Office of the Director General Telangana State Disaster Response & Fire Services Hyderabad.

## Rc.No.1426/LC/2014

Dated: 5 -03-2016.

## CIRCULALR MEMORANDUM

Sub:- Telangana State Disaster Response and Fire Services Department -Legal Cell- Fire Service Act, 1999 - Violation of No Objection Certificate - Certain instructions - Issued -Reg.

Ref:- Fire Service Act, 1999 and Telangana Fire & Emergency Operations and Levy of Fee Rules, 2006.

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All the Prosecuting Officers are hereby informed to follow the following instructions while conducting the random inspections for the Buildings for which NOC for Occupancy/Renewal NOC has been issued by the Department under Section 13 of Telangana Fire Service Act, 1999 and while filing the cases in the Hon'ble Courts.

- 2. It is informed that, "According to the Section-13 of Fire Service Act, 1999 "Any person violating the conditions of a No Objection Certificate shall be liable to be proceeded against under the provisions of this Act."
- 3. (a) Further it is informed that, according to the Section-20 "The authorised officer or any other member of the service empowered by him in this behalf, may enter any place, which, in his opinion, for reason to be recorded, constitutes a fire risk, and after service or affixture of a notices in this behalf in the manner prescribed, make an inspection of such place between sun-rise and sun-set in the discharge of his duties under this Act:
- (b) Provided that such inspection may be made at any time if an industry is working or an entertainment is going on at such place or if the officer or member of the service considers it absolutely necessary, for reasons to be recorded in writing, to make an immediate inspection of such place.
- 4. It is further informed that, if the inspecting Officer notices any Violation of the conditions of No Objection Certificate, a report shall be submitted to Director General, State Disaster Respone & Fire Services Department and after obtaining orders for prosecution shall launch the prosecution for violation of NOC conditions under the provisions of Section 31 of Fire Service Act, 1999 and Rule 29(6) and (7) and Rule 31 of Telangana Fire & Emergency Operations and Levy of Fee Rules, 2006.
- 5. Further it is instructed that, all prosecuting officers are hereby instructed to include the para 1&2 of Section 31 of Fire Service Act, 1999 in the charge sheet while filing the case before the Hon'ble Courts, and also bring it to the notice of the Hon'ble Magistrate.

- 6. In view of the above, all the Inspecting/Prosecuting Officers are instructed to follow the above orders with immediate effect. It is also informed that the normal procedure of issuing Form-12 and Form-14 Notices is not required for launching the prosecutions for violation of NOC conditions.
- 5. The receipt of the Memorandum should be acknowledged.

Director General Telangana State Disaster Response and Fire Services, Hyderabad

Copy to the Home Secretary to Government, Home Department, Telangana, Hyderabad. Copy to website of Telangana State Fire Department.

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To

Regional Fire Officer, Central Region, Hyderabad

All the District Fire Officers

Copy to the Asst. District Fire Officers

Copy to the Station Fire Officers.

Copy to the Administrative Officer in this office

Copy to the Junior Administrative Officers

Copy to the CC to DGFS, Telangana, Hyderabad.