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F.ird•.Service College, Nagpur dt cerunctld coirse in .prptessiohnf fire fighting (iC Seivice,• Wgt (6) ror th Schediile. SCHEDULE Tt.ie (unount of Special fee to be pild b4bbâ:bfâsSocinlion of persons intending to construct a high-rikk classified In éoluotn (I) gnd colii/hlt Ibbte below, shall be cnlcutnted a) the t•nte. as Inenlicncll in cohu 'i (3) or said Tnl)le rigninst tötnl or such high-risk building Group Buildings (2) Rnte of speéial' fee (3) Residential building over 1.4;5 meter height, Rs, j per. sq. meter or the educattunal Insdfutionj tbramasuld, library, noÖt area ofille building ot Wlliehever is museum, •art ghliet?i :)iigbr•,... Hospital' nursiKgi pq: sq i»eler ofthe telephone excliange;...guésf •ltötigé," areo' or Ilié bul Idlng uplo three slat calcogy..tésihuidiif r S',OOO. Whichever is bar racilitics, decorators; . •higher; • 6 Per sq inetOi• oc the bultdlhg, .Of public floor area ofllhc building restaurant having bat facilitiéé,• shopiitig 20,000 whiölievet• is contplek,bmce, markets; katras. hutoni6bile thigber; workshop. power generpllng and distribution centre, Linde tground slri1qlqre.9i IliajoV electricat Installntion, holcl obovc Ilucc stir pntegqry, covetéC Citr orca; Remarks (4) Special Ccc Shull be subject to •restyidtitli) 1} rdvlsO to sub-section (I,) pfscecl . IIE. — do — KÖt:k OAZEITÉ, EXTRAORDINARY, 19, 2005 DuilidliiUS• • Oudcls hazardous stib•s.tunccs, f)rc works •nanuractur.ing . units; storage aud tuanurmcuring orca orexélosives, ptettlises for sloring .huardöt19 'ündCr ground Il'ausil SyslC"l Oil insluli"li011, petrob cheniicmld aud oil rOfinciies;'. Rule Ofspqe.ihl IQc Rs; 9 ...per sq Ineler or Ille • 4tea orthe building qr hlghe.t; Explónatlon .1. or floor drea \$'all bc prodgt or entire lenghK and breadth or all the 'loots of the building. Erp•lgnafImLil. For illlxcd oocupnncy b'lilding. lhc building•él.iRil bc trented us such enlegory or building which covet" c (lune 51)'h or Ille occul)lcti uud eulcu11Ncd 01' that basis," By order of the Governor.. I Kt"SAti-iiAVASAN Secy. to the Govt. uflf'e.st IJeng'11 . i'tinli'l'k Sinliuilets•, _i)engnl •untl-prii'ted by Piil"ing West Bengnl kliiknti'. 100 054. No. WB/SC - 247 JAISTHA 29] No. WB/CP,S/K-53 (Part 1)/2003 Extraordinary Published by Authority THURSDAY, JUNE 19, 2003 [SAKA 1925 PART I - Orders and N tifications by the Governor of West Bengal, the High Court, Government Treasury, etc. GOVERNMENT OF WEST BENGAL DEPARTMENT OF FIRE SERVICES WRITERS BUILDINGS, KOLKATA MJTWICATION No.251 IDS/FS/Q/C- I /F I A-3196(Part-II) - 1 7th June,2003.- In exereise ofthe power conferred by clause (g),clause (D, and clause (i) of subsection (2) of Section 4(), read with clause (gg) of Section 2, Section 4, Section I IC, Section \ I E, Section I IF, and Section I I I, of the West Bengal Fire Services Act, 1950 (West Ben. Act XVIII of 1 95()), and in supersession of all previous rules on ttys subject, the Governor is pleased hereby to make the following rules: — Rules PART 1 Preliminary (I) Theserules may be called the West Bengal Fire Services (Fire Prevention l. Short title and commencement. and Fire Safety) Rules, 2003. (2) They shall come ipto force at once. (I) In these rules, unless the context otherwise requires,— 2. Definition* (a) (b) (c) (d) "Act" means the West Bengal Fire Services Act, 1 95() (West Ben. Act XVIII of 1 950); "appeal" means an apeal under section 1 11, read with section 38; 'appellate authority" means the authority referred to in sub-section (l) of Section 1 1 1 and sub-section (2) of Section 38; "Fo " means a firm appended to these idles; 165 166 THE KOLKATA GAZETTE,, EXTRAORDINARY, JUNE 1 9, 2003 "license" means the license granted to a person or association of persons to act as a licensed agency; (e) (f) "section" means a section of the Act. (2) !The words and expressions used and not defined in these rules but defined in the Act shall have the meanings asrespectively assigned to them in the Act

PART 11 Licensed Agency lassification of Licensed agencies. — The licensed agencies shall be'classified in the following three catego- 3. ries specifie4 in column (2) of Table below on the basis of their operational areas specified against them in column (3): SL. No. (l) 2

3. Category Class A Class B Class C Table Operational Area (3) high-risk buildings including, inter alia, buildings above 14.5 metres in height, premises for storing and lor processing of hazardous substances more than 5000 cubic metres in extent, underground structures including underground transit systems, power generation and distribution centres, aircraft hangers, airport terminal buildings and the hotels having five star category, transformer houses, electricalai switch gear rooms, major electrical inuüi:ation, telephone exchangeq oil installation, oil refineries, port, sanatoria, hospitals, fire works and explosiwe manufacturing units. high-risk buildings having maximum height of 14.5 metres and minimum height of 7 metres,premises for storing and/or processing of hazardous substances having a maximum extent of 5000 cubic metres and a minimum of 2000 cubic metres, any plot of land measuring above 500 square metres, any building used for multipurpose occupancy, all places of entertainment and public assembly, retail outlets of hazardous substance,libraries, museums , archaeological centres, research,

centres, laboratories, parlours having sauna bath facilities, hotels having three four star categories, restaurants and/or club with bar facilities, nursing homes, shopping complexes, markets, Kalra and fireworks shops. high-risk buildings below 7 metres in height, automobile workshops, decorators, storages, godowns, covered carparking area, hotels below three star categories, restaurant without bar facilities, premises for storing or processing of hazardous substances having an extent below 2.000 cubic metres, dharmashālas, guest house and any temporary structure

4. Eligibility for granting license—(1) For class A licensed agencies, no license shall be granted unless such agency (a) shall have — a valid trade license; at least one from amongst the categories of engineers mentioned below :— graduate civil or structural or allied discipline of engineers from a recognised university, or M. I. Fire Engineer, or engineer having diploma in advanced Fire Engineering (NFSC), grade fire engineer having an experience of at least five years; THE KOLKATA GAZETTE, EXTRAORDINARY, JUNE 19, 2003 167 (c) at least one officer who has worked either in the Government sector or private sector in a capacity equivalent to that of a Divisional Fire Officer for a minimum of five years with experience in the field of fire prevention and fire fighting; (d) sufficient number of trained and experienced technicians for execution of fire prevention and fire safety work and testing of different fire safety installations in different types of premises and keeping the said appliances in order within their operational area; (e) sufficient accessories, equipments for testing various types of fire safety appliances, means of escape installed in the buildings and keeping them in order within their operational area. licensed agencies, no license shall be granted unless such agency shall have (2) For class (a) a valid trade license; (b) at least one *engineer from amongst the categories of engineers mentioned below (i) grade I Fire Engineer, (ii) Diploma Fire Engineer (NFSC) having an experience of five years; or (iii) Diploma Civil Engineer from a recognised institution; (c) at least one officer who has worked either in the Government sector or private sector in a capacity equivalent to that of a Station officer for a minimum of ten years with experience in the field of fire prevention and fire fighting; • (d) sufficient number of trained and experienced technicians for installation and testing of different fire prevention and fire safety appliances and keeping the said appliances in order within their operational area; and (e) sufficient •umber of accessories and equipments for carrying out the work of installation or testing of fire prevention and fire safety appliances within their operational area. licensed agency, no license shall be granted unless such agency shall have— (3) For class (a) a valid trade license; (b) at least one Diploma Civil Engineer or Diploma Fire Engineer (NFSC); (c) at least an officer who has worked either in the Government sector or private sector in a capacity equivalent to that of a Station Officer for a minimum of seven years with experience in the field of fire prevention and fire fighting. (d) sufficient number of trained and experienced staff for execution of the work of installation and testing of the fire prevention and fire safety appliances; (e) sufficient number of accessories and equipments for carrying out the work of installation or testing of fire prevention and fire safety appliances within their operational area

5. Non-eligibility for obtaining license —No person or association of persons shall be eligible to obtain a license if, (a) in the case of a person, he has been convicted of any offence or lunatic or an undischarged insolvent or whose license has been revoked by the Director-General on an earlier occasion; and (b) in the case of an association of persons, its license has been revoked by the Director-General in an earlier occasion. (1) For obtaining a license, a person or association of persons shall apply to the Director-General in Form A. (2) The Director-General shall upon such enquiry and a scrutiny of the application, as he thinks fit and after being satisfied as to the eligibility of the applicant, send an intimation to the applicant directing him to deposit the fee as specified in rule 7 of these rules through T. R. Form No. 7 under receipts head of the Department of Fire Services within 30 days from the date of such intimation and the original receipted challan of the payment of fee, shall be deposited to the Director-General. (3) After deposit of the fee specified in sub-rule (2), the Director-General shall grant the applicant a license in Form B with the prior approval of the State Government

7. Fee for granting license—A person or association of persons, intending to obtain a license under the Act shall pay the license fee specified below to the Director-General: — (a) in the case of class A licensed agency, Rs. 50,000; (b) in the case of class B licensed agency, Rs. 40,000; and in the case of class C licensed agency, Rs. 25,000

8. Maintenance of register of the licensed agencies=The Director-General shall maintain a register of licensed agencies in the manner specified in



Form C



9. Period validity of license —A license shall be valid for a period of three years with effect from the date of issue of the license, unless the Director - General revokes the same by an order stating therein the reasons for such revocation. IO. Renewal of license — Any licensed agency shall renew his/its license in the month bearing the date of expiry of the term of the license on payment of fee specified in rule 10: Provided that the licensed agency extends it. •Revocation (a) (b) (c) and these rules; or (e) Provided that opportunity of being heard is given. 12. Undertaking The Director-General may, by an order, specifying the reasons therein, on the basis of prayer of the license, revoke any license — unless the undertaking specified in rule 12 of these rules, is submitted; or for violation of any provision of these rules and the Act; or or violation of the code of conduct set forth in these rules; or or failure to carry out the directions or instructions of the Director-General in accordance with the Act or misconduct: before issue of the order of revocation of license, the concerned licensed agency shall be given an order by the Director-General with a notice of not less than fifteen days. Undertaking by licensed agency. — Every licensed agency shall submit to the Director-General an undertaking in the form of an affidavit sworn before a Notary or a Judicial /Executive Magistrate in the format specified in



Form D, binding himself to abide by the code of conduct laid down in rule 13 of these rules, within 30 days from the date of issue of the license

13. Code of conduct for licensed agencies —The following shall be the code of conduct for licensed agencies: — (a) licensed agency must abide by the ethics and etiquette of the profession; (b) e/it shall never attempt to mislead the concerned authority or his/its client through falsehood or misrepresentation; (c) e/it shall, in all his representations; oral or written, before the concerned authority, never state anything which he does not believe to be true; (d) h/it shall look after his clients' interest and shall not disclose anything which may cause substantial loss or injury to the local authority or the State; PART I] rliHE KOLKATA GAZETTE, EXTRAORDINARY, JUNE 19, 2003 169 (e) he it shall assist the Fire Brigade or local authority or the State, as far as practicable, in arriving at a correct decision and supply any information relating to any case as may be required by such authorities for the purpose of any enquiry

14. Duties and responsibilities of licensed agency (I) The following shall be the duties of, a licensed agency: —(a) to install adequate fire prevention and fire safety appliances in a high-risk building in terms of provisions of the Act and the rules made thereunder; (b) to test the working performance of the fire prevention and fire safety appliances in a high-risk building periodically and to keep these appliances perfectly in Working conditions at all the times; (c) to commend issue of a Fire Safety Certificate to the owners or occupiers of a high-risk building in terms of provisions of Act and rules made thereunder; • (d) to issue Requisition of Fire Safety to the owners or occupiers of a high-risk building, intending to apply for a Fire License in terms of provisions of the Act and the rules made thereunder; (e) to authenticate the building plans, layout drawings and other enclosures, if any, in respect of which they shall recommend issue of a Fire Safety Certificate under these rules or a Requisition of Fire Safety under the West Bengal Fire Services (Fire License) Rules; (f) to issue certificates of mock fire drill, in terms of rule 20 of these rules, to the owners or occupiers of such buildings for which the licensed agency has been engaged; (g) to issue quarterly statement of fire fighting appliances and fire personnel under the West Bengal Fire Services (Fire License) Rules; • (h) to conduct inspection of premises on the order of the Director General or the superior nominated authority. (2) The following shall be the responsibilities of licensed agency (a) to examine the building plans and layout designs to ascertain that fire protection systems have been properly designed with respect to such building plans and layout designs before installation or testing and maintenance of the fire prevention and fire safety; (b) to abide by the code of conduct as specified in these rules and the orders issued by the Director, General or the superior nominated authority from time to time; (c) to take responsibility for renewal of Fire Safety Certificates in respect of such high-risk buildings and in case of failure to renew the Fire Safety Certificate, to bring such non-compliance to the notice of the Director-General with the reasons; (d) to take responsibility of all works carried out by the licensed agency. PART II Fire Safety Certificate 15. Application for Fire Safety Certificate (I) Every owner or occupier of any high-risk building shall submit an application in Form E through a licensed agency for Fire Safety Certificate to the Director-General/or superior nominated authority every calendar year together with the documents mentioned therein and a requisition for fire safety of the licensed agency duly recommended in the application. C) A licensed agency shall receive and process applications in Form E for issue of Fire Safety Certificate to the owners or occupiers of a high-risk building, subject to the fulfilment of the conditions laid down in the Act and these rules. (3) The licensed agency, on being satisfied, shall recommend the application to the Director-General or superior nominated authority with requisition for fire safety listing the fire safety and fire prevention measures adopted by the applicant. THE KOLKATA GAZETTE, EXTRAORDINARY, JUNE 19, 2003 [PART I 16. Issue of Fire Safety Certificate — On receiving the application in Form E and the related documents, the Director-General or the superior nominated authority, being satisfied with the adequacy of fire prevention and fire safety measures in respect of the high-risk building, shall issue a Fire Safety Certificate in Form F on payment of fee at the rate of 10% of the annual value of such building

17. Rates Qi special fee for obtaining no objection certificate in respect of high-risk building —(1)

The person or association of pem ns inténding to construct a high-risk building shall pay an additional. perwatage of the building fee imposed by the loc I civic authority as a special fee ai the rates as specified in the schedule to these rules. (2) The spe ial fee is to be deposited through T. R.



Form No. 7 under the receipt heads of the Fire Services within fifteen days of intimation from the Director-General or the superior nominated authority regarding the amount to be paid. No objection certificate shall be issued on depositing the original receipted challan with the concerned officer. (3) The issue of no objection certificate shall be governed by the relevant conditions laid down for issuing of Fire Safety Certificate in rule 19.18. Period of validity of a Fire Safety Certificate — Any Fire Safety Certificate shall remain valid for a period of one year with effect from the date of issue of the Fire Safety Certificate.

19. Conditions for issue of Fire Safety Certificate — Any high-risk building shall conform to any or all of the following conditions, and/or the conditions laid down in Part IV of the National Building Code, Indian Standard specifications and relevant building rules, as the licensed agency may deem expedient with special reference to the degree of hazard involved for obtaining a Fire Safety Certificate: (a) comply with the provisions of the relevant local authority in the case of a building for storage of petroleum or petroleum product including kerosene, it shall conform to the provisions of the Petroleum Act, 1934 (30 of 1934); (b) the building shall not be situated in a densely populated area where it would be a nuisance to the neighbourhood; the building shall have the clear open space subject to provisions of the relevant building rules, of the city, in force; (c) the engines, furnaces and ovens shall be at a safe distance from the places where inflammable articles are stored or processed or proposed to be stored or processed; (d) no article referred to in clause (h) of section 2 of the Act shall be stored or processed on the top or on the roof of any such building; the building shall maintain any or all of the following minimum standards for fire prevention and fire safety as the licensed agency may deem expedient:— (i) ways of access, (ii) underground or overhead water static tank exclusively for fire fighting with replenishment arrangements, (iii) adequate number of portable fire extinguishers, (iv) pressure fed hydrant within the perimeter of the building, (v) fire engine trailer pump of 500 G. Per minute capacity, (vi) first aid hose reels, (vii) proper compartmentation, (viii) automatic fire detection and alarm system, or manually operated electrical fire alarm system, or both, (ix) proper public address system, (x) illuminated exit way marking system, (xi) alternate source of electric supply, (xii) fire lift with fireman switch, (xiii) rising main with landing valve, (xiv) proper safety measures for electrical installations, (xv) adequate means of escape, (xvi) floor number signs, (xvii) dampers and other safety measures in air-conditioning system, (xviii) fire notice, and (xix) other general recommendation of National Building Code Part I V. 171 20. Manne of mock fire drill and issue of certificate (1) The occupiers of all high-risk buildings shall, in the presence of a licensed agency carry out a mock fire drill, in every year, involving all occupants of the building and the watch and ward staff of the building under prior intimation to the Director-General or the superior nominated authority. (2) The fire drill shall be conducted following the guidelines as laid down in Appendix D in Part IV of the National Building Code. (3) The licensed agency shall issue a certificate of performance of the mock fire drill in the specified in Form G and the occupier of the concerned high-risk building shall furnish such certificate to the Director-General or the nominated authority and maintain a register in this behalf.

21. Inspection of buildings or premises—(1) The Director-General or the superior nominated authority or licensed agency authorised in this behalf, as the case may be may enter and inspect any building or part thereof or any premises at any time between sunrise and sunset where such inspection appears necessary for ascertaining the adequacy or contravention, if any, of fire prevention and fire safety measures referred to in the Act or these rules. (2) A notice, if the Director-General or the superior nominated authority considers necessary, may be served to the owner or occupier of the premises, where the Director-General, or the nominated authority intends to enter and inspect, in Form H at least 3 hours before such entry. (3) If the Director-General or the superior nominated authority is satisfied that owing to inadequacy of fire prevention and fire safety measures the condition of any high risk building or part thereof is in imminent danger to person or property, then, he may, before proceeding in accordance with section 37, issue a notice and display the same in writing in the manner as he thinks fit. **2. Revocation of Fire Safety Certificate** — The Director-General or the superior nominated authority may revoke any Fire Safety Certificate without prejudice to any action that may be taken against him under section 11 C of the Act in the event of (a) non-compliance with any notice served under section 35 of the Act without prejudice to any action taken under section 36 of the Act; or (b) non-compliance with mock fire drill, specified in rule 20 of these rules in any year.

23. Manner of carrying out work of providing fire prevention in a high-risk building (1) No person, other than a licensed agency, shall carry out and perform the work of fire prevention and fire safety measures or such other related activities as require to be carried out in any high-risk building.(2)

While carrying out the work specified in sub-rule (1), the licensed agency shall maintain a register for each high-risk building, in duplicate, in the manner specified in



Form I and one copy of such register shall be kept with the owner or occupier of the building which shall be shown to the Director-General or the superior nominated authority, as and when required. KOLKATA GAZETTE, EXTRAORDINARY, JUNE 19, 2003 PART IV Disposal of Appeals [PART I 24. Appointment of appellate authority — The State Government may, by order, appoint an officer, not below the rank of Deputy Secretary to the Government of West Bengal having judicial or revenue court experience or experience in fire service matters, to 25. Manne 26. Notice (2) A notice (3) If the hours next to the time 27.

Notice entry into the land or contravention of (2) A notice (3) If the appeal is rejected the appeal



28. Disposal of the appeal, and the appellate authority on such terms and conditions as may be specified in the said order. of filing appeal — The appeals shall be made in Form J. or hearing appeal (1) The appellate authority shall hear the appeal before disposal of the appeals. in Form K shall be served to the appellant at least 3 days before taking such hearing. If the appellant absents himself from such hearing, without showing any reason therefor in writing within 2 days of hearing, the appellate authority may reject the appeal. For entry for inspection — (1) The appellate authority or any other officer nominated by him may take entry for inspection of any building of any appellant, before disposal of the appeal, for the purpose of ascertaining the adequacy of fire prevention and fire safety measures as required to be provided under the Act. shall be served to the concerned appellant in



Form L at least 3 hours before such entry. If the appellant refuses such entry, without showing any reason therefor in writing, the appellate authority may, after taking hearing and or inspecting the building or premises per rule 26 or rule 27, shall dispose of the appeal by serving a notice to the appellant in Form M, for carrying out his directions within a date stipulated in the said form.

29. Fine for contravention of direction in Form D —The Director-General or the superior nominated authority may impose a daily fine of rupees five for each day without prejudice to any other action that may be taken against him under section 117 of the Act with effect from the date next to the date, stipulated in Form M for taking action, on the appellant in case of continuance of contravention of the directions of the appellate authority in the said form.

PART V Fire Report 30. Rates of reward for fire reports — The West Bengal Fire Services shall give the person, who has given notice of fires and to those who have rendered effective service to the fire brigade on the occasion of fire, a reward of Rs. 100 for each case. **31. Additional percentage of building fee to be paid by the persons or group of persons or association intending to construct a high-risk building as a special fee mentioned in column I in the Table below against the floor area of the high-risk building mentioned in column II in the Table below.** Category of building and height (indentre) **TABLE** Percentage of building fee to be paid as a special fee **FLOOR AREA** Remarks 83.64 sq.m above 83.64 sq. m to 102.23 sq.m above 102.23 sq.m to 139.40 sq.m above 139.40sq.m

