

REGISTERED No. M - 302  
L.-7646

**The Gazette**  **of Pakistan**

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

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**ISLAMABAD, WEDNESDAY, JANUARY 26, 2011**

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**PART II**

**Statutory Notifications (S. R. O.)**

**CAPITAL DEVELOPMENT AUTHORITY  
(Directorate of Coordination)**

**NOTIFICATION**

*Islamabad, the 12th January, 2011*

**S. R. O. 70 (I)/2011.**—In exercise of powers Conferred by Section 51 of Capital Development Authority Ordinance, 1960 (XXIII of 1960) the Authority hereby makes the following Regulations as being necessary:

**THE ISLAMABAD FIRE PREVENTION AND LIFE SAFETY  
REGULATIONS 2010**

Regulations to make more effective provision for the Fire Prevention and Life Safety measures in certain buildings and premises in the Islamabad Capital Territory.

1. **Short title, extent and commencement.**—(1) This regulation may be called the Islamabad Fire Prevention and Life Safety Regulations 2010.

(2) It extends to the whole of the Islamabad Capital Territory.

(205)

*Price : Rs. 05.00*

[70(2011)/Ex. Gaz.]



(3) It shall come into force on such date.....2010 *vide* Notification No..... dated, Gazette of Pakistan, Extraordinary, Part....., Section.....as the Federal Government may, by notification in the Official Gazette, appoint.

2. **Definitions.**—In this Regulation, unless the context otherwise requires,—

- (a) “Administrator” means the Chairman Capital Development Authority appointed by the Federal Government;
- (b) “Appellate Authority” means the Next Higher Authority to the Director Emergency Disaster Management Directorate;
- (c) “building” means any structure or enclosure permanently affixed to the land;
- (d) “building bye-laws” means the bye-laws made under section 51 of Capital Development Authority Ordinance 1960 (XXIII of 1960) including ‘CDA Building Standards for Fire Prevention & Life Safety 2010’.
- (e) “Director Emergency and Disaster Management” means the Director of ‘Emergency and Disaster Management Directorate, Capital Development Authority appointed by the Capital Development Authority established under the Capital Development Authority Ordinance 1960 (XXIII of 1960);
- (f) “Islamabad” means Islamabad Capital Territory
- (g) “Fire Prevention and Life safety measures” means such measures as are necessary in accordance with the “CDA Building Standards for Fire Prevention and Life Safety 2010” for the prevention, control and fighting of fire and for ensuring the safety of life and property in case of fire;
- (h) “authority” means of Capital Development Authority established under Capital Development Authority Ordinance 1960 (XXIII of 1960) , as in force in Islamabad or any other authority under any other law, which may be notified in this behalf by the Administrator with the prior approval of the Federal Government;
- (i) “nominated authority” means an officer not below the rank of a Assistant Fire Officer nominated by the Director Emergency &



Disaster Management, and includes an officer nominated by the authority as a nominated authority for the purpose of these regulations;

- (j) "occupier" means any person who for the time being is occupying the Building.
- (k) "owner" for the purpose of this regulation would be a person who actually own the building himself or on the behalf of any other person or claim any interest or any propriety interest:

Provided where it is not possible to trace the owner the Director (E&DM) shall be entitled to treat the occupier as owner and issue him such directions as he issues to actual owner.

- (l) "premises" means any land or any building or part of a building appurtenant thereto which is used for storing explosives, explosive substances and dangerously inflammable substances.

*Explanation.*—In this clause, "explosive", "explosive substances" and "dangerously inflammable substances" shall have the same meanings, as, assigned to them in the Explosives Act, 1884 (4 of 1884), the Explosives (amd) Ordinance 2002, the Explosive Substances Act, 1908 (5 of 1908), the Explosives Substances (West Pak amd) Ord. 1975 and the Inflammable substances Act, 1952 (20 of 1952).

- (m) "standards" means the CDA Building Standards for Fire Prevention and Life Safety 2010.

**3. Inspection of buildings, premises, etc.—**(1) The nominated authority may, after giving three hours' notice to the occupier, or, if there be no occupier, the notice shall be send to the owner at his available address and in mean time if situation is emergent then building will be inspected without waiting for the dispatch of that notice for ascertaining the adequacy or contravention of fire prevention and Life Safety measures, enter and inspect the said building or premises at any time between sunrise and sunset where such inspection appears necessary:

Provided that the nominated authority may enter into and inspect any building or premises at any time if it appears to it to be expedient and necessary to do so in order to ensure safety of life and property without giving such notice.

(2) The nominated authority shall be provided with all possible assistance by the owner or occupier, as the case may be, of the building or premises for carrying out the inspection under sub-section (1).



(3) When any building or premises as a human dwelling is entered under sub-section (1), due regard shall be paid to the social and religious sentiments of the occupiers; and, before entering any building/ premises in the actual occupancy of any woman, who, according to the custom does not appear in public, under sub-section (1), oral notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.

**4. Measures for fire prevention and Life safety.—**(1) The nominated authority shall, after the completion of the inspection of the building or premises under section 3, record its findings on the deviations from, or the contraventions of, the 'standards' with regard to the Fire Prevention and Life Safety measures and the inadequacy of such measures provided therein with reference to the height of the building or the nature of activities carried on in such building or premises and issue a notice to the owner or occupier of such building or premises directing him to undertake such measures as may be specified in the notice.

(2) The nominated authority shall also give a report of any inspection made by it under section 3 to the Director Emergency and Disaster Management.

(3) In case of construction of new buildings clearance with regards to Fire Prevention and Life Safety measures, shall be required from Directorate of Emergency and Disaster Management, CDA, at the time of approval of building plan as well as at the time of issuance of completion certificate by the authority.

**5. Power to seal buildings or premises.—**(1) Where, on receipt of a report from the nominated authority under sub-section (2) of section 4, it appears to the Director Emergency and Disaster Management that the condition of any building or premises is dangerous as per "CDA building Standards for Fire Prevention and Life Safety 2010", he shall, without prejudice to any action taken under section 4 by order, require the persons in possession or occupation of such building or premises to remove themselves from such building or premises, forthwith.

(2) If an order made by the Director Emergency & Disaster Management under sub-section (1) is not complied with, the Director Emergency & Disaster Management may ask any police officer having jurisdiction in the area to remove such persons from the building or premises and such officer shall comply with such directions in order to save human lives.

(3) After the removal of the persons under sub-section (1) or sub-section (2), as the case may be, the Director Emergency & Disaster Management shall seal the building or premises in the presence of the Magistrate.

(4) No person shall remove such seal except under an order made by the Director Emergency and Disaster Management.



(5) All existing buildings constructed before the promulgation of these regulations shall be under legal obligations to take all measures/install all required equipment with in the meaning of the CDA Building Standards for Fire Prevention & Life Safety 2010 with in the period of Six (06) months.

Provided no separate notice shall be issued to owner or occupier of these buildings in this regard after coming into force of this regulation.

**6. Powers of the Director Emergency and Disaster Management In Case of Default of These Regulations.—**(1) The Director Emergency and Disaster Management shall, in the event of non-compliance of any notice issued, under section 4, take such steps as may be necessary for the compliance of such notice.

(2) All expenses incurred by the Director Emergency & Disaster Management in relation to any steps taken by him under sub-section (1) shall be payable by the owner or occupier on demand and shall, if not paid within ten days after such demand, be recoverable as arrears of land revenue.

**7. Appeals.—**(1) Any person aggrieved by any notice or order of the nominated authority or the Director Emergency & Disaster Management may prefer an appeal against such notice or order to the Appellate Authority (*i.e.* the administrator) within thirty days from date of the notice or order appealed against:

**8. Bar of jurisdiction of courts.—**No court shall entertain any suit, application or other proceeding in respect of any notice or order under this regulation and no such notice or order shall be called in question otherwise than by preferring an appeal under this Regulation.

**9. Penalties.—**Whoever contravenes any provision of this Regulation shall, without prejudice to any other action taken against him under section 6, will be fined with, which may extend to Five Hundred Thousands rupees ( Rs. 500,000), and where the offences is a continuing one, with a further fine which may extend to three thousand rupees for every day after the first during which such offences continues.

**10. Offences by companies.—**(1) Where an offence under this regulation has been committed by a company, every Director of the company including company secretary shall be fined as provided in section 9.

*Explanation.—*For the purposes of this section,—

(a) “company” means a body corporate and includes a firm or other association of individuals; and



(b) "director", in relation to a firm, means a partner in the firm.

11. **Protection of action taken in good faith.**—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Regulation.

12. **Officer to be public servant.**—Every officer acting under the provisions of this Regulation shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code (45 of 1860).

[File No. CDA/E&DM/CDA-BS/2010 (N).]

NADEEM AKBAR MALIK,  
*Secretary CDA Board.*