

NOTIFICATION

Urban Development and Urban Housing Department

Sachivalaya, Gandhinagar.

Dated the 20th January, 2014.

**Gujrat Fire
Prevention and
Life Safety
Measures
Act, 2013.**

No.GH/V/11 of 2014/PRCH-102013-382_L(Part-2):- The following draft of rules which is proposed to be issued under section 57 of the Gujarat Fire Prevention and Life Safety Measures Act, 2013 (Guj. 11of 2013) is published as required by sub-section (1) of the said section 57 for the information of all the persons likely to be effected thereby and notice is hereby given that the said draft of rules will be taken into consideration by the Government of Gujarat from or after espiry of sixty days from the date of publication of this notification in the *Official Gazette*.

2. Any objections or suggestions which may be received by the Additional Chief Secretary to the Government of Gujarat, Urban Housing and Urban Development Department Sachivalaya Gandhhinagar from any person with respect to the said draft on or before the expiry of the aforesaid period will be considered by the Government of Gujarat.

DRAFT NOTIFICATION

**Gujrat Fire
Prevention and
Life Safety
Measures
Act, 2013.**

No. GH/V/ 11 of 2014/PRCH-102013-382-L(Part-2):- in exercise of the powers coferred by section 57 of the Gujarat Fire Prevention and Life Safety Measures Act, 2013 (Guj. 11of 2013), the Governement of Gujarat hereby makes the following rules, namely:-

CHAPTER I PRELIMINARY

1. **Short Title, Extent and Commencement.-** (1) These rules may be called the Gujarat Fire Prevention and Life Safety Measures Rules, 2014.

(2) It extends to the whole of the State of Gujarat.

(3) It shall come into force on the date of their publication in the *Official Gazette*.

2. **Definitions.** - (1) In these rules, unless the context otherwise requires:-

- (a) "Act" means the Gujarat Fire Prevention and Life Safety Measures Act, 2013. (Guj. Act No. 11 of 2013);
- (b) "Fire Prevention Wing" means the Fire Prevention Wing created under rule 38;
- (c) "Fire Safety Certificate" means the Fire Safety Certificate issued under sub-rule (1) of rule 23;
- (d) 'Form' means 'Form' in appended to these rules;
- (e) "Gujarat State Institute for Fire Safety Training" means Gujarat State Institute for Fire Safety Training, (GSIFST) established under sub-section (1) of section 17 of the Act;
- (f) 'Schedule' means a 'Schedule' appended to these rules;

(2) The words and expressions not defined in these rules but defined in the Act, or GDCR or National Building Code of India or relevant Indian Standards or Specifications published by Bureau of Indian Standards shall have the meanings as assigned to them in the Act or Building Bye-laws or National Building Code of India, 2005 or relevant Indian Standards or Specifications published by the Bureau of Indian Standards for construction and fire safety of buildings or premises and *pandals*.

CHAPTER II ORGANISATION, ESTABLISHMENT AND ADMINISTRATION

3. **Qualifications of the Nominated Officer.**- (1) For appointment of the nominated officer under clause (u) of sub-section

(1) of section 2 of the Act, a person shall possess the qualifications as specified in First Schedule.

4. Equipments and Appliances for Fire Service.- (1) The Director shall determine the requirement of equipments and appliances for rescue, fire fighting, personal protection in such numbers and with such specifications taking into consideration the apprehension of fire risk in the area for effective measures of safety and efficient response in times of emergency.

(2) The Director, with the previous sanction of the Government, shall procure equipments and appliances determined under sub-rule (1) in such manner that each fire division is adequately equipped to meet with the requirement of fire fighting and fire safety measures and make all necessary arrangements for their upkeep and maintenance to ensure their availability to provide fire prevention and fire safety service as and when required.

(3) The life of equipments and appliances shall be as per the recommendations of the Standing Fire Advisory Council of the Ministry of Home Affairs, Government of India or of any other authority as may be authorized by the Government for this purpose.

5. Construction or hiring of places for Fire Stations.- (1) The Director shall identify the area where the establishment of a fire station is tactically advantageous to provide fire prevention and life safety measure.

(2) The Director with the previous sanction of the State Government shall require the local authority to provide land on payment of such premium as may be fixed by the State Government.

(3) The State Government may hire any building or premises on payment of such rent and on such terms and conditions as may be agreed to by both the parties where no land is made available by the local authority.

(4) The composition of the fire station alongwith the staff pattern and facilities to be provided by a fire station may be decided by the Director, depending upon the circumstances prevailing and apprehension of fire risk in the area.

6. *Qualifications for appointment of Fire Officer of different ranks and other terms and conditions of service.*- (1) The qualifications for appointment and other conditions of services of Fire Officer of different ranks shall be, specified by the as the State Government, by any general or special order in that behalf.

7. *Restrictions respecting right to form association, etc.*- No member of the Fire Service shall participate in, or address, any meeting or take part in any demonstration organised by any person or persons for any political purposes or for such other purposes as may be prescribed.

8. *Badges of Ranks in Fire Service.*- Personnels serving at different ranks in any fire service shall have the badges of various ranks as specified in the Second Schedule.

CHAPTER III LICENSED AGENCY

9. *Eligibility for Licensed Agency.*- No person shall be eligible to apply for grant of licence to act as a Licensed Agency unless he,—

(a) possesses atleast any of the following qualifications, namely :—

(i) a degree or Advanced Diploma or Diploma in Fire Engineering conferred or awarded by the National Fire Service College, Ministry of Home Affairs, Government of India; or

(ii) Fellow of Fire Engineering of the Institution of Fire Engineering (U.K.) or M.I. Fire (U.K.) or A.I.V.I.E. Fire India, Graduateship Examination of the Institution of Fire Engineering (U.K.) or the Institution of Fire Engineering (India); and

(b) a degree or diploma in Mechanical or Electrical or Electronics or Chemical or Civil, Engineering obtained from a University established

or incorporated by an Act of the Parliament or a State Act in India or an educational institution ; or declared as deemed to be University under section 3 of the University Grants Commission Act, 1956 (3 of 1956); and

(c) holds a solvency certificate for an amount as may be specified by the Director, with prior approval of the State Government; and

(d) has the experience of 3 years immediately preceding the year of making the application, executed the work in field relating to fire prevention and fire protection system or holds a certificate of fire protection specialist awarded by the Gujarat State Institute for Fire Safety Training, (GSIFST) established by the Government; and

(e) has not been black-listed by any Government Department or authority established by a law of the State Legislature; or any board or corporation or organisation owned or controlled by the State Government or any other State Government.

10. *Application for to act as Licensed Agency*:- (1) Any person who intends to act as a Licensed Agency as specified under sub-section (2) of section 28 shall make an application in "Form A1" for obtaining licence. Such application may be made in person or be sent by registered post acknowledgement or through courier agency or online.

(2) The application made under sub-rule (1) shall be accompanied by fees and fulfill other requirements as specified in the Table below:

TABLE

Class of local authority	Minimum solvency certificate for (Rs in lakhs)	Prescribed limit for execution of the works as per estimated cost (Rs in lakhs)	Cost of annual works minimum executed in the last three years (Rs in lakhs)			Registration fees (Rs in lakhs)
			Fire fighting installations such as hydrants sprinklers pumping etc.	Detention of fire separation systems	Passive protection on such as	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Municipal Corporation	25.0	Unlimited	1500	600	600	50000

/ Special Investment Regions/ Industrial Estates						
A	15.0	Unlimited	500	200	200	25000
B	10.0	1000	300	100	100	15000
C	5.0	600	200	50	50	5000
D						
For remaining Gram Panchayat areas	2.5	300	100	25	25	2500

(3) The Applicant shall attach the following documents, namely:-

- (i) solvency certificate for an appropriate amount as specified in column (2) of Table shown above;
- (ii) attested copy of partnership deed and power of attorney or articles of association and memorandum of association or affidavit on stamp paper in case the individual is the sole proprietor of the firm;
- (iii) certificates regarding satisfactory completion of works carried out in last three years issued by the concerned department;
- (iv) orders of works in hand in current year (upto the prescribed amount for that class);
- (v) certificate from the Chartered Accountant or registered Income Tax Practitioner in the prescribed form in case of private works;
- (vi) if the application for registration is made for the first time for a specific class, the applicant is required to have executed at least one work upto the maximum amount in the class, which falls by one class below the specific class, applied for;
- (vii) certificate regarding appointment of at least one officer possessing any of the qualifications specified in clause (b) of sub-rule (1);
- (viii) attested passport size photographs of partners or directors or individual proprietor and also of the officer or officers referred to in the application;
- (ix) affidavit on appropriate stamp paper, stating that his/her firm is not black listed by any of the departments of

the State Government, local authority or any board or corporation or organisation owned or controlled by the State Government or any other State Government;

- (x) list of technical staff with their qualifications; and
- (xi) such other information and/or documents as may be required by the Director.

11. *Licence to act as Licensed Agency.*—The application made under rule 10 shall be scrutinised by the Director in accordance with the rules and on being satisfied that the applicant fulfills all the criteria for grant of licence to work as licensed agency, he shall grant the Licence in "Form-A2" to act as Licensed Agency subject to the following terms and conditions, namely :—

- (1) The licence shall be—
 - (a) non-transferable,
 - (b) valid for two year from the date of issue, unless suspended or cancelled earlier,
 - (c) renewable for further period of two years, if so desired, before expiry of the licence.

- (2) Changes, if any, in respect of
 - (a) partners, director & or members,
 - (b) address of the office of the Licensed Agency.shall be forthwith reported to the Authority issuing the licence.

- (3) The Licensed Agency shall always keep the work, executed, or being executed by it, open for inspection by the Director, Chief Fire Officer or any fire officer authorised by the Director or the Chief Fire Officer.

12. *Renewal of Licence.*—An application for renewal of a licence granted under rule 11 shall be required to be made made in "Form-A1" which shall be accompanied by a fee as specified under sub-rule (2) of rule 10 and also documents as mentioned in sub-rule (3) of rule 10.

13. *Notice to showcause as why licence be not suspended or cancelled.* — Where any person to whom the Licence has been granted contravenes any of the provisions of the Act or of the rules or fails to comply with the conditions of the licence or becomes unfit by reason of incompetency, misconduct or any other grave reasons, a notice in "Form-A3" shall be given to such person to showcause as to why the licence granted to him to act as Licensed Agency should not be suspended or cancelled.

CHAPTER IV

PROVISIONS RELATING TO FIRE PREVENTION AND LIFE SAFETY MEASURES

14. *Certificates to be issued by a licensed agency.*- (1) A certificate regarding the compliance of the fire prevention and life safety measures in a building or a part thereof as required by or under the provisions of the Act, shall be issued by a Licensed Agency in "Form-B1".

(2) The Licensed Agency shall issue a certificate in the months of January and July in each year regarding the maintenance of fire prevention and life safety measures in a building or premises being in good repair and efficient condition as specified in sub-section (2) of section 29 of the Act, in "Form-B2".

15. *Notice for the removal of objects or goods likely to cause the risk of fire.*- For the purpose of removal of objects or goods likely to cause the risk of fire, a notice in "Form-B3" shall be issued to the owner or occupier of building or premises, by the officer authorized in this behalf, directing him to remove, the objects or goods likely to cause the risk of fire, to a place of safety within a period of as specified in the notice.

(2) On failure to comply with the directions given under sub-rule (1), a further notice in "Form B4" shall be given under sub-section (2)

of section 22 to submit his reply as to why the objects or goods should not be seized, detained or removed.

16. *Memorandum of seizure, etc. and panchanama.*—Where any objects or goods involving risk of fire are required to be seized, detained or removed under sub-section (2) of section 22, the memorandum of seizure, etc. shall be prepared in the "Form B5" and the *panchanama* shall be made in "Form B6".

17. *Notice for entry and inspection.* —(1) The notice to be given for entering and inspection required to be given under sub-section (1) of section 24 of the Act for ascertaining the adequacy or contravention of fire prevention and life safety measures in any place or building or part thereof, shall be in "Form B7".

(2) The notice under sub-section (1) of section 24 of the Act to a woman, who according to the custom does not appear in public, shall be given in "Form B8".

18. *Report of Inspection.*— The report of the nominated officer relating to inspection carried out by him under sub-section (5) of section 24 of the Act shall be given in "Form B9".

19. *Notice to the owner or occupier of a building or part thereof to undertake certain measures.*— (1) On completion of the inspection of a place or building or a part thereof, any deviation from, or contravention of, the requirements with regard to the fire prevention and life safety measures or any 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 the activities carried on in such place or building or part thereof, are noticed, the owner or occupier of such place or building or part thereof shall be given a notice in "Form-B10", by the officer authorized in this behalf, under section 24 of the Act, directing him to undertake the requisite measures within seven days.

(2) The time to be specified in the notice given to the owner or the occupier under sub-rule (1) shall be specified having regard to the

nature of the measures to be taken but no such time shall exceed 120 days in any case.

20. Procedure for sealing of a place or building or a part thereof.- The procedure to be followed by the Director or the Regional Fire Officer or the Chief Fire Officer in regard to sealing of any place or building or part thereof, as required under sub-section (3) of section 26 of the Act shall be as follows, namely:-

- (a) he shall require the persons, in possession or occupation of the place or building or part thereof to be sealed, to remove themselves from there forthwith;
- (b) in case of non-compliance of the said order, he shall direct any police officer having jurisdiction in the area to remove such persons from such place or building or part thereof;
- (c) after the removal of persons in possession or in occupation from such place or building or part thereof, he shall cause such place or building or part thereof to be sealed by such police officer forthwith in the manner which he deems fit;
- (d) the seal used to seal as aforesaid shall remain in the custody of the Director or, the Regional Fire Officer or the Chief Fire Officer, as the case may be;
 - (i) if the place or building or part thereof required to be sealed on receipt of the report of the nominated officer, is found to be locked or inaccessible, he may break to open with the assistance of the police officer and enter the premises and after taking all necessary steps required to be taken under the Act, or under these rules, relock and cause it to be sealed as aforesaid;
 - (ii) where a place or building or a part thereof is sealed under sub- clause (i), an inventory of the material found in such place or building or part thereof shall be prepared in the presence of two independent witnesses and a copy

thereof shall be delivered to the owner or occupier, if present at the site. The "Form B5" for inventory and "Form B6" for panchanarna, respectively, shall be used for preparation of the reports;

(iii) he shall make report in writing to the Police Inspector of the concerned Police Station if the seal so fixed on any place or building or part thereof is found to be broken or tampered.

21. Appointment of Fire Safety Officer.- (1) For the purpose of effective fire prevention and life safety measures, every owner or occupier or every factory shall appoint a fire safety officer, within a period of six months from the commencement of the Act, having prescribed qualifications and thereafter shall send the compliance report to that effect in Form B11 to the Regional Fire Officer or the Chief Fire Officer.

(2) On the receipt of the compliance report made under sub-rule(1), the Regional Fire Officer or the Chief Fire Officer, shall after due verifications, issue a certificate of enrolment of appointment of the fire safety officer, under the seal and signature of the Regional Fire Officer or the Chief Fire Officer or any other authority in "Form 'B12'".

(3) In case of failure to appoint a fire safety officer as specified in sub-rule (1), the Regional Fire Officer or the Chief Fire Officer shall, after giving an opportunity of being heard, if it is considered to do so, communicate to the relevant authority or to the labour commissioner to take appropriate action for the discontinuance of the use or closure of the building or premises or the factory, as the case may be.

(4) The classification of buildings or premises and the qualifications of the Fire Safety Officer shall be as specified in the Third Schedule;

22. Minimum standards for fire prevention and fire safety for buildings or premises.- (1) The minimum standards for fire prevention

and fire safety for buildings or premises required under sub-section (2) of section 18 of the Act, with respect to the height of the buildings and class of occupancy as provided in the building bye-laws or National Building Code of India, shall *mutantis-mutandis* apply in the following matters, namely:-

- (a) access to building,
- (b) number, width, type and arrangement of exits,
- (c) protection of exits by means of fire check door (s) and or pressurization,
- (d) compartmentation,
- (e) smoke management system,
- (f) fire extinguishers,
- (g) first-aid hose reels,
- (h) automatic fire detection and alarming system,
- (i) public address system,
- (j) automatic sprinkler system,
- (k) internal hydrants and yard hydrants,
- (l) pumping arrangements,
- (m) captive water storage for fire fighting,
- (n) exit signage,
- (o) provision of Lifts,
- (p) standby power supply,
- (q) refuge area,
- (r) fire control room,
- (s) special fire protection systems for protection of special risks:

Provided that classes of occupancies or buildings or premises for which fire prevention and fire safety measures are not provided in the building bye-laws or National Building Code of India, the Director may require the owner or occupier of such occupancies or buildings or premises to provide fire prevention and fire safety measures in accordance with the international standards as may be provided by the Fire Prevention Wing:

Provided further that where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax or modify or annul any requirement concerning fire prevention and fire safety measures under these rules with respect to any class of occupancy in any building or premises in special areas or in respect of any building or premises in any area that was constructed or which was under construction prior to the date of commencement of these rules.

(2) Where the Regional Fire Officer or the Chief Fire Officer is of the opinion that it is necessary or expedient to do so, it may, for reasons to be recorded in writing, require the owner or occupier of the buildings or premises to provide additional fire prevention and fire safety measures.

23. Issuance of Fire Safety Certificate. - (1) The Regional Fire Officer or the Chief Fire Officer or any other officer (s) authorised by him in this behalf by a general or special order shall issue a Fire Safety Certificate in "Form B13" to the owner or occupier of the building or premises with such conditions as may be specified in the Fire Safety Certificate for compliance of fire prevention and fire safety measures as specified under these rules.

(2) The application for grant of Fire Safety Certificate shall be made to the Regional Fire Officer or the Chief Fire Officer in "Form B14" and shall be accompanied with a certificate from the architect and owner or occupier to the effect that all the fire prevention and fire safety measures as required under rule 22 have been incorporated in the building or premises.

(3) On receipt of the application made under sub-rule (2), the building or premises shall be inspected by the Fire Officers to ascertain the availability and operability of the fire prevention and fire safety measures who shall send his report with recommendation to the Regional Fire Officer or the Chief Fire Officer for grant or refusal of fire safety certificate.

(4) On receipt of the recommendations under sub-rule (3), the Regional Fire Officer or the Chief Fire Officer shall grant the fire

safety certificate in the relevant prescribed form or reject the same for reasons to be recorded in writing and communicate to the owner or occupier, as the case may be.

(5) In case of rejection of application for grant of fire safety certificate under sub-rule (4), a fresh application shall be made by the owner or occupier under sub-rule (2) duly complying with the requirements as communicated under sub-rule (4).

(6) The buildings or premises that have already been issued 'No Objection Certificate' for the occupancy of the building or premises shall deemed to have been issued 'Fire Safety Certificate' under rule 23 subject to verification of compliance of fire prevention and fire safety measures on which the 'No Objection Certificate' was issued on the last occasion.

24. Duration of Fire Safety Certificate.- The fire safety certificate issued under rule 23 unless sooner cancelled shall be valid for a period of 5 years for residential buildings (other than hotels) and 3 years for non-residential buildings including hotels from the date of issue:

Provided that the Regional Fire Officer or the Chief Fire Officer may reduce the period after recording the reasons therefore.

25. Renewal of Fire Safety Certificate.- (1) Application for renewal of Fire Safety Certificate granted under rule 23 shall be made to the Regional Fire Officer or the Chief Fire Officer, in Form 'B14' along with a copy of the Fire Safety Certificate prior to one month before of the expiry date of the Fire Safety Certificate.

(2) On receipt of an application made under sub-rule (1), the Regional Fire Officer or the Chief Fire Officer or any other officer authorised by him shall inspect the building or premises to verify the compliance of rules and forward the report of the compliance or otherwise, to the Director.

(3) On receipt of report under sub-rule (2), the Regional Fire Officer or the Chief Fire Officer or any other officer authorised by him in this behalf by a special or general order, renew the Fire Safety

Certificate for a period specified under rule 24 or reject the application duly recording the reasons therefore.

26. *Liability to maintain fire safety measures.*- (1) The occupier of the building or premises, as the case may be, shall maintain the fire prevention and fire safety measures provided in the building or premises at all times in best repairs for use by the occupants or members of Fire Service or both in the event of an out break of fire.

(2) The occupier of the building or premises or the Fire Safety Officer appointed under section 12 of the Act, as the case may be, shall declare every year in Form 'B15' that fire prevention and fire safety measures provided in the building or premises.

(3) It shall be lawful for the the Regional Fire Officer or the Chief Fire Officer, to enter and inspect the building or premises, as the case may be, with a view to verifying the correctness of the declaration made under sub-rule (2) and to point out the shortcomings, if any, with directions to remove them within a specified time. If the directions of the inspecting officer are not complied within the time limit so given, the inspecting officer with the previous approval of the the Regional Fire Officer or the Chief Fire Officer shall declare the building or premises unfit from fire safety point of view and direct the local body/ authority or any other authority concerned to disconnect the electricity and water supply to the building or the premises, as the case may be, and the local body/ authority or the other authority shall comply with the directions of the inspecting officer.

(4) The owner or the occupier of the building or premises or the Fire Safety Officer, who falsely makes declaration, in contravention of the provision made under sub-rule (2), shall be deemed to be in default and shall be liable to penalty.

CHAPTER V

PROVISIONS FOR TEMPORARY STRUCTURES

27. Minimum standards for fire prevention temporary structure, etc.- (1) The minimum standards for fire prevention and fire safety for temporary structure such as *mandap, shamiyana or tents or pandal* for the purposes of sub-section (2) of section 27 shall be required in accordance with IS:8758:1993 published by Bureau of Indian Standards, New Delhi and National Building Code of India, relating to the following matters, namely:-

- (a) access temporary structures etc;
- (b) open space around the temporary structures etc;
- (c) distance from medium and high voltage electrical wires and hazardous installations,
- (d) means of exits,
- (e) material of construction,
- (f) first-aid fire fighting arrangements,
- (g) water storage for fire fighting,
- (h) electrical wiring,
- (i) availability of trained fire fighting staff.

(2) The promoter, organizer or the owner or occupier shall require provide and maintain the measures specified in sub-rule (1).

28. Form of declaration.- The erector of temporary structures such as *mandap, shamiyana or tents or pandal* shall, for the purposes of due compliance of sub-section (2) of section 27 of the Act, make a declaration in Form 'C1', to the effect that adequate fire safety measures have been taken as provided in rule 27.

29. Removal of encroachments or objects or goods likely to cause a risk of fire or any obstruction to fire fighting.- (1) The Sub-Divisional Magistrate having jurisdiction may, after giving a reasonable opportunity of being heard as provided by sub-section (7) of section 27 of the Act may order to seize, detain or remove encroachments or objects or goods likely to cause a risk of fire or obstruction to fire fighting.

(2) The order under sub-rule (1) shall be made in Form 'C2' and the panchnama shall be made in Form 'C3'.

(3) The notice to the person in possession of the inventory of the objects or goods as required under sub-section (8) of section 27 of the Act shall be given in Form 'C4'.

30. Notice to pay the charges for the services rendered by the State Fire Services.- (1) Where the State Government has provided the services for Fire Prevention and Life Safety Measures, the Director may issue notice in Form C5 requiring the owner or the occupier of the building or premises, to pay the amount for the expenses incurred for rendering the aforesaid services.

31. Measures to be taken for fire prevention and life safety in temporary structures.- The measures required to be taken by the promoter, the organizer or the owner or the occupier of premises declared under sub-section (1) of section 27 of the Act, shall be such as specified in sub-rule(1) of rule 27.

(2) The show cause notice to be issued by the Sub-Divisional Magistrate under sub-section (6) of section 27 of the Act shall be as specified in Form C6.

(3) The Regional Fire Officer or the Chief Fire officer may grant permission, in form C8, subject to such conditions, as specified therein, for the use of temporary structures *a shamiyana or tent or mandap*, on receiving the declaration by the promoter or the organizer or the owner or the occupier of premises in form C7, the measures taken by him as specified in sub-rule(1) of rule 27..

(4) The Director or the Regional Fire Officer or the Chief Fire officer or the Nominated officer may, under sub-section (4) of section 27 of the Act, inspect the premises ensuring the correctness of the declaration made in form C7 or otherwise, and in case of inadequacy, give necessary directions to comply, within the specified time, to the promoter or the organizer or the owner or the occupier.

(5) In case of failure to comply any directions given under sub-rule (4) by the said officer may seal or dismantle the temporary structures *a shamiyana or tent or mandapand* recover the cost

incurred thereof from the promoter or the organizer or the owner or the occupier.

(6) The Regional Fire Officer or the Chief Fire officer or any authorized officer, in this behalf, if finds that there exists any encroachment or objects or goods, which may cause or likely to cause a risk of fire or any obstruction to firefighting, he may direct to remove, within specified time, such encroachments or objects or goods.

(7) On failure to comply with the directions given under sub-rule (6), by the the promoter or the organizer or the owner or the occupier, the said officer shall take necessary action as per sub-section (6) of section 27 of the Act.

(8) On receipt of the report given by the Regional Fire Officer or the Chief Fire officer or any authorized officer, of the encroachment or objects or goods, which may cause or likely to cause a risk of fire or any obstruction to firefighting, may make an order in form C2 to seize, detain or remove it.

(9) The person authorized under sub-rule (8), shall give a notice in form C4, to the person in possession, that the goods and objects seized, detained or removed shall be sold if they are not claimed within the time specified in the notice.

(10) Any person aggrieved by an order under sub-rule (7) or a notice issued under sub-rule (8) may prefer an appeal in form C9 which shall be accompanied by a copy of order or notice appealed against and by a fee of Rs. 5,000/- (Rupees five thousand only) through a bank draft drawn in favour of the Director, Gujarat State Fire Service payable at Gandhinagar.

(11) The appellate authority shall consider all the circumstances of the case and after making necessary inquiry as it deem fit pass such orders as it may deem just and proper and his order shall be final.

(12) The authority which made the order or issued the notice on which the appeal was preferred shall give effect to the order passed by the appellate authority.

CHAPTER VI TRAINING TO FIRE PERSONNEL

32. *Training Charges.*- The trainee shall pay at the time of admission training charges as specified in the Forth Schedule by demand draft payable to the Principal, Gujarat State Institute for Fire Safety Training, (GSIFST):

Provided that, the trainees on the roll of State Fire Service shall not be liable to pay training charges.

33. *Manner for remittance of training charges.*- (1) The Principal, GSIFST shall remit or cause to remit to the Director, State Fire Service at the end of each course the total sum of the training charges received under the heads of tuition fee, laboratory charges, fire ground operation charges, and accommodation charges.

(2) The Director, shall maintain a separate head for remitting the training charges received and shall utilize the same for providing amenities like sports facilities (indoor and outdoor), and indoor recreation facilities to the trainees.

34. *Training charges to be non-refundable.*- If any trainee decides to withdraw from the course before the date of closing of training schedule for whatever reasons or expelled from the course by the Principal, GSIFST he shall not be entitled to refund of training charges remitted by him under rule 32 in full or part thereof.

35. *Security Deposit.*- (1) On admission of an trainee to a course, if he is allotted accommodation, he shall be required to deposit a sum of rupees one thousand only as security deposit by a bank draft, to the Principal, GSIFST:

Provided that, the trainees on the roll of State Fire Service shall not be liable for payment of Security Deposit.

(2) The security deposit shall be refunded at the end of course after verifying that all articles made available to him are in good condition and no losses has caused to the exchequer during the training by his conduct.

CHAPTER VIII

APPEAL

36. *Appeal.*- (1) An appeal to the Appellate Authority under section 33 of the Act shall be preferred in Form C9 and shall be accompanied by a copy of order or notice appealed against and by a fee of Rs. 5,000/- (Rupees five thousand only) through a bank draft drawn in favour of the Appellate Authority.

(2) The appellate authority shall consider all the circumstances of the case and after making necessary inquiry as it deem fit pass such orders as it may deem just and proper and his order shall be final.

(3) The authority which made the order or issued the notice on which the appeal was preferred shall give effect to the order passed by the appellate authority.

37. *Compounding of offences.*- The offences punishable under the Act, specified in column (2) may be compounded either before or after the institution of prosecution by the officer specified in column (2), for the amount specified in column (3) of the Table below;-

Table

Officer	Offences and Penalties under the Act	Fine Rupees
(1)	(2)	(3)
Regional Fire Officer or the Chief Fire Officer	Sub-section (1) of Section 18	10000
	Sub-section (1) of Section 19	10000
	Sub-section (4) of Section 21	10000
	Sub-section (2) of Section 22	10000
	Sub-section (3) of Section 24	10000
	Sub-section (4) of Section 27	10000
	Sub-section (1) of Section 29	10000
	Sub-section (3) of Section 29	10000

CHAPTER IX
GENERAL MEASURES FOR FIRE PREVENTION

38. *Fire Prevention Wing.*- There shall be constituted a 'Fire Prevention Wing' for the State Fire Service, or for local authority under the Director or the Chief Fire Officer consisting of such other fire officers and other personnels as the State Government may by notification in the *Official Gazette* declare or the local authority may declare by an order, as the case may be.

39. *Powers and Functions of Fire Prevention Wing:* (1) The Fire Prevention Wing or officer authorized by it, shall examine the building plans referred to Fire Service by local authority or any other statutory authority for compliance by the owner or occupier under the regulations made under sub-section(2) of section 18 of the Act.

(2) The Fire Prevention Wing shall have the following powers and functions in addition to sub-rule(1), namely:-

- (a) study the trends in fire accidents in the region and assist in framing the policies in the matters connected therewith for the fire prevention and fire safety and similar other matters incidental thereto, requirement and deployment of fire fighting equipment and appliances, planning for new fire stations and prepare training requirements for Fire Service;
- (b) study the provisions relating to fire prevention and fire safety as contained in other Acts, Statues, Rules and Regulations for the time being in force;
- (c) in consultation with the Government counsel, defend the cases in various courts of law;
- (d) organize mass awareness programs on fire prevention and fire safety and prepare leaflets and other advertisement material in electronic form for distribution to the public free of any charges.

40. *Fire Service response to an Emergency.*- The Fire Service response to an emergency arising due to an out break of fire or any other emergency requiring Fire Service intervention shall be carried

out in accordance with the directions given by the Regional Fire Officer.

41. Issuing of Fire Report.- (1) A fire report shall be made available on line or otherwise within 72 hours of the date of occurrence of fire to the Director for every fire accident and special service call responded to by the any Fire Service. The owner or occupier whose property was affected by fire or otherwise by whatever way may obtain the copy of report from the Director.

(2) In case owner or occupier requires any change in facts reported in the fire report he or she shall make an application in Form D1 to the Director who may after satisfying himself allow the change requested for and record the same on the fire report.

42. Adequate supply of water for fire fighting.- (1) Notwithstanding anything contrary to the provisions in any other Act or rules for time being in force, the Regional Fire Officer or the Chief Fire Officer, as the case may be, may require the authority having jurisdiction to provide hydrants at strategic locations on the public mains or private mains of not less than 150 mm diameter on payment of charges as demanded by such authority.

(2) The residual pressure at the hydrant shall not be less than 1.5 bar (20 lbs. per square inch).

(3) There shall be provided near each hydrant provided under sub-rule (1) an identification plate showing hydrant number and size of mains and each such hydrant shall be maintained by the authority which provided the hydrant.

43. Directions of Fire Officer relating to supply of electricity or water or removal of persons from, a place or building or part thereof which is in imminent danger:— (1) The Director or the Regional Fire Officer or the Chief Fire Officer, may make an order under section 26 of the Act, directing the responsible authority,-

- (a) in Form D2 to supply or disconnect electricity or water, as the case may be, to a place or building or a part thereof, which is dangerous to any person or property and
- (b) in Form D3 to any Police Officer having jurisdiction in the area, to remove persons from any place or building or part thereof which is dangerous to any person or property, and
the said authority or the police officer, as the case may be, shall be abide by such directions and he shall be responsible for the compliance of the orders passed.

44. *Duties and responsibilities of fire officers and staff* .- Subject to the provisions of this Act and the rules made there under, the Director with the approval of the State Government shall, by general or special order, prescribe the duties to be performed and responsibilities of the personnels of Fire Services.

45. *Requisition of fire fighting equipment* .- For the purpose of sub-section (1) of section 13 of the Act, the Director or any Fire Officer may, by order in Form D4 direct to requisite any fire fighting equipment or property of any authority or any institution or individual in the event of fire.

46. *Report of damage caused to premises during fire fighting operations and assessment and payment of compensation*.- (1) The Director or the Regional Fire Officer or the Chief Fire Officer or any other fire officer who is in-charge of fire fighting operations on the spot, shall make a report in Form D5 to the respective local authority as to the damage caused, if any, to the premises by fire officers or fire personnel during fire fighting and rescue operations as referred to in sub-section (1) of section 14.

(2) On receipt of report made under sub-rule (1), the same shall be assessed by an officer of the respective Local Authority as may be nominated in that behalf and such nominated officer shall, after giving an opportunity of being heard to the owner or occupier concerned,

assess the damage and submit his recommendations in that behalf to the authority for its consideration.

(3) Having regard to the recommendation made by nominated officer under sub-rule (2), and where the building or property to which such damage is caused is insured, the Insurance Company shall while determining and granting compensation to be paid to the owner or occupier take into account the damage caused to the premises or any other property by the fire officers or fire personnel during the conduct of firefighting and rescue operations.

47. Report of accident to fire officer or fire personnel during fire and payment of compensation.- The fire officer in-charge of fire, shall submit a report of any accident occurred during such fire fighting or rescue operations operations, in case of natural calamity or otherwise, to the Director, the Regional Fire Officer or the Chief Fire Officer and the compensation payable to any fire officer, or fire personnel in the case of such accident, or to their dependents in the case of death or permanent disability, shall be such as may be determined by, the Director may with the approval of the State Government or the local authority, as the case may be.

48. Employment of fire officer or fire personnel for purposes other than fire fighting within or outside the sphere of their duties.- The fire officers or fire personnel may be engaged for the purposes other than fire fighting at the discretion of the Director or the Chief Fire Officer or any subordinate officer authorized by the Director or the Chief Fire Officer, in the case of all calls relating to natural calamities and rescue of life.

49. Rates for supply of water required on the occasion of fire fighting operations.- Where the officer in-charge of the fire fighting operations draws water, from any source in the area, which he considers necessary for such operations, the authority or owner or occupier having control over such water source shall be paid for the water so utilised,—

(a) if water is drawn from an authority, then at the lowest rate of supply of water which is usually charged from the users of water in such area by such authority;

(b) if water is drawn from any owner or occupier, then at the rate which shall not exceed the lowest rate referred to in clause (a), and where such rate is not available, then at such rate as may be determined by negotiation, subject, however, to the condition that where any dispute arises as to such rate, in the case of an authority, the decision of the authority competent, and in the case of an owner or occupier, the decision of the Director, shall be final.

50. Terms for securing personnel or equipment or both for fire fighting purposes.- The terms on which the Director or the Chief Fire Officer or any other fire officer authorized by any authority may secure, by agreement, fire fighting equipment or personnel from any person who employs and maintains personnel or equipment or both, for fire fighting purposes, shall be as follows, namely:—

(1) As soon as may be, after the fire fighting operation is over, the Director or the Regional Fire Officer or the Chief Fire Officer or any other Fire Officer in charge of the fire fighting operation, as the case may be, shall relieve the personnel or equipment so secured and restore the same to the person, including the local authority, firm and institution or individual, from whom the services of personnels and possession such equipment were secured.

(2) There shall be paid to the employer of such personnel or owner of such equipment, compensation, the amount which is determined in accordance with the principles hereinafter setout, namely:—

(a) where the amount of compensation is determined under the agreement, it shall be paid in accordance with such agreement;

(b) where such compensation is not settled in the agreement or where no such agreement with regard to compensation can be reached, the matter shall be referred to the State Government or the local authority, as the case may be, and the decision of the State Government or the local authority, as the case may be, shall be final;

(c) if any injury is caused to any personnel or any damage is caused to any equipment and the employee or the owner of the equipment, as the case may be, demands any compensation separately in respect thereof, and no agreement can be reached, the matter shall likewise be referred to the State Government or the local authority, as the case may be, for determination and the decision of the State Government or the local authority, as the case may be, shall be final.

51. *Rewards.*- (1) The Director or the local authority, as the case may be, may sanction rewards by way of certificate or cash rewards or with both to the personnels of any Fire Service for meritorious performance of duties, to the extent as specified in the Table below:-

TABLE

Sr. No.	Sactioning Authority	Type of commendation	Cash Rewards
(1)	(2)	(3)	(4)
1	Director	Commendation Roll	Up to Rs. 5,000/- in each case for actions of outstanding merit.
2	The Regional Fire Officer or the Chief Fire Officer	Commendation Certificate Class I	Up to Rs. 3,000/- in each case for actions of special merit.
3	The Deputy Chief Fire Officer	Commendation Certificate Class II	Up to Rs. 1,000/- in each case in recognition of specific instances of exemplary performance or assistance to Fire Service on the occasion of fire and/ or rescue:

Provided that the State Government or the local authority may on the recommendation of the sanctioning authority, in each case, grant rewards up to Rs. 10,000/- (Rupees ten thousand only) in recognition of specific instances of exemplary performance or assistance by the members of any Fire Service on the occasion of fire and or rescue .

(2) The rewards to the members of Fire Service under sub-rule (1) shall be recorded in the Service Book in green ink by the authority granting such reward.

52. Power of Director to give directions.-(1) The Director with the previous approval of the Government, may issue such directions as are necessary for the efficient administration of the fire service which may among others, include the followings, namely:-

- (i) training to members of fire service;
- (ii) discipline and good conduct of members of fire service;
- (iii) speedy attendance of members of fire service with necessary appliances and equipment on the occasion of any alarm of fire;
- (iv) conditions of service of the members of Fire Service;
- (v) assigning duties to fire officers of all ranks and grades, and prescribing the manner in which and the conditions subject to which they shall exercise and perform their respective powers and duties;
- (vi) institution, management and regulation of any Fire Service fund for any purpose connected with policy administration;
- (vii) maintenance of Fire Service equipment and appliances to keep them in due state of efficiency; and
- (viii) generally for the purposes of rendering the Fire Service efficient and preventing abuse or neglect of their duties.

53. Power of Director to have assistance of police officers.- The Director or the Regional Fire Officer 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.

FIRST SCHEDULE

(See rule 3)

Qualifications for the appointment of Nominated Officer

Serial Number	Municipality	Qualifications
(1)	(2)	(3)
	Municipal Corporation	(i) possesses a Degree or an Advanced Diploma in Fire Engineering from the National Fire Service College, Nagpur under the Ministry of Home Affairs, Government of India or the Gujarat State Institute for Fire Safety Training, Government of Gujarat (GSIFST) and at least two years experience of regular fire service for inspection and testing of fire prevention and protection work; or (ii) has passed the Membership Examination of the Institute of Fire Engineers of India or the Institution of Fire Engineers of United Kingdom and has at least two years experience of regular fire service and of fire prevention and protection work.
	Municipalities, or Notified Area or Industrial Townships/Estate.	A Diploma in Fire Engineering obtained from the National Fire Service College, Nagpur under the Ministry of Home Affairs, Government of India or the Gujarat State Institute for Fire Safety Training, Government of Gujarat (GSIFST) and at least two years experience of regular fire service.
	Special Investment Region and Special Economic Zones (SEZs), Private Townships	1. possesses a Degree or an Advanced Diploma in Fire Engineering from the National Fire Service College, Nagpur, Ministry of Home Affairs, Government of India or the Gujarat State Institute for Fire Safety Training, Government of Gujarat (GSIFST), and at least two years' experience of regular fire service for inspection and testing of fire prevention and protection work; or 2. has passed the Membership Examination of the Institute of Fire Engineers, India or the Institution of Fire Engineers of United Kingdom and has at least two years' experience of regular fire service and of fire prevention and protection work.

SECOND SCHEDULE

Badges of Ranks in Fire Service

(See rule 8)

1. Badges of Ranks, Peak Cap, Collar Patches and Hemet

Markings.- The Badges of Ranks, Peak Cap, Collar Patches and Hemet Markings for various posts in Fire Service shall be as per the table below:-

Sr. No.	Name of the post	Badges of rank	Collar Patches	Peak Cap	Helmet
1	Director	Cross sword and baton with one small impeller $\frac{3}{4}$ " diameter + Shoulder titles "GSFS".	Blue black collar patches with two rows of oak leaves as per drawing.	Two rows of silver oak leaves on peak embroidered badge and black band placed around the head level.	White with one 38 mm black band.
2	Chief Fire Officer	Ashok emblem with three small impellers $\frac{3}{4}$ " diameter + Shoulder titles "GSFS".	One silver line 7 cm long line on blue blazer cloth.	One row of silver oak leaves on peak, embroidered badge and black band placed around the head level.	White with two 19 mm black bands with 12.5 mm separation.
3	Deputy Chief Fire Officer	Ashok emblem with one small impeller $\frac{3}{4}$ " diameter + Shoulder titles "GSFS".	One silver line 4 cm long line on blue blazer cloth.	One row of silver oak leaves on peak, embroidered badge and black band placed around the head level.	White with three 12.5 mm black bands with 12.5 mm separation.
4	Divisional Officer (Fire)	Ashok emblem + Shoulder titles "GSFS".	Not applicable.	Plain peak with embroidered badge.	White with two 12.5 mm black bands with 12.5 mm separation.
5	Assistant Divisional	Three small impellers $\frac{3}{4}$ " diameter + Shoulder titles "GSFS".	Not applicable	Plain peak with embroidered badge.	White with one 12.5 mm black band.
6	Station	Two small	Not	Plain peak	Yellow with