

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1227/2024

IN THE MATTER OF:

Ram Wati Soni

...Applicant

Vs

NCT of Delhi & Ors.

...Respondents

I N D E X

<u>Si. No.</u>	<u>Particulars</u>	<u>Page No.</u>
1.	Reply on behalf of Respondent No. 4, Delhi Fire Service	1-2
2.	Annexure R-1: Copy of Rule 27 of Delhi Fire Service Rules, 2010	3
3.	Annexure R-2: Copy of Rule 34 of Delhi Fire Service Rules, 2010	4

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REPLY ON BEHALF OF DELHI FIRE SERVICE

MOST RESPECTFULLY SHOWETH:

1. That this reply is being filed in compliance to the directions, passed by the Hon'ble CAT vide order dated 17.10.2024.
2. That the functions of Delhi Fire Service are regulated by the Delhi Fire Service Act – 2007 (Delhi Act 2 of 2009) and Delhi Fire Service Rules – 2010. The Delhi Fire Service Act – 2007 that came into force w.e.f. 1st July 2010, provides for the maintenance of fire services and to make more effective provisions for the fire prevention and fire safety measures in certain buildings and premises in the National Capital Territory of Delhi.
3. That the Certain buildings, which are likely to cause a risk of fire, have been classified Under Rule -27 of Delhi Fire Service Rules 2010 for which Fire Safety Certificate is mandatorily to be obtained by the Occupier. As per sub rule (2) of Rule 27 of Delhi Fire Service Rules, 2010, Residential buildings (other than hotels and guest houses) having height more than 15 meters or having ground plus four upper stories including mezzanine floor are required to obtain Fire Safety Certificate from Delhi Fire Service. Copy of Rule 27 is annexed hereto and marked as **Annexure R-1**.

4. That as per the provisions of Rule 34 of Delhi Fire Service, 2010 it is an obligation on local authority to refer the building plans of the buildings, which are covered under Rule 27 of Delhi Fire Service Rules, 2010. Copy of Rule 34 is annexed hereto and marked as **Annexure R-2**.
5. That the local authority i.e. Municipal Corporation of Delhi, Delhi Development Authority, Delhi Cantonment Board and New Delhi Municipal Council never referred the plans of the property in question i.e. B-43, Nand Ram Park, near Sharma Dairy, Uttam Nagar, Delhi to Delhi Fire Service.
6. That on 04.04.2023 a call was received in the Fire Control Room at 4 Hrs. 27 Min. and immediately the team of Delhi Fire Service rushed to the scene of incident. The firefighting and rescue team reached the scene at 4 Hrs. 42 Min. and extinguished the fire, however, the injured person had already been taken to Hospital before that.
7. That the Delhi Fire Service has no role in the matter pertaining to the generation and accumulation of sewer gas in the toilet or anywhere.
8. That, the undersigned is beholden to adhere to the orders/ directions, passed by the Hon'ble High Court.



(Dr. S.K. Tomar)
Deputy Chief Fire Officer
Delhi Fire Service

Date: 21.03.2025

New Delhi

Dr. SANJAY KUMAR TOMAR
DY. CHIEF FIRE OFFICER
DELHI FIRE SERVICE
GOVT. OF N.C.T. OF DELHI

27. **Classes of occupancies likely to cause a risk of fire.** □The following classes of occupancies for the purposes of sub-section (1) of section 25 of the Act shall be construed to likely cause a risk of fire, namely:-

- (1) Pandal having seating capacity more than 50 persons or covered area more than 50 square meters.
- (2) Residential buildings (other than hotels and guest houses) having height more than 15 meters or having ground plus four upper stories including mezzanine floor.
- (3) Hotels and guest houses having height more than 12 meters having ground plus three upper stories including mezzanine floor.
- (4) Educational buildings having height more than 9 meters or having ground plus two upper stories including mezzanine floor.
- (5) Institutional buildings having height more than 9 meters or having ground plus two upper stories including mezzanine floor.
- (6) All Assembly buildings.
- (7) Business buildings having height more than 15 meters or having ground plus four upper stories including mezzanine floor.
- (8) Mercantile buildings having height more than 9 meters or having ground plus two upper stories including mezzanine floor.
- (9) Industrial buildings having covered area on all floors more than 250 square meters.
- (10) Storage buildings having covered area on all floors more than 250 square meters.
- (11) All Hazardous buildings having covered area on all floors more than 100 square meters.
- (12) Underground Structures.

34. Issue of fire prevention and fire safety measures. □ (1) On receipt of a reference from the local authority or any other statutory authority under clause (s) of section 2 of the Act the Fire Prevention Wing shall issue fire prevention and fire safety measures under these rules to be incorporated in the design of the building for the safety of the occupants.

(2) The Fire Prevention Wing may require the owner or occupier to make presentation through Architect (s) on a specified date.

(3) The Fire Prevention Wing shall direct the Architect to modify the building plans received under sub-rule (1) above to ensure the compliance of these rules and the architect shall abide by such instructions failing which building plans are liable for rejection.

(4) The fire prevention and fire safety measures shall be issued within three weeks from the date of presentation under sub-rule (2) or modification of building plans as may be required under sub-rule (3) if any.