²	R	R	NR	NR	NR	R	R (see Note 2)	R	NR	50000	5000 (10000) (see Note 4)	900	NR	
	(iii) More than ground plus one storey	R	R	R	R	R	R	R (see Note 2)	R	R	50000	10000	900	NR	
(2)	Above 15m but not exceeding 24m in height	R	R	NR	NR	R	R	R	R	R	100000	10000	1800	NR	
(3)	Above 24m but not exceeding 30m in height.	R	R	NR	R	R	R	R	R	R	150000	10000	2250	NR	
(b)	Underground shopping complex (F-3) (see Note 13)	R	R	NR	NR	R	R	R	R	R	150000	10000	2250	NR	
	INDUSTRIAL BUILDINGS (G) (see Note 14)														
(a)	Low Hazard (G-1) (see Note 15)														
(1)	Up to 18m in height														
	(i) Covered area up to 50m ²	R	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	
	(ii) Covered area above 50m ² and up to 100 m ²	R	R	NR	NR	NR	NR	NR	NR	NR	NR	5000	NR	450	

Sr. No.	Type of Building Occupancy.	Type of Fire Fighting Installation										Water Supply (in litres)		Pump Capacity (in litres)	
		Fire Extinguisher	Hose Reel	Dry Riser	Wet Riser	Down Comer	Yard Hydrant	Automatic Sprinkler System	Manually Operated Electric Fire Alarm System	Automatic Detection and Alarm System	Underground Static Water Storage Tank	Terrace Tank	Pump Near Underground Static Water Storage Tank (Fire Pump) with Minimum Pressure of 0.3 N/mm ² at Terrace Level	Pump Capacity At the Tank Level with Minimum Pressure of 0.3 N/mm ²	
	(iii) Covered area above 100m ² and upto 200 m ²	R	R	NR	NR	R	NR	NR	NR	NR	NR	NR	7500	NR	450
	(iv) Covered area above 200 m ² and upto 400 m ²	R	R	NR	NR	R	R (see Note 2)	NR	NR	NR	NR	NR	10000	NR	450
	(v) Covered area above 400 m ²	R	R	NR	R	NR	R	R	NR	R	20000 (30000) (see Note 4)	NR	5000	NR	450 (900) (see Note 4)
(b)	Moderate Hazard (G-2) (see Note 14)														
	Up to 18 m in height														
	(i) Covered area up to 100m ²	R	R	NR	NR	NR	NR	NR	NR	NR	NR	NR	5000	NR	450
	(ii) Covered area above 100 m ² and upto 250m ²	R	R	NR	R	NR	NR (see Note 2)	NR	NR	NR	50,000	900	5000	900	NR
	(iii) Covered area above 250m ² and up to 500m ²	R	R	NR	R	NR	R	R	R	R	75000	1620	5000	1620	NR
	(iv) covered area above 500 m ² .	R	R	NR	R	NR	R	R	R	R	100000	1620	5000	1620	NR
(C)	High Hazard (G-3) (see Note 16)														
	Up to 15m in height														
	(i) Covered area upto 50m ² .	R	R	NR	NR	NR	NR	NR	NR	NR	NR	NR	5000	NR	450
	(ii) Covered area above 50m ² and upto 158m ²	R	R	NR	NR	NR	R	R	R	R	50000	900	5000	900	450

Sr. No.	Type of Building Occupancy.	Type of Fire Fighting Installation										Water Supply (in litres)		Pump Capacity (in litres)	
		Fire Extinguisher	Hose Reel	Dry Riser	Wet Riser	Down Yard Corner Hydrant	Automatic Sprinkler System	Manually Operated Electric Fire Alarm System	Automatic Detection and Alarm System	Underground Static Water Storage Tank	Terrace Tank	Pump Near Underground Static Water Storage Tank (Fire Pump) with Minimum Pressure of 0.3 N/mm ² at Terrace Level	At the Tank Level with Minimum Pressure of 0.3 N/mm ²		
	(iii) Covered area above 150m ² and upto 300m ²	R	R	NR	NR	R	R	R	R	R	R	100000	5000	1620	450
	(iv) Covered area above 300m ² and above 500ft ²	R	R	NR	R	R	R	R	R	R	R	125000	NR	2250	NR
	(v) Covered area above 500m ²	R	R	NR	R	R	R	R	R	R	R	150000	NR	2250	NR
	STORAGE BUILDINGS (H) (see Note 17)														
	Upto 15m in height														
	(i) Single Storey Building	R	R	NR	NR	R	R	R	R	NR	R	150000	15000	1800	NR
	(ii) Ground plus one floor	R	R	NR	NR	R	R	R	R	NR	R	225000	20000	2250	NR
	(iii) Above ground plus one floor	R	R	NR	R	R	R	R	R	NR	R	100000	10000	1800	NR
	HAZARDOUS BUILDING (G) (see Note 17)														
	Up to 15m in height														
	(i) Single Storey Building	R	R	NR	NR	R	R	R	R	R	R	Minimum 4th fire fighting requirement	NR	(See Note 18)	NR
	(ii) More than one floor building but not exceeding 15m	R	R	NR	R	R	R	R	R	R	R	-do-	50000	(See Note 18)	900

R = Required
NR = Not Required

NOTES.—

1. Building above 15m in height not to be permitted for occupancies A-1 and A-2.
2. Required to be installed in basement if area of basement exceeds 200 m².
3. Required to be provided if basement area exceeds 200 m².
4. Value given in parenthesis shall apply if basement area exceeds 200 m².
5. Required to be provided for buildings with more than two storeys.
6. Building above 60m in height not to be permitted for occupancies A-3 and A-4.
7. Required to be provided for buildings with height above 24m.
8. To be installed in basement. If basement provided is used for car parking and area thereof exceeds 750 m² then the sprinklers shall be fed water from both underground static water storage tank and terrace tank.
9. Required to be provided for buildings with more than one storey.
10. To be installed in entire building.
11. Automatic detection and alarm system is required to be provided if building is not sprinklered.
12. Buildings above 30m in height not to be permitted for Group B, Group C, Group D and Group F occupancies.
13. All underground shopping areas should be fully air conditioned.
14. The requirements given in this Table for Group G Industrial Buildings are for small scale industry units. For other industries the requirements will have to be worked out on the basis of relevant Indian Standards and also in consultation with the local fire authorities.
15. Buildings above 18m in height not to be permitted for G-1 and G-2 occupancies.
16. Buildings above 15m in height not to be permitted for G-3 occupancies.
17. Buildings above 18m in height not to be permitted for Group H and Group J occupancies.
18. Pump capacity shall be based on the covered area of the building and shall be as specified in this Table for G-3 occupancy.

SCHEDULE — II

[See Section 3(7) Explanation and Section 11(1)]

PART — I

Fire Service Fee Structure for Municipal Corporations

Sr. No.	Type of Building Occupancy	(3)		(4)		(5)		(6)		(7)	
		Fee in Rs per Sq.mt	Subject to Minimum of Rs.	Fee in Rs per Sq. mt	Subject to Minimum of Rs.	Fee in Rs per Sq. mt	Subject to Minimum of Rs.	Fee in Rs per Sq. mt	Subject to Minimum of Rs.	Fee in Rs per Sq. mt	Subject to Minimum of Rs.
(a)	RESIDENTIAL BUILDINGS (A)										
	Lodging or Rooming Houses (A-1)										
	Less than 15m in height										
	(i) Upto 15 rooms	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(ii) More than 15 and upto 30 rooms	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00	4.00	20,000.00	3.00	15,000.00
	(iii) More than 30 rooms	10.00	50,000.00	8.00	35,000.00	7.00	30,000.00	6.00	20,000.00	5.00	25,000.00
(b)	Apartment Houses (A-4)										
(1)	From 15m to 24m in height	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
(2)	24m and above but not exceeding 35m in height	7.00	40,000.00	6.00	30,000.00	5.00	26,000.00	4.00	20,000.00	3.00	15,000.00
(3)	Above 35m but not exceeding 45m in height	10.00	60,000.00	8.00	50,000.00	7.00	35,000.00	Construction Not Allowed	Construction Not Allowed	Not Allowed	Not Allowed
(4)	Above 45m in height	15.00	1,00,000.00	12.00	75,000.00	10.00	50,000.00	Not Allowed	Not Allowed	Not Allowed	Not Allowed

Sr. No.	Type of Building Occupancy	(3)		(4)		(5)		(6)		(7)	
		Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq.mt	Subject to Minimum of Rs.
(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
(c)	Hotels (A-5)										
(1)	Less than 15m in height										
	(i) Covered area not exceeding 300 m ² on each floor.	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(ii) Covered area exceeding 300 m ² but not more 1000 m ² on each floor.	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00	4.00	20,000.00	3.00	15,000.00
	(iii) Covered area exceeding 1000 m ² on each floor.	10.00	50,000.00	8.00	40,000.00	7.00	35,000.00	6.00	30,000.00	5.00	26,000.00
(2)	15m and above but not exceeding 30m.	15.00	1,00,000.00	12.00	75,000.00	10.00	50,000.00	8.00	40,000.00	7.00	35,000.00
(3)	Above 30m in height	20.00	1,50,000.00	15.00	1,00,000.00	12.00	75,000.00	Not Allowed	Not Allowed	Not Allowed	Not Allowed
(d)	Hotels (Starred) (A-6)										
(1)	Less than 15m in height										
	(i) 3 Starred Hotels	15.00	1,00,000.00	14.00	90,000.00	12.00	75,000.00	10.00	50,000.00	8.00	40,000.00
	(ii) 5 Starred Hotels	20.00	1,50,000.00	18.00	1,25,000.00	15.00	1,00,000.00	12.00	75,000.00	10.00	50,000.00
	(iii) 7 Starred Delux Hotels	25.00	2,00,000.00	22.00	1,40,000.00	20.00	1,50,000.00	15.00	1,00,000.00	12.00	75,000.00
(2)	15m & above but not exceeding 30 m in height.	30.00	3,00,000.00	28.00	2,50,000.00	25.00	2,00,000.00	20.00	1,50,000.00	15.00	1,00,000.00
(3)	Above 30 mtrs. in height	50.00	4,00,000.00	35.00	3,00,000.00	30.00	2,50,000.00	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	EDUCATIONAL BUILDINGS (B)										
(1)	Less than 15m in height										
	(i) Ground plus one storey	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(ii) Ground plus two storey	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00	4.00	20,000.00	3.00	15,000.00

Sr. No.	Type of Building Occupancy	Municipal Corporation where population exceeds 50 lakhs		Municipal Corporation where population exceeds 25 lakhs but does not exceed 50 lakhs		Municipal Corporation where population exceeds 10 lakhs but does not exceed 25 lakhs		Municipal Corporation where population exceeds 5 lakhs but does not exceed 10 lakhs		Municipal Corporation where population exceeds 3 lakhs but does not exceed 5 lakhs	
		(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
(1)		Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt	Subject to Minimum of Rs.
(2)	15m and above but not exceeding 30m in height.	10.00	50,000.00	8.00	40,000.00	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00
	INSTITUTIONAL BUILDINGS (C)										
(a)	Hospitals, Sanatoria and Nursing Homes (C-1)										
(1)	Less than 15m in height										
	(i) Up to ground plus one storey with plot area less than 1000 m ² with no bed.	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(ii) Up to ground plus one storey with plot area greater than 1000 m ² with beds.	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00	4.00	20,000.00	3.00	15,000.00
	(iii) Above two storey, with no beds.	8.00	40,000.00	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00	4.00	20,000.00
(2)	(iv) Above two storey, with beds.	9.00	45,000.00	8.00	40,000.00	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00
(3)	15m and above but not exceeding 24m in height.	10.00	75,000.00	9.00	45,000.00	8.00	40,000.00	7.00	35,000.00	6.00	30,000.00
	Above 24m and not exceeding 30m in height.	15.00	1,00,000.00	12.00	60,000.00	10.00	50,000.00	10.00	50,000.00	Not Allowed	Not Allowed
(b)	Custodial (C-2) and Penal and Pental (C-3)										
(1)	Less than 10m in height										
	(i) Upto 300 persons	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(ii) More than 300 persons	6.00	35,000.00	5.00	30,000.00	5.00	25,000.00	4.00	20,000.00	3.00	15,000.00

Sr. No.	Type of Building Occupancy	Municipal Corporation where population exceeds 50 lakhs		Municipal Corporation where population exceeds 25 lakhs but does not exceed 50 lakhs		Municipal Corporation where population exceeds 10 lakhs but does not exceed 25 lakhs		Municipal Corporation where population exceeds 5 lakhs but does not exceed 10 lakhs		Municipal Corporation where population exceeds 3 lakhs but does not exceed 5 lakhs	
		(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
(2)	10m and above but not exceeding 15m in height.	8.00	40,000.00	7.00	35,000.00	5.00	30,000.00	5.00	25,000.00	4.00	20,000.00
(3)	15m and above but not exceeding 24m in height.	10.00	50,000.00	9.00	45,000.00	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00
(4)	24m and above but not exceeding 30m in height.	15.00	1,00,000.00	12.00	60,000.00	10.00	50,000.00	Not Allowed	Not Allowed	Not Allowed	Not Allowed
ASSEMBLY BUILDINGS (D)											
(D-1 TO D-5)											
(1)	Less than 10m in height										
	(i) Upto 300 persons	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(ii) More than 300 persons	6.00	35,000.00	6.00	30,000.00	5.00	25,000.00	4.00	20,000.00	3.00	15,000.00
(2)	Above 10m but not exceeding 15m in height.	8.00	40,000.00	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00	4.00	20,000.00
(3)	Above 15m and above but not exceeding 24m in height.	10.00	75,000.00	9.00	50,000.00	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00
(4)	Above 24m but not exceeding 30m in height.	15.00	1,00,000.00	12.00	75,000.00	10.00	50,000.00	Not Allowed	Not Allowed	Not Allowed	Not Allowed
BUSINESS BUILDINGS (E)											
(1)	Less than 10m in height	5.00	35,000.00	4.00	30,000.00	3.00	25,000.00	2.00	20,000.00	1.00	15,000.00
(2)	Above 10m but not exceeding 15m in height.	7.00	50,000.00	6.00	40,000.00	5.00	35,000.00	4.00	30,000.00	3.00	25,000.00
(3)	Above 15m and up to 24m in height.	10.00	1,00,000.00	8.00	75,000.00	7.00	50,000.00	5.00	35,000.00	4.00	30,000.00

Sr. No.	Type of Building Occupancy	Municipal Corporation where population exceeds 50 lakhs		Municipal Corporation where population exceeds 25 lakhs but does not exceed 50 lakhs		Municipal Corporation where population exceeds 10 lakhs but does not exceed 25 lakhs		Municipal Corporation where population exceeds 5 lakhs but does not exceed 10 lakhs		Municipal Corporation where population exceeds 3 lakhs but does not exceed 5 lakhs	
		(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
(4)	Above 24 m in height	15.00	1,50,000.00	10.00	1,00,000.00	10.00	75,000.00	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	MERCANTILE BUILDINGS (F)										
(a)	F-1 and F-2										
(1)	Less than 15m in height										
	(i) Ground plus one storey, with total covered area not exceeding 500m ² .	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(ii) Ground plus one storey and covered area exceeding 500m ² .	7.00	35,000.00	6.00	30,000.00	5.00	25,000.00	4.00	20,000.00	3.00	15,000.00
	(iii) More than ground plus one storey.	8.00	50,000.00	8.00	40,000.00	7.00	35,000.00	5.00	25,000.00	4.00	20,000.00
(2)	Above 15m but not exceeding 24m in height.	10.00	1,00,000.00	9.00	75,000.00	8.00	50,000.00	7.00	35,000.00	5.00	25,000.00
(3)	Above 24m but not exceeding 30m in height.	15.00	1,50,000.00	12.00	1,00,000.00	10.00	75,000.00	Not Allowed	Not Allowed	Not Allowed	Not Allowed
(b)	Underground shopping complex (F-3)										
	INDUSTRIAL BUILDINGS (G)										
(a)	Low Hazard (G-1)										
(1)	Up to 18m in height										
	(i) Covered area up to 50m ²	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00

Sr. No.	Type of Building Occupancy	Municipal Corporation where population exceeds 50 lakhs		Municipal Corporation where population exceeds 25 lakhs but does not exceed 50 lakhs		Municipal Corporation where population exceeds 10 lakhs but does not exceed 25 lakhs		Municipal Corporation where population exceeds 5 lakhs but does not exceed 10 lakhs		Municipal Corporation where population exceeds 3 lakhs but does not exceed 5 lakhs	
		Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq.mt	Subject to Minimum of Rs.
(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
	(ii) Covered area above 50m ² and up to 100m ² .	7.00	40,000.00	6.00	30,000.00	5.00	25,000.00	4.00	20,000.00	3.00	15,000.00
	(iii) Covered area above 100m ² and up to 200m ² .	10.00	75,000.00	8.00	50,000.00	7.00	35,000.00	5.00	25,000.00	4.00	20,000.00
	(iv) Covered area above 200m ² up to 400m ³ .	15.00	1,00,000.00	12.00	75,000.00	10.00	50,000.00	7.00	35,000.00	5.00	25,000.00
	(v) Covered area above 400m ²	20.00	1,50,000.00	15.00	1,25,000.00	15.00	1,00,000.00	10.00	50,000.00	7.00	35,000.00
(b)	Moderate Hazard (G-2)										
(1)	Up to 18m in height										
	(i) Covered area above 100m ²	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(ii) Covered area above 100m ² and up to 250m ² .	7.00	75,000.00	6.00	50,000.00	5.00	35,000.00	4.00	25,000.00	3.00	20,000.00
	(iii) Covered area above 250m ² and up to 500m ² .	10.00	1,00,000.00	8.00	75,000.00	7.00	50,000.00	5.00	35,000.00	4.00	25,000.00
	(iv) Covered area above 500m ²	15.00	1,50,000.00	12.00	1,25,000.00	10.00	1,00,000.00	7.00	50,000.00	5.00	35,000.00
(c)	High Hazard (G-3)(See Note(2))										
(1)	(A) Up to 15m in height										
	(i) Covered area up to 50m ²	5.00	35,000.00	4.00	30,000.00	3.00	25,000.00	2.00	20,000.00	1.00	15,000.00
	(ii) Covered area up to 50m ² and up to 150m ² .	7.00	40,000.00	6.00	35,000.00	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00
	(iii) Covered area above 150m ² and up to 300m ² .	10.00	60,000.00	8.00	50,000.00	7.00	40,000.00	5.00	35,000.00	4.00	30,000.00

St. No.	Type of Building Occupancy	Municipal Corporation where population exceeds 50 lakhs		Municipal Corporation where population exceeds 25 lakhs but does not exceed 50 lakhs		Municipal Corporation where population exceeds 10 lakhs but does not exceed 25 lakhs		Municipal Corporation where population exceeds 5 lakhs but does not exceed 10 lakhs		Municipal Corporation where population exceeds 3 lakhs but does not exceed 5 lakhs.	
		(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
(1)	(2)	Fee in Rs. per Sq.mt	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt	Subject to Minimum of Rs.
	(iv) Covered area above 300m ² and up to 500m ² .	15.00	1,00,000.00	12.00	75,000.00	10.00	50,000.00	7.00	40,000.00	5.00	35,000.00
	(v) Covered area above 500m ²	20.00	2,00,000.00	15.00	1,50,000.00	15.00	1,00,000.00	10.00	75,000.00	7.00	50,000.00
	(B) Cross Country Pipelines carrying hazardous Gases and Petroleum products.	20.00 per meter	2,00,000.00	15.00 per meter	1,50,000.00	15.00 per meter	1,00,000.00	10.00 per meter	75,000.00	7.00 per meter	50,000.00
	STORAGE BUILDINGS (H)										
(1)	Up to 15m in height										
	(i) Single Storey Building	10.00	30,000.00	8.00	25,000.00	7.00	20,000.00	5.00	15,000.00	3.00	10,000.00
	(ii) Ground plus one floor	15.00	40,000.00	12.00	30,000.00	10.00	25,000.00	7.00	20,000.00	5.00	15,000.00
(2)	Above ground plus one floor	20.00	50,000.00	18.00	40,000.00	15.00	35,000.00	10.00	25,000.00	7.00	20,000.00
	HAZARDOUS BUILDINGS (J)										
(1)	Up to 15m in height										
	(i) Single Storey Building	15.00	35,000.00	12.00	30,000.00	10.00	25,000.00	7.00	20,000.00	5.00	15,000.00
	(ii) More than one floor building but not exceeding 15 m.	20.00	50,000.00	18.00	40,000.00	15.00	35,000.00	10.00	25,000.00	7.00	20,000.00

Serial No.	Type of Building Occupancy	Municipal Councils where population exceeds 2 lakhs but does not exceed 3 lakhs		Municipal Councils where population exceeds 1 lakh but does not exceed 2 lakhs		Municipal Councils where population exceeds 0.40 lakh but does not exceed 1 lakh		Municipal Councils where population exceeds 0.25 lakh but does not exceed 0.40 lakh.	
		Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)
(1)	(2)								
	(ii) Covered area exceeding 300 m ² but not more than 1000 m ² on each floor.	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
	(iii) Covered area exceeding 1000 m ² on each floor.	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
(2)	15 m. and above but not exceeding 30 m.	5.00	30,000.00	4.00	25,000.00	Not allowed	Not allowed	Not allowed	Not allowed
(3)	Above 30 m. in height	6.00	35,000.00	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
(d)	HOTELS (STARRED) (A-6)								
(1)	Less than 15 m in height.								
	(i) 3 Starred Hotels	8.00	25,000.00	7.00	20,000.00	6.00	15,000.00	5.00	10,000.00
	(ii) 5 Starred Hotels	10.00	30,000.00	8.00	25,000.00	7.00	20,000.00	6.00	15,000.00
	(iii) 7 Starred Deluxe Hotels	12.00	40,000.00	10.00	30,000.00	8.00	25,000.00	7.00	20,000.00
(2)	15 m. & above but not exceeding 30 m. in height.	15.00	50,000.00	12.00	40,000.00	Not allowed	Not allowed	Not allowed	Not allowed
(3)	Above 30 mtrs. in height.	20.00	75,000.00	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
	EDUCATIONAL BUILDINGS (B)								
(1)	Less than 15 m. in height.								
	(i) Ground plus one storey.	1.00	8,000.00	0.75	7,000.00	0.50	6,000.00	0.25	5,000.00
	(ii) Ground plus two storey.	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
(2)	15 m. and above but not exceeding 30 m. in height.	4.00	25,000.00	3.00	20,000.00	Not allowed	Not allowed	Not allowed	Not allowed

Serial No.	Type of Building Occupancy	Municipal Councils where population exceeds 2 lakhs but does not exceed 3 lakhs		Municipal Councils where population exceeds 1 lakh but does not exceed 2 lakhs		Municipal Councils where population exceeds 0.40 lakh but does not exceed 1 lakh		Municipal Councils where population exceeds 0.25 lakh but does not exceed 0.40 lakh	
		(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
(1)	(2)	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.
		(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
	INSTITUTIONAL BUILDINGS (C)								
(a)	Hospitals, Sanatoria and Nursing Homes (C-1).								
(1)	Less than 15 m. in height.								
	(i) Up to ground plus one storey with plot area less than 1000 m ² with no beds.	1.00	8,000.00	0.75	7,000.00	0.50	6,000.00	0.25	5,000.00
	(ii) Up to ground plus one storey with plot area greater than 1000 m ² with beds.	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
	(iii) Above two storey with no beds.	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(iv) Above two storey with beds.	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00
(2)	15 m and above but not exceeding 24 m in height.	6.00	35,000.00	5.00	30,000.00	Not allowed	Not allowed	Not allowed	Not allowed
(3)	Above 24 m and not exceeding 30 m in height.	7.00	40,000.00	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
(b)	Custodial (C-2) and Penal and Plental (C-3).								
(1)	Less than 10 m in height.								
	(i) up to 300 persons	1.00	8,000.00	0.75	7,000.00	0.50	6,000.00	0.25	5,000.00
	(ii) More than 300 persons.	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
(2)	10 m and above but not exceeding 15 m in height.	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
(3)	15 m and above but not exceeding 24 m in height.	5.00	30,000.00	4.00	25,000.00	Not allowed	Not allowed	Not allowed	Not allowed

Serial No.	Type of Building Occupancy	Municipal Councils where population exceeds 2 lakhs but does not exceed 3 lakhs		Municipal Councils where population exceeds 1 lakh but does not exceed 2 lakhs		Municipal Councils where population exceeds 0.40 lakh but does not exceed 1 lakh		Municipal Councils where population exceeds 0.25 lakh but does not exceed 0.40 lakh	
		(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
(1)	(2)	(3)		(4)		(5)		(6)	
		Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.
(4)	24 m and above but not exceeding 30 m. in height	6.00	35,000.00	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
	ASSEMBLY BUILDINGS (D) (D-1 TO D-5)								
(1)	Less than 10 m in height.								
	(i) Up to 300 persons	1.00	8,000.00	0.75	7,000.00	0.50	6,000.00	0.25	5,000.00
	(ii) More than 300 persons.	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
(2)	Above 10 m but not exceeding 15 m in height.	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
(3)	Above 15 m and above but not exceeding 24 m in height.	5.00	30,000.00	4.00	25,000.00	Not allowed	Not allowed	Not allowed	Not allowed
(4)	Above 24 m but not exceeding 30 m in height.	6.00	35,000.00	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
	BUSINESS BUILDINGS (E)								
(1)	Less than 10 m in height.	1.00	10,000.00	0.75	8,000.00	0.50	6,000.00	0.25	5,000.00
(2)	Above 10 m but not exceeding 15 m in height.	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
(3)	Above 15 m and up to 24 m in height.	4.00	30,000.00	3.00	20,000.00	Not allowed	Not allowed	Not allowed	Not allowed
(4)	Above 24 m in height	5.00	40,000.00	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
	MERCANTILE BUILDINGS (F)								
(a)	F-1 and F-2								
(1)	Less than 15 m in height.								
	(i). Ground plus one storey with total covered area not exceeding 500 m ² .	1.00	8,000.00	0.75	7,000.00	0.50	6,000.00	0.25	5,000.00

Serial No.	Type of Building Occupancy	Municipal Councils where population exceeds 2 lakhs but does not exceed 3 lakhs		Municipal Councils where population exceeds 1 lakh but does not exceed 2 lakhs		Municipal Councils where population exceeds 0.40 lakh but does not exceed 1 lakh		Municipal Councils where population exceeds 0.25 lakh but does not exceed 0.40 lakh	
		Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.	Fee in Rs. per Sq. mt.	Subject to Minimum of Rs.
(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
	(ii) Ground plus one storey and covered area exceeding 500 m ² . (iii) More than ground plus one storey.	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
(2)	Above 15 m but not exceeding 24 m in height.	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
(3)	Above 24 m but not exceeding 30 m in height.	5.00	30,000.00	4.00	25,000.00	Not allowed	Not allowed	Not allowed	Not allowed
(b)	Underground Shopping Complex (F-3).	6.00	35,000.00	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
(a)	INDUSTRIAL BUILDINGS (G)								
(1)	Low Hazard (G-1)								
	Up to 18m in height	1.00	8,000.00	0.75	7,000.00	0.50	6,000.00	0.25	5,000.00
	Covered area up to 50 m ² .	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
	(ii) Covered area above 50 m ² and up to 100 m ² .	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(iii) Covered area above 100m ² and up to 200 m ² .	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00
	(iv) Covered area above 200 m ² and up to 400 m ² .	6.00	35,000.00	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00
(b)	Moderate Hazard (G-2)								
(1)	Up to 18 m in height	1.00	8,000.00	0.75	7,000.00	0.50	6,000.00	0.25	5,000.00
	(i) Covered area up to 100 m ² .	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
	(ii) Covered area above 100 m ² and up to 250 m ² .	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00

Serial No.	Type of Building Occupancy	Municipal Councils where population exceeds 2 lakhs but does not exceed 3 lakhs		Municipal Councils where population exceeds 1 lakh but does not exceed 2 lakhs		Municipal Councils where population exceeds 0.40 lakh but does not exceed 1 lakh		Municipal Councils where population exceeds 0.25 lakh but does not exceed 0.40 lakh	
		Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)
(1)	(iii) Covered area above 250 m ² and up to 500 m ² .	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(iv) Covered area above 500 m ² .	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00
(c)	High Hazard (G-3) See Note (2).								
(1)	(A) Up to 15 m in height.	1.00	8,000.00	0.75	7,000.00	0.50	6,000.00	0.25	5,000.00
	(i) Covered up to 50 m ² .	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
	(ii) Covered area above 50 m ² and up to 150 m ² .	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	(iii) Covered area above 150 m ² and up to 300 m ² .	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00
	(iv) Covered area above 300 m ² and up to 500 m ² .	6.00	35,000.00	5.00	30,000.00	4.00	25,000.00	3.00	20,000.00
	(v) Covered area above 500 m ² .	6.00 per mtr.	35,000.00	5.00 per mtr.	30,000.00	4.00 per mtr.	25,000.00	3.00 per mtr.	20,000.00
	(B) Cross Country Pipelines carrying hazardous Gases and Petroleum products.								
	STORAGE BUILDINGS (H)								
(1)	Up to 15 m in height								
	(i) Single Storey Building.	1.00	8,000.00	0.75	7,000.00	0.50	6,000.00	0.25	5,000.00
	(ii) Ground plus one floor.	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00
(2)	Above ground plus one floor.	4.00	25,000.00	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00
	HAZARDOUS BUILDINGS (J)								
(1)	Up to 15 m in height								
	(i) Single Storey Building.	2.00	8,000.00	1.00	7,000.00	0.75	6,000.00	0.50	5,000.00
	(ii) More than one floor building but not exceeding 15 m.	3.00	20,000.00	2.00	15,000.00	1.00	10,000.00	0.75	7,500.00

PART -- III
Fire Service Fee Structure for Special Planning Authorities and
Other Areas Beyond Special Planning Authorities and Municipal Limits

Sr. No. (1)	Type of Building Occupancy (2)	Special Planning Authorities (3)		Other Beyond Special Planning Authority and Municipal Limits (4)	
		Fee in Rs. Per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)
	RESIDENTIAL BUILDINGS (A)				
(A)	Lodging or Rooming Houses (A-1) Less than 15 m in height				
	(i) Up to 15 rooms	5.00	30,000.00	4.00	25,000.00
	(ii) More than 15 and upto 30 rooms	7.00	35,000.00	6.00	30,000.00
	(iii) More than 30 rooms	10.00	50,000.00	8.00	35,000.00
	Apartment Houses (A-4)				
(1)	From 15m to 24 m in height	5.00	30,000.00	4.00	25,000.00
(2)	15 m and above but not exceeding 35 m in height.	7.00	40,000.00	6.00	30,000.00
(3)	Above 35 m but not exceeding 45 m in height	10.00	60,000.00	8.00	50,000.00
(4)	Above 45 m in height	15.00	1,00,000.00	12.00	75,000.00
(C)	Hotels (A-5)				
(1)	Less than 15 m in height				
	(i) Covered area not exceeding 300 m ² on each floor.	5.00	30,000.00	4.00	25,000.00
	(ii) Covered area exceeding 300 m ² but not more 1000 m ² on each floor.	7.00	35,000.00	6.00	30,000.00
	(iii) Covered area exceeding 1000 m ² on each floor.	10.00	50,000.00	8.00	40,000.00
(2)	15 m and above but not exceeding 30 m	15.00	1,00,000.00	12.00	75,000.00
(3)	Above 30 m in height	20.00	1,50,000.00	15.00	1,00,000.00

Sr. No. (1)	Type of Building Occupancy (2)	Special Planning Authorities (3)		Other Areas Beyond Special Planning Authority and Municipal Limits (4)	
		Fee in Rs. Per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)
(a)	Hotels (Starred) (A-6)				
(1)	Less than 15 m in height				
	(i) 3 Starred Hotels	15.00	1,00,000.00	14.00	90,000.00
	(ii) 5 Starred Hotels	20.00	1,50,000.00	18.00	1,25,000.00
	(iii) 7 Standard Delux Hotels	25.00	2,00,000.00	22.00	1,40,000.00
(2)	15 m and above but not exceeding 30 m in height	30.00	3,00,000.00	28.00	2,50,000.00
(3)	Above 30 mts. in height	50.00	4,00,000.00	35.00	3,00,000.00
	EDUCATIONAL BUILDINGS (B)				
(1)	Less than 15 m in height				
	(i) Ground plus one storey	5.00	30,000.00	4.00	25,000.00
	(ii) Ground plus two storey	7.00	35,000.00	6.00	30,000.00
(2)	15m and above but not exceeding 30 m in height	10.00	50,000.00	8.00	40,000.00
	INSTITUTIONAL BUILDINGS (C)				
(a)	Hospitals, Sanatoria and Nursing Homes (C-1)				
(1)	Less than 15 m in height				
	(i) Up to ground plus one storey with plot area less than 1000 m ² , with no beds	5.00	30,000.00	4.00	25,000.00
	(ii) Up to ground plus one storey with plot area greater than 1000 m ² , with beds	7.00	35,000.00	6.00	30,000.00
	(iii) Above two storey, with no beds	8.00	40,000.00	7.00	35,000.00
	(iv) Above two storey, with beds	9.00	45,000.00	8.00	40,000.00
(2)	15 m and above but not exceeding 24 m in height	10.00	75,000.00	9.00	45,000.00

Sl. No. (1)	Type of Building Occupancy (2)	Special Planning Authorities (3)		Other Areas Beyond Special Planning Authority and Municipal Limits (4)	
		Fee in Rs. Per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)
(3)	Above 24 m and not exceeding 30 m in height	15.00	1,00,000.00	12.00	60,000.00
(6)	Custodial (C-2) and Penal and Pental (C-3)				
(1)	Less than 10 m in height				
	(i) upto 300 persons	5.00	30,000.00	4.00	25,000.00
	(ii) More than 300 persons	6.00	35,000.00	5.00	30,000.00
(2)	10 m and above but not exceeding 15 m in height	8.00	40,000.00	7.00	35,000.00
(3)	15 m and above but not exceeding 24 m in height	10.00	50,000.00	9.00	45,000.00
(4)	24 m and above but not exceeding 30 m in height	15.00	1,00,000.00	12.00	60,000.00
	ASSEMBLY BUILDINGS (D) (D-1 TO D-5)				
(1)	Less than 10 m in height				
	(i) Upto 300 persons	5.00	30,000.00	4.00	25,000.00
	(ii) More than 300 persons	6.00	35,000.00	6.00	30,000.00
(2)	Above 10 m but not exceeding 15 m in height	8.00	40,000.00	7.00	35,000.00
(3)	Above 15 m and above but not exceeding 24 m height	10.00	75,000.00	9.00	50,000.00
(4)	Above 24 m but not exceeding 30 m in height	15.00	1,00,000.00	12.00	75,000.00
	BUSINESS BUILDINGS (E)				
(1)	Less than 10 m in height	5.00	35,000.00	4.00	30,000.00
(2)	Above 10 m but not exceeding 15m in height	7.00	50,000.00	6.00	40,000.00
(3)	Above 15 m and upto 24 m in height	10.00	1,00,000.00	8.00	75,000.00
(4)	Above 24 m in height	15.00	1,50,000.00	10.00	1,00,000.00
	MERCANTILE BUILDINGS (F)				
(a)	F-1 and F-2				
(1)	Less than 15m in height				

Sr. No. (1)	Type of Building Occupancy (2)	Special Planning Authorities (3)		Other Areas Beyond Special Planning Authority and Municipal Limits (4)	
		Fee in Rs. Per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)
	(i) Ground plus one storey, with total covered area not exceeding 500 m ²	5.00	30,000.00	4.00	25,000.00
	(ii) Ground plus one storey and covered area exceeding 500 m ²	7.00	35,000.00	6.00	30,000.00
	(iii) More than ground plus one storey	8.00	50,000.00	8.00	40,000.00
(2)	Above 15 m but not exceeding 24 m in height	10.00	1,00,000.00	9.00	75,000.00
(3)	Above 24 m but not exceeding 30 m in height	15.00	1,50,000.00	12.00	1,00,000.00
(6)	Underground shopping complex (F-3)				
	INDUSTRIAL BUILDINGS (G)				
(a)	Low Hazard (G-1)				
(1)	Up to 18 m in height				
	(i) Covered area up to 50 m ²	5.00	30,000.00	4.00	25,000.00
	(ii) Covered area above 50 m ² and up to 100 m ²	7.00	40,000.00	6.00	30,000.00
	(iii) Covered area above 100 m ² and up to 200 m ²	10.00	75,000.00	8.00	50,000.00
	(iv) Covered area above 200 m ² and up to 400 m ²	15.00	1,00,000.00	12.00	75,000.00
	(v) covered area above 400 m ²	20.00	1,50,000.00	15.00	1,25,000.00
(b)	Moderate Hazard (G-2)				
(1)	Up to 18 m in height				
	(i) Covered area upto 100 m ²	5.00	30,000.00	4.00	25,000.00
	(ii) Covered area above 100 m ² and upto 250 m ²	7.00	75,000.00	6.00	50,000.00
	(iii) Covered area above 250 m ² and upto 500 m ²	10.00	1,00,000.00	8.00	75,000.00
	(iv) Covered area above 500 m ²	15.00	1,50,000.00	12.00	1,25,000.00

Sr. No. (1)	Type of Building Occupancy (2)	Special Planning Authorities (3)		Other Areas Beyond Special Planning Authority and Municipal Limits (4)	
		Fee in Rs. Per Sq. mt. (1)	Subject to Minimum of Rs. (2)	Fee in Rs. per Sq. mt. (1)	Subject to Minimum of Rs. (2)
(c)	High Hazard (G-3)				
(1)	Upto 15 m in height				
	(i) Covered area upto 50 m ²	5.00	35,000.00	4.00	30,000.00
	(ii) Covered area above 50 m ² and upto 150 m ²	7.00	40,000.00	6.00	35,000.00
	(iii) Covered area above 150 m ² and upto 300 m ²	10.00	60,000.00	8.00	50,000.00
	(iv) Covered area above 300 m ² and upto 500 m ²	15.00	1,00,000.00	12.00	75,000.00
	(v) Covered area above 500 m ²	20.00	2,00,000.00	15.00	1,50,000.00
(b)	Cross Country Pipelines carrying hazardous Gases and Petroleum products	20.00 per mtr.	2,00,000.00	15.00 per mtr.	1,50,000.00
	STORAGE BUILDINGS (H)				
(1)	Upto 15 m in height				
	(i) Single Storey Building	10.00	30,000.00	8.00	25,000.00
	(ii) Ground plus one floor	15.00	40,000.00	12.00	30,000.00
(3)	Above ground plus one floor	20.00	50,000.00	18.00	40,000.00
	HAZARDOUS BUILDINGS (J)				
(1)	Upto 15 m in height				
	(i) Single Storey Building	15.00	35,000.00	12.00	30,000.00
	(ii) More than one floor building but not exceeding 15 m	20.00	50,000.00	18.00	40,000.00

Note.—in this Schedule : (1) Wherever the expression " Not Allowed " is mentioned, it indicates that the construction of such type of building is not permitted in the respective areas.

(2) " High Hazard " buildings shall include Petrol Pump, Gas Stations and other hazardous installations.

(3) The expression " per sq.mt. " shall have relation to the square metres of the built-up area.

STATEMENT OF OBJECTS AND REASONS.

With the exodus of rural population to urban centres in search of job opportunities and better standard of living, pressure on the available limited urban space is mounted. The bustling cities, towns and suburbs are racing towards development involving in the growing trend to undertake construction of more and more different types of buildings as also setting up large slums in the metropolitan cities and other urban areas in the State where there has been rapid growth of educational facilities and industrialization. In Mumbai only, there are approximately over 3500 high-rise buildings. There are sky-scrappers and to mention a few of them with their height and floor space will show their magnitude, namely—(i) Shreepati Arcade, 153 mtrs. and 45 floors, (ii) Belvedere Court, 149 mtrs. and 40 floors, (iii) Kalpataru Heights, 144 mtrs. and 39 floors, (iv) Pheroze Jeejeebhoy Towers, 118 mtrs. and 29 floors, (v) Oberoi Towers, 117 mtrs. and 35 floors, (vi) World Trade Centre, 111 mtrs. and 35 floors, (vii) Express Towers, 105 mtrs. and 25 floors, (viii) Air India Building, 105 mtrs. and 24 floors, (ix) Kshitij Apartment, 96 mtrs. and 33 floors.

In other big cities and towns also such high rise buildings are coming up. Recently, large commercial, mercantile, educational and entertainment complexes have been constructed and are also in the process of construction. Because of the complexity of the nature of construction, the variety of materials used and the type of occupancy therein, not only the high rise buildings but also any type of buildings or group or complexes of buildings or slums are prone to frequent fire hazards. In slum areas, unscrupulous persons have been using premises for keeping hazardous explosives and highly inflammable goods. Major fires in such buildings and slums have taken a heavy toll of human life and heavy damage to property. The disaster of fire and the loss or damage caused thereby is not restricted to urban areas alone. Because fire does not choose between the urban and rural areas. For instance the building with the most vulnerable occupants is a school which is least regulated from the point of view of fire prevention and life safety measures. After the Kumbakonam tragedy in Chennai, it has become imperative to consider providing fire prevention and life safety measures in not only in the high rise buildings but also various or different types of buildings.

2. The fire brigade service provided by the local authorities or the planning authorities, namely, the Municipal Corporations, Municipal Councils and Development Corporations such as Industrial Development and City Development Corporation are found to be highly inadequate to meet the dangerous situation arising at the time when and wherever major fire occurs. Even the fire brigade officers and staff or the fire fighting personnel engaged by local

or planning authorities are not adequately trained and are ill-equipped. The fire prevention and life safety measures provided by them are also miserably inadequate and are wanting sophisticated fire fighting equipments and appliances. The existing provisions of the municipal laws to enforce the fire prevention and life safety measures, particularly in the high rise multi-storied buildings, have also been found to be most inadequate in the absence of the necessary statutory authority for the fire prevention enforcement authority to compel the owners of buildings to carry out the necessary measures for prevention of fire. It has also been found that there has been callous negligence of the builders, developers, promoters, owners and occupiers of buildings to provide the necessary fire prevention and life safety measures in buildings as required by the building plans approved by local authorities. Absence or inadequacy of fire prevention and life safety measures endangers life and safety of not only the occupants of the building, but also of other inhabitants of the locality. And although, the high rise buildings and the sky-scrapers contain posh flats or apartments with rich interior, the occupiers are reluctant to spend money on fire fighting equipments. The fire brigade does not have the power to penalize those who do not follow the safety norms. Even if a skeleton fire fighting equipment is provided initially in a building of any type and size, and such equipment falls into disuse for want of periodical test and inspection, the fire brigade has no power to take any action against the occupiers. No specific penalties are provided in the existing municipal laws or any other laws for the contravention of any fire prevention or life safety measures and any penalties which are provided are also very inadequate to effectively curb the violation of the fire prevention and life safety measures. Not being able to effectively prevent the loss and damage of life and property, due to fire infernos, it is, in a way, a national loss.

3. The National Building Code of India, 2005, which is published by the Bureau of Indian Standards, in Part IV thereof, contains provisions with regard to fire protection. In that, it provides *inter alia*, minimum requirements for fire fighting installations in different types of buildings, with a view to save life and property, in case of fire in any such building. It is necessary to mention it in a legislation relating to fire protection so as to give it a legal status.

4. It is, therefore, considered expedient to enact a full-fledged and comprehensive Law to make more effective provisions for the fire prevention and life safety measures in different types of buildings in the State and to provide for imposition of fee on the owners or occupiers of buildings to constitute a special fund which would be applied for building up and upgradation of fire brigade so as to have properly trained fire officers and fire

personnel, sophisticated equipments and appliances for effectively controlling and extinguishing the fires occurring in such buildings and for periodical inspections of the fire prevention and life safety measures required to be provided for different types of buildings.

5. The Bill, accordingly provides for the following, among other matters, namely :—

(a) in view of the sorry and sordid state of affairs prevailing in the matter of fire protection, the different types of buildings as specified in column 2 of the First Schedule, to provide for therein the requisite fire prevention and life safety measures as laid down in the National Building Code;

(b) provisions for building-up or upgrading existing fire brigade, if any, by providing the sophisticated infrastructure equipment or appliances which are needed to cater to the needs of controlling and extinguishing fire and also to strengthen the network of fire brigade by providing properly trained fire officers and fire personnel to operate the fire brigade;

(c) to establish the office of the Director, Fire Services, so as to have control with regard to fire services throughout the State and to appoint a Director and proper officers and staff under him for the purpose;

(d) provisions requiring the owners or occupiers of the buildings to provide in the building the requisite fire prevention and life safety measures;

(e) provisions for periodical inspection of such buildings by the Director, Chief Fire Officer or nominated officer for ascertaining the adequacy or contravention of the fire prevention and life safety measures in such buildings;

(f) for imposition of fees, the rate of which shall, in the first instance, be as specified, with the minimum fees as provided, in the Second Schedule in respect of different types of buildings and to empower the local authority or planning authority to enhance the fees after following the procedure which is set out in details in the provisions of the Bill;

(g) to constitute a special fund to which shall be credited the proceeds of such fee and the amount from which shall be spent only for the purpose of maintaining fire brigade in general and for providing sophisticated equipments and appliances in particular, for the purpose of preventing and extinguishing fire in such buildings;

(h) having regard to the callous negligence noticed in providing fire prevention and life safety measures as a result of which there occurs loss and damage to life and property, provisions with regard to offences and penalties with imprisonment and fine, including penalties for continuing offences, as such offences need to be dealt with sternly so as to act as a deterrent;

(i) provisions for appeal against notice regarding requirement for fire prevention and life safety measures or, refusal to pass an order of removal of seal or notice of assessment; and the procedure to be followed in respect of filing such appeal;

(j) other necessary or usual provisions for the purposes connected with or incidental to the matters aforesaid, as contained in the Bill.

Mumbai,
Dated the 17th July 2006.

VILASRAO DESHMUKH
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill makes the following proposals for delegation of legislative powers, namely:—

Clause 1(3).—Under this clause power is taken to the State Government to bring the Act into force in the areas of the local authorities and the planning authorities, on such date as the State Government may, by notification in the *Official Gazette* appoint; and in other areas or part of areas, on such date as the State Government may, by the same or like notification appoint, and different dates may be appointed for different provisions thereof for different areas or part of the areas.

Clause 3(1).—This clause empowers the State Government to make rules, according to which the occupier of a building shall maintain the fire prevention and life safety measures in good repair and efficient condition at all times.

Clause 4(1).—This clause seeks to empower the State Government to require, by notification in the *Official Gazette*, owner or occupier using any premises in any area or of any class of premises, which in its opinion, are likely to cause risk of fire, to take such precautions as may be specified in such notification.

Clause 8(1).—This clause empowers the Director or the Chief Fire Officer to require, by order in writing, the person in possession or in occupation of any place or building or part thereof to remove themselves forthwith from such building or part thereof when he is satisfied that, due to inadequacy of fire prevention and life safety measures, the condition of any such place or building or part thereof is in imminent danger to person or property.

Clause 9(2) and (3).—Under this clause power is taken to the State Government to prescribe by rules, the form and manner of making an application for having or renewing a licence to act as a Licensed Agency as also the form of licence and the fees to accompany such application.

Clause 11.—(a) This clause empowers the State Government to appoint, by notification in the *Official Gazette*, a date from which the fire service fee shall be levied at the rates specified in respect of various types of buildings as in the Schedule-II within the areas of a local authority or a planning authority; and different such dates may be appointed for different types of buildings and different areas of different Authorities.

(b) It also empowers the Authority to enhance or reduce the enhanced rate of fee so however that in no case the rate shall be reduced below the minimum rate specified in the said Schedule.

(c) It also empowers the State Government to prescribe, by rules, the other matters (including guidelines), assessment and collection of such fees.

Clause 18(1) read with clause 19 (xi).—Under this clause power is taken to the State Government to make rules to provide for the other powers to be exercised and the duties to be performed by the Director.

Clause 21(3) (a) (viii) and (b) (vi) and (4).—(a) Under this clause power is taken to the State Government to direct, by order, from time to time, the Authorities to create the posts of other fire officers or fire personnel with such designations as the State Government may specify in that order;

(b) It also empowers the State Government to regulate, by order the qualification, the pay and allowances and other conditions of service and method of recruitment of the various fire officers mentioned in sub-clauses (2) and (3) of clause 21.

Clause 22(1) to (4).—(a) This clause seeks to empower the State Government to constitute, by notification in the *Official Gazette*, fire service of such classes, cadres and posts of fire officers and staff, as may be specified in the notification;

(b) It also empowers the State Government, to make—

(i) rules for regulating mode of recruitment by holding examinations or otherwise including provisions for the absorption of person or persons already working with the local authorities or planning authorities, in their existing fire service;

(ii) rules, regulations or orders for such classes or cadres and posts and to modify, by notification in the *Official Gazette*, the existing rules for the relevant class of service of the State Government so as to apply them to such classes or cadres or posts in the fire service.

(c) It also seeks to empower the Director to make appointment of officers to any such fire service.

Clause 25 (3).—Under this clause power is taken to the State Government to make general or special order subject to which the amounts in the Fire Protection Fund shall also be applied.

Clause 29.—Under this clause power is taken to the State Government to prescribe, by rules, the terms on which the Director or the Chief Fire Officer or any other authorised fire officer may secure personnel or equipments or both for fire fighting purposes from any person who employ and maintains such personnel or equipments.

Clause 31.—Under this clause the State Government is empowered to make rules to prescribe fee for course of instruction for the prevention and extinguishment of fire.

Clause 32 (1) and (2).—(a) Under this clause power is taken to the State Government to designate, by notification in the *Official Gazette*, an officer not below the rank of Director, to whom an appeal may be preferred; and also may, by the same notification or by a like notification designate one or more such officers and assign to them the areas or part of the areas of the local authorities or planning authorities over which each such officer shall exercise jurisdiction;

(b) this clause also empowers the State Government to prescribe, by rules, the manner of making an appeal and the fee to accompany such appeal.

Clause 45 (2).—Under this clause power is taken to the Director to specify, with the approval of the State Government, by order in the *Official Gazette*, the qualifications and duties of fire officer or fire supervisor to be appointed by the owner or occupier of each of the buildings specified in that clause.

Clause 47 (1) and (2).—This clause empowers—

(a) The State Government to delegate, by notification in the *Official Gazette*, any power (except the power of making rules) exercisable by it, to the Director in such case and subject to such conditions as may be specified in such notification;

(b) It also empowers the Director to delegate, by an order in writing, any power exercisable by him, to any officer of the State Government or the Chief Officer of an Authority or the Chief Fire Officer of an Authority in such case and subject to such conditions, if any, as may be specified in such order.

Clause 49.—This clause seeks to empower the State Government to make rules for the purposes of this Act and for the purposes specified therein.

Clause 50.—This clause seeks to empower the State Government to issue an order for the purpose of removing the difficulty, if any, arising in giving effect to the provisions of the Act.

2. These proposals for delegation of legislative powers are of a normal character.

FINANCIAL MEMORANDUM

Clause 22 of the Bill provides for Constitution of Maharashtra Fire Services. The expenditure on such services would initially be required to be made by the State Government which will be re-imbursed from the Municipal fund or planning authority fund.

Clause 30 of the Bill empowers the State Government to establish one or more training centres for providing courses of instructions in the prevention and extinguishment of fire. It is not possible to ascertain the exact expenditure likely to be involved in that regard.