

"No carelessness until there is a cure. Wear Mask, follow physical distancing & maintain hand hygiene."

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903
E mail: pgcdelhi@nic.in

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated
25.9.97

Date :

Complainant : Suo-moto

Respondent : Director,
Dte. of Education,
Govt. of NCT of Delhi,
Old Secretariat,
Delhi-110054

Chief Fire Officer,
Delhi Fire Services
Headquarter,
Connaught Lane, Connaught Place
New Delhi-110001

Grievance No. : PGC/2010/Edn. & DFS/499

1. **Brief facts of the case**

In the present case, taking a suo-motu cognizance on the issue of Fire Safety in Schools in Delhi the Commission taken up the issue for hearing. The endeavour was to ascertain and monitor, what the departments, responsible for taking fire safety measures in schools have been doing to promote fire safety measures in schools buildings throughout NCT of Delhi. The Commission was apprised that there are number of agency which run schools in Delhi i.e. Dte. Of Education, GNCTD, the erstwhile Three Municipal Corporations, NDMC, Delhi Cantonment Board, Kendriya Vidyalaya Sangathan and Navodaya Vidyalaya. Apart from

above there are significant numbers of Private/Aided Schools which come under the administrative control of any of the above agencies.

2. Facts emerged during the proceedings.

First hearing in this Suo-motu grievance was held on 15.12.2010. Since then a total of 21 hearings have been held and the last one was held on 23.07.2015 during which directions were issued to the departments to file a comprehensive status report. However, the case could not be taken up since then. As such, it was decided to review the status on the matter of Fire Safety in School Buildings. Accordingly, a meeting of all stakeholders was called on 20.07.2021. However, to the utter surprise of the Commission, it was observed that the status of Fire Safety Certificates with regard to School Buildings in NCT of Delhi has considerably decreased. At the outset, in 2015 out of 5085 Schools in Delhi 3535 Schools had Fire Safety Certificates. But as per status report as filed on 20.07.2021, though the number of Schools have gone up from 5085 to 5596, the number of Schools having Fire Safety Certificates comes down significantly to 2508. In simple words, in 2015, 69.51% Schools had Fire Safety Certificates but in 2021 the percentage of Schools having Fire Safety Certificates comes down to 44.81%. This is certainly a disturbing trend which warrants urgent attention of authorities.

The Commission has been apprised about Writ Petition No. 483 of 2004 titled Avinash Mehrotra Vs. Union of India & Ors. The Commission has been further apprised that Hon'ble Supreme Court of India vide its order dated 14.08.2017 has already disposed of the Writ Petition (C) No. 483 of 2004 and while disposing the Writ Petition Hon'ble Apex Court has laid a number of guidelines and directions while referring the Disaster Management Act, 2005. Some of its directions inter-alia are reproduced hereunder:

- The National Disaster Management Authority (NDMA) formulated the National Disaster Management Guidelines on School Safety Policy in 2016 with a vision of safety of school children. This is a mandatory statutory requirement to be implemented in each of the schools in the country. These guidelines clearly spell out the roles and responsibilities

of different stakeholders for preparing plans, developing capacity, incorporating risk reduction in the syllabus, and improving coordination and synergy at all levels.

- Section 39(a) of The Disaster Management Act, 2005 mandates the departments of state governments to take measures necessary for prevention of disasters, mitigation, preparedness and capacity building in accordance with the guidelines laid down by the National Authority and the State Authority.
- The guidelines on School Safety Policy, 2016 prepared by National Disaster Management Authority are statutory in nature and are statutorily required to be complied with scrupulously without any deviation.
- It shall be the duty of the District Disaster Management Authority constituted under Section 25 of the Act to ensure compliance with the National Disaster Management Guidelines on School Safety Policy, 2016 and to monitor such compliance.
- District Education Officer of each District shall be declared to be a "Nodal Officer" with responsibility, liability and obligation as well as powers and functions to ensure strict compliance with the National Disaster Management Guidelines (School Safety Policy), 2016 within the district of his jurisdiction.
- The District Disaster Management Authority as constituted under Section 25 of the Act shall periodically monitor his functioning and ensure that the District Education Officer as a Nodal Officer discharges his duty for strict adherence and compliance with the directives/guidelines contained in the said policy of 2016.

3. DIRECTIONS:-

As the Hon'ble Supreme Court of India, on the issue of Fire Safety in School buildings has already laid down detailed guidelines and directions while

disposing Writ Petition (C) No. 483 of 2004. Therefore, the Commission feels that no further purpose can be served by keeping the present grievance pending being infructuous. However, before parting with the issue, Commission finds it imperative to re-iterate the directions as issued by Hon'ble Supreme Court of India in Writ Petition (C) No. 483 of 2004 titled Avinash Mehrotra Vs. Union of India & Ors:-

- Before granting recognition or affiliation, the concerned State Governments and UTs are directed to ensure that the buildings are safe and secured from every angle and they are constructed according to the safety norms incorporated in the National Building Code of India.
- All existing government and private schools shall install fire extinguishing equipments within a period of six months.
- The school building be kept free from inflammable and toxic material. If storage is inevitable, they should be stored safely.
- Evaluation of structural aspects of the school may be carried out periodically. We direct that the concerned engineers and officials must strictly follow the National Building Code. The safety certificate be issued only after proper inspection. Dereliction in duty must attract immediate disciplinary action against the concerned officials.
- Necessary training be imparted to the staff and other officials of the school to use the fire extinguishing equipments.

Here, it would not be out of context to mention that the Commission vide its recommendations dated 23.07.2015 has also recommended a number of steps regarding fire safety in School Buildings throughout NCT of Delhi. These guidelines includes conduct of regular fire drills/Mock Drills in Schools, the objective of which was to ascertain deficiencies, if any, and take corrective steps. Such Mock Drills includes ensuring of clear exit routes without obstacles, designated assembly point with proper rows earmarked class wise, head count by respective class teachers, display of signage like "Exit", "Enter", "Emergency

Exit", "Assembly Point" etc. One of the key objective of such fire drills was to reduce evacuation time by less than 5 minutes, so that in case of any eventuality, the damage can be minimize. The Commission had also recommended to appoint a Nodal Officer for each school who will be responsible for regular upkeep and maintainance of fire safety equipments installed in the schools and conduct mock drills in the schools at regular intervals. The Commission vide its order dt. 23.07.2015 also recommended for organization of workshop cum confrence by concerned Dy. Directors of Education in association with PWD, DSIIDC and Delhi Fire Services, in their respective districts.

The Schools run by Delhi Cantonment Board, Kendriya Vidyalaya Sangsthan and New Delhi Municipal Corporation (NDMC) were exempted from further hearing in the case on their undertaking that all the Schools under them are having necessary NOC from Delhi Fire Services. The Commission assumes that these institutions are continuously and vigorously maintain their Fire safety norms in the schools run by them.

Therefore, all the authorities concerned responsible for taking actions/measures for Fire Safety in School Buildings in NCT of Delhi are once again advised to strictly and scrupulously adhere to the directions/guidelines as laid by Hon'ble Supreme Court of India in Writ Petition (C) No. 483 of 2004.

With above observations, the present grievance case is ordered to be closed before this Commission. A copy of this Order is sent to each of the respondent departments for strict compliance.

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(SUDHIR YADAV)
MEMBER(PGC)

Copy to :- 3871 - 3888

22/6/22

1. Chief Secretary, Govt. of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi.

2. Principal Secretary to Hon'ble Lt. Governor of Delhi, Raj Niwas, Delhi -110054 for kind information of Hon'ble Lt. Governor of Delhi.
3. Chairman-cum-Managing Director, DSIIDC, N-Block, Bombay Life Building, Connaught Place, New Delhi-110001.
4. Chairman , NDMC, Palika Kendra, Sansad Marg, New Delhi.
5. Principal Secretary (Home), Govt. of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi.
6. Principal Secretary, PWD, Govt. of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi.
7. Director, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110054.
8. Commissioner, East Delhi Municipal Corporation, 419, FIE, Patparganj Industrial Area, Delhi.
9. Commissioner, South Delhi Municipal Corporation, Civic Centre, Minto Road, New Delhi.
10. Commissioner, North Delhi Municipal Corporation, Civic Centre, Minto Road, New Delhi.
11. Chief Executive Officer, Delhi Cantonment Board, Delhi Cantt., Delhi.
12. Director, Delhi Fire Services, Delhi fire Service, Headquarter, Connaught Lane, Connaught Place, New Delhi-110001.
13. Special Secretary (Home), Govt. of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi.
14. Director (Education), NDMC, Palika Kendra, Sansad Marg, New Delhi.
15. Deputy Commissioner (Academics), Kendriya Vidyalaya Sangathan, HQ, 18 Institutional Area, Shaheed Jeet Singh Marg, New Delhi.
16. Deputy Commissioner, Kendriya Vidyalaya Sangathan, Delhi Region, JNU Campus, New Mehrauli Road, New Delhi-110067.
17. Engineer-in-Chief , PWD, Govt. of NCT of Delhi, 12th Floor, MSO Building, I.P. Estate, New Delhi-110002.
18. Assistant Commissioner (RO), Kendriya Vidyalaya Sangathan, JNU Campus, New Mehrauli Road, New Delhi-110067.