



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १, अंक ८]

शुक्रवार, मार्च २०, २०१५/फाल्गुन २९, शके १९३६

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असाधारण क्रमांक २१

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Fire Prevention and Life Safety Measures (Amendment) Bill, 2015 (L. A. Bill No. X of 2015), introduced in the Maharashtra Legislative Assembly on the 20th March 2015, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

M. A. SAYEED,

Principal Secretary and R.L.A. to Government,
Law and Judiciary Department.

L. A. BILL No. X OF 2015.

A BILL

to amend the Maharashtra Fire Prevention and Life Safety Measures Act, 2006.

Mah. III of 2007. WHEREAS it is expedient to amend the Maharashtra Fire Prevention and Life Safety Measures Act, 2006, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-sixth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Fire Prevention and Life Safety Measures (Amendment) Act, 2015. Short title.

Mah. III of 2007. 2. In section 3 of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 (hereinafter referred to as "the principal Act"),— Amendment of section 3 of Mah. III of 2007.

(a) in sub-section (1), in the *Explanation*, after the words and figures " the National Building Code of India, 2005" the words and brackets "or, as the case may be, the parameters laid down, from time to

time, by the National Fire Protection Association Institution (U.S.A.)”, shall be inserted ;

(b) after sub-section (1), the following sub-section shall be inserted, namely :—

“(1A) Notwithstanding anything contained in sub-section (1) or any other provision of this Act or any other law for the time being in force, building above 30 meters in height but not exceeding 45 meters in height may be permitted, in case of occupancies specified as (C-1) in Schedule-I, that is to say, Hospitals, Sanatoria and Nursing Homes, if such building fulfills the minimum requirement of fire fighting installations specified in Schedule-I.”;

(c) after sub-section (2), the following sub-section shall be inserted, namely :—

“(2A) Notwithstanding anything contained in sub-section (2) or in any other law for the time being in force, the State Government may, upon a request by a planning authority, permit the authority empowered to sanction the construction plan of any building or part of a building and to issue certificate of completion of or part thereof, to issue such certificate, in respect of a building exceeding 45 meters in height in case of occupancies specified as (C-1) in Schedule-I, that is to say, Hospitals, Sanatoria and Nursing Homes, if such building fulfills the minimum requirement of fire fighting installations specified in Schedule-I.”.

Amendment
of
Schedule-I to
Mah. III of
2007.

3. In Schedule-I to the principal Act,—

(a) under the heading “INSTITUTIONAL BUILDINGS (C)”, under sub-heading “(a) Hospitals, Sanatoria and Nursing Homes (C-1)”, after entry (3), the following entries shall be added, namely :—

“(4)	Above 30m and not exceeding 45 m in height	R	R	NR	R	R	R	R	R	R	1,50,000	30,000	2,400	NR
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(5)	Above 45m in height	R	R	NR	R	R	R	R	R	R	1,50,000+ 5,000 per 5m above 45m	30,000+ 5,000 per 5m above 45m	2,400+ 1,000 per 5m above 45m	NR”;
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(b) in the NOTES,—

(I) in Note 12, for the word and letter “Group C” the words, letters and figures “Group C-2, Group C-3” shall be substituted ;

(II) after Note 12, the following Notes shall be inserted, namely :—

“**12A.** Building above 30m in height but not exceeding 45m in height may be permitted for Group C-1 occupancies, provided it complies or, is in consonance with the parameters laid down, from time to time, by the National Fire Protection Association Institution (U.S.A.) in respect of such occupancies.

12B. Building above 45m in height may be permitted for Group C-1 occupancies, in the manner provided by sub-section (2A) of section 3, provided it complies or, is in consonance with the parameters laid down, from time to time, by the National Fire Protection Association Institution (U.S.A.) in respect of such occupancies.”.

4. In Schedule-II to the principal Act,—

(a) in PART-I, under the heading “INSTITUTIONAL BUILDINGS (C)”, under sub-heading “(a) Hospitals, Sanatoria and Nursing Homes (C-1)”, after entry (3), the following entries shall be inserted, namely :—

Amendment of
Schedule-II to
Mah. III of
2007.

“(4)	Above 30m and not exceeding 45 m in height	20.00	1,50,000	15.00	1,00,000	12.00	75,000	6.00	30,000	5.00	15,000
(5)	Above 45m in height	25.00	2,00,000	18.00	1,20,000	15.00	90,000	7.00	40,000	6.00	20,000”;

(b) in PART-II, under the heading “INSTITUTIONAL BUILDINGS (C)”, under sub-heading “(a) Hospitals, Sanatoria and Nursing Homes (C-1)” after entry (3), the following entries shall be inserted, namely :—

“(4)	Above 30m and not exceeding 45 m in height	10.00	50,000.00	Not Allowed	Not Allowed	Not Allowed
(5)	Above 45m height	15.00	75,000.00	Not Allowed	Not Allowed	Not Allowed”;

(c) in PART-III, under the heading “INSTITUTIONAL BUILDINGS (C)”, under sub-heading “(a) Hospitals, Sanatoria and Nursing Homes (C-1)”, after entry (3), the following entries shall be inserted, namely :—

“(4)	Above 30m and not exceeding 45m in height	17.00	1,50,000	14.00	80,000
(5)	Above 45m in height	20.00	2,00,000	16.00	1,00,000.”.

STATEMENT OF OBJECTS AND REASONS

As per the provisions obtaining in section 3 and Schedules I and II of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 (Mah. III of 2007), the height in respect of building or part of a building occupied as hospitals, sanatoria and nursing homes is restricted to 30 meters. The said provision has been incorporated in view of the provisions obtaining in the National Building Code of India, 2005. It has been observed that, this restriction in height has put on hold the development or re-development of Hospitals, belonging to the Government, local bodies and public trusts, etc. It has also been observed that, due to such restriction on height has affected adversely, the provision for healthcare facilities, though necessitated by demand.

2. Having considered the provisions of the National Building Code of India, 2005, which are recommendatory in nature, and on the pre-condition that equivalent or higher standards of fire safety and fire prevention norms as laid down from time to time are strictly observed, the Government considers it expedient to provide that, height of a building or part of a building which is occupied as hospitals, sanatoria and nursing homes may extend upto 45 meters, with a power to the State Government, upon a request by a planning authority, to permit the authority to allow the construction of a building exceeding 45 meters in height.

3. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 16th March 2015.

DEVENDRA FADNAVIS,
Chief Minister.