

The U.P. Fire Prevention And Fire Safety Rules, 2005

UTTAR PRADESH

India

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Rule

THE-U-P-FIRE-PREVENTION-AND-FIRE-SAFETY-RULES-2005 of 2005

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The U.P. Fire Prevention And Fire Safety Rules, 2005 Published Vide Notification No. 901/6-P-8-2005-118(Vividh)-04, dated 02.05.2005, published in the U.P. Gazette, Part 1-(Ka), dated 18.06.2005. In exercise of powers under Section 17 of the Uttar Pradesh Fire Prevention and Fire Safety Act, 2005 (U.P. Act No. 5 of 2005), the Governor is pleased to make the following rules, namely :

1. Short title and commencement. -

(1) These rules may be called the Uttar Pradesh Fire Prevention and Fire Safety Rules, 2005. (2) They shall come into force at once.

2. Definitions. -

In these rules, unless the context otherwise requires -(a) "Act" means the Uttar Pradesh Fire Prevention and Fire Safety Act, 2005 (U.P. Act No. 5 of 2005); (b) "Entity Authority" shall include a local authority, development authority, Municipality, Municipal Corporation, Awas Vikas Parishad or Building Plan Sanctioning Authority; (c) "Form" means a form appended to these rules; and (d) "Nominated Authority" means an officer not below the rank of a Fire Station Officer.

3. Height of Building. -

The height of the building for purposes of sub-section (1) of Section 3 of the Act shall be above 15 meters.

4. Minimum standards. -

The minimum standards for fire prevention and fire safety measures specified for building or premises shall be such as are provided in building bye-laws and National Building Code of India or any other law for the time being in force as amended from time to time relating to the following matters : (i) Means of access; (ii) Underground/overhead water static tanks; (iii) Automatic sprinklers system; (iv) First-aid Hose Reels; (v) Fire extinguishers of Indian Standard Institute certification marks; (vi) Compartmentation; (vii) Automatic fire detection and alarm system/manually operated electrical fire alarm system; (viii) Public address system; (ix) Illuminated exit way marking signs; (x) Alternate source of electric supply; (xi) Fire lift with fireman switch; (xii) Wet riser Down Corner System; (xiii) Set Back; (xiv) Exit Requirement and Fire escapes; (xv) Fire drill; (xvi) Maintenance of Fire Fighting System; (xvii) Staff/Training for operation of Fire Fighting System; (xviii) Evacuation Plan and Drills; (xix) Periodical Fire Safety Audits; and (xx) Periodical renewal of fire clearance after depositing prescribed fees.

5. Format of Notices. -

(1) The three hours' notice under sub-section (1) of Section 3 of the Act shall be in Form 'A' appended to these rules. (2) The nominated authority shall give notice under sub-section (1) of Section 4 of the Act in Form 'B' appended to these rules. (3) The Chief Fire Officer shall give notice under sub-section (3) of Section 6 of the Act in Form 'C' appended to these rules.

6. Liability. -

Where any building or premises is owned or occupied by more than one person, the responsibility for providing the fire safety and fire preventive measures as per the directions of the nominated Authority or the Chief Fire Officer in the whole building will be shared in proportion to the area occupied or owned by individual owner or occupiers as the case may be.

7. Procedure of Sealing of Building or Premises. -

Subject to the provisions of the Act the District Magistrate shall follow the following procedure in regard to seal of any building or premises required to be sealed under sub-section (3) of Section 5 of the Act: (a) The District Magistrate or any Executive Magistrate authorised by the District Magistrate by a general order or specific order shall require the persons in possession or occupation of the building or premises to be sealed to remove themselves from there forthwith; (b) In case of non-compliance with the said order he shall direct any Police Officer having jurisdiction in the area to remove such person from such building or premises; (c) After the removal of persons in occupation from such building or premises he shall seal the building or premises in the manner which he deems fit; (d) The mark of seal applied to seal the premises shall remain in custody of the District Magistrate or any Executive Magistrate authorised by the District Magistrate by a general order or specific order; and (e) If the building premises required to be sealed on receipt of the report of the nominated Authority is found to be locked or inaccessible, he may break open the lock, enter the premises and

after taking all necessary steps required to be taken under the Act, relock and seal the premises, provided that if any building or premises is opened by using force under this rule, an inventory of the material found in the premises shall be prepared in the presence of two witnesses, preferably independent and a copy thereof shall be delivered to owner or occupier, if present at the site. It will be lawful for the District Magistrate to recover all expenses incurred on enforcement of his orders or expenses incurred in enforcement of orders of any other authority under the Act or the rules as arrears of land revenue.

8. Appeal. -

(a) An appeal to the State Government through Principal Secretary Home under sub-section (1) of Section 9 of the Act shall be preferred in Form 'D' appended to these rules and shall be accompanied by a fee of Rs. 5000 (Rupees Five thousand only). (b) The fee of appeal shall be paid through Treasury Challan.

9. Issue of instruction. -

The State Government may under the ancillary powers issue such instruction as it may deem necessary and warranted for the enforcement of the provisions of the Act.

FORM A [See Rule 5(1)] Form of Notice to be served for entry and Inspection

Notice I, the nominated authority appointed under the Uttar Pradesh Fire Prevention and Fire Safety Act, 2005, do hereby give you notice that on expiry of three hours from the time of service of this notice upon you, I shall enter and inspect your building/premises bearing No. located at for the purpose of ascertaining the adequacy or contravention of Fire Prevention and Fire Safety measures as required to be provided under the aforesaid Act.

Nominated Authority To, Owner/Occupier **FORM B** [See Rule 5(2)] Form of Notice to be served for carrying out the directions of Nominated Authority

Notice I, the nominated authority appointed under the Uttar Pradesh Fire Prevention and Fire Safety Act, 2005, on the basis of the inspection conducted by me on, do hereby call upon you to undertake the following Fire Prevention and Fire Safety measures in Building/Premises No. Above action should be completed latest by (date)

Nominated Authority To, Owner/Occupier **FORM C** [See Rule 5(3)] Form of Notice to be served for undertaking measures for rectification of the inadequacy in relation to Fire Prevention and Fire Safety measures

Notice I, Chief Fire Officer empowered under the Uttar Pradesh Fire Prevention and Fire Safety Act, 2005 on the basis of inspection conducted by me on do hereby call upon you to undertake the following Fire Prevention and Fire Safety measures in the Building/Premises No. Action should be completed latest by (date).

Chief Fire Officer To, **FORM D** [See Rule 8(a)] Form of appeal to the State Government under Section 9(1) of the Uttar Pradesh Fire Prevention and Safety Act, 2005

Before Principal Secretary Home, Uttar Pradesh

Appeal No. of Shri. S/o Shri. Resident of Appellant

Versus Nominated Authority/Chief Fire Officer/District Respondent

Appeal before the State Government under Section 9(1) of the Uttar Pradesh Fire Prevention and Fire Safety Act, 2005 against the notice / order, dated of Shri. Nominated Authority/Chief Fire Officer of District.

The appellant respectfully States as under :

1. Statement of facts.

2. Grounds of appeal.

3. Fee of Rs. 5000 (Rs. Five thousand only) has been paid vide Challan No.....dated.....

4. Appeal is within time.

5. No other appeal or any other proceedings relating to the subject-matter to this appeal is pending in any Court of law.

6. Relief claimed.

Signature of Authorised Representative, if any Date..... Signature of
Appellant Verification I,..... the appellant do hereby verify that contents of this petition are true to the
best of my personal knowledge and belief and that I have not concealed any material facts. Verified
today, the..... day of..... 200 Place..... Date..... Signature of the
Authorised Representative, if any Signature of the Appellant