

**GOVERNMENT OF ANDHRA PRADESH**  
**STATE DISASTER RESPONSE & FIRE SERVICES DEPARTMENT**

**From**

Sri G .V. Narayana Rao, B.E.  
Adv., D.F.E., (NFSC),  
Regional Fire Officer,  
Southern Region, Hyderabad.

**To**

The Secretary,  
Central Board of Secondary Education,  
(CBSE), New Delhi.

**Rc. No.1203/RFO/SR/2015, Dated : 25.08.2015.**

Sub:- A.P. STATE DISASTER RESPONSE & FIRE SERVICES DEPARTMENT - Southern Region - Issue of No Objection Certificate for Occupancy of Existing Non-Multi Storied Educational Building of St. Joseph's English School, D.No.41-144-1, Kotha Peta, Kurnool, Kurnool District - Reg.

- Ref:-
- 1 Section 13(2) of A.P. Fire Services Act, 1999 and Rule 15 (2) of A.P. Fire and Emergency Operations and Levy of Fee Rules, 2006.
  - 2 Chief office Cir Memo.Rc.No.2305/B2/2007,Dated: 02.09.2014
  - 3 Letter from Secretary & Treasurer, St. Joseph's Educational Society, 41/91, Kurnool.
  - 4 This Office Committee Memo. Rc.110/RFO/SR/2014, Dt: 14.07.2014.
  - 5 Inspection Report Rc.No.2352/A2/KNL/2015, Dt:14.08.2015 of the Non-Multi storied Building of inspection Committee of District Fire Officer, Kurnool District.

\* \* \* \* \*

The Management has requested this office for Issue of No-Objection Certificate for Existing Non-Multi Storeyed Educational Building at St. Joseph's English School, D.No.41-144-1, Kotha Peta, Kurnool, Kurnool District (vide reference 3<sup>rd</sup> cited).

2) As per the reference 4<sup>th</sup> cited, the District Level inspection committee comprising with District Fire Officer, Assistant District Fire Officer, Kurnool District, along with Station Fire Officer, Kurnool Fire Station have inspected the Building premises on 13.08.2015 and recommended for the issue of Occupancy No Objection Certificate to St. Joseph's English School, D.No.41-144-1, Kotha Peta, Kurnool, Kurnool District, for constructed a Non-Multistoried Educational Building with Ground + 03 Upper Floors with a height of 14.85Mtrs.,for Educational Occupancy vide reference 5<sup>th</sup> cited the detail report as follows.

3) Particulars of the building:

a)	Address of the Building	St. Joseph's English School, D.No.41-144-1, Kotha Peta, Kurnool, Kurnool District
b)	Area of plot	4642.50 Sq.Mtrs.,
c)	Height of the building	14.85 Mtrs.,
d)	No. of blocks / floors	01 No. / Ground + 03 Upper Floors.

4) Floor wise particulars:

Direction	Open Space required as per G.O.Ms.No.168 M.A. & U.D. Dept., Dt. 07.04.2012	Provided	Deficit
North	06.00 metres.	06.00 Mtrs.	Nil
East	06.00 metres.	07.77 Mtrs.	Nil
South	06.00 metres.	06.09 to 09.90 Mtrs.	Nil
West (F)	04.00 metres.	05.00 Mtrs.	Nil

Contd....2p.

## 5). Floor wise particulars:

Sl.No.	Floor	Floor Area in Sq. Mtrs.,	Occupancy	No. of Students in the Floor.
1.	Ground floor	1339.00	Educational	400
2.	1 <sup>st</sup> floor	1339.00	-Do-	150
3.	2 <sup>nd</sup> floor	1339.00	-Do-	150
4.	3 <sup>rd</sup> floor	1339.00	-Do-	150
	<b>Total</b>	<b>5356.00</b>		

## 6). (a) Means of Escape :

Sl.No.	No. of Staircases	Width in meters	Total Width
1.	Internal 02 Nos.	01.50 Mtrs., X 02 Nos.	03.00 Mtrs.

## (b)

Highest No. of students in a Floor	Width of Staircases required (No. of students divided by 50 = .....)	Aggregate width of Staircases provided	Deficit
150	150/50 = 03.00 Meter	03.00 Mtrs.,	Nil

## 7). Fire Safety Measures:

Sl. No.	Fire Safety Measures	Required as per Table 23 of NBC of India 2005	Provided	Deficiency
1.	Fire Extinguishers	36 Nos.	36 Nos.	--
2.	Hose Reel	08 Nos.	08 Nos.	--
3.	Down Comer	NR	02 Nos.	--
4.	Manually Operated Electrical Alarm System	NR	NR	--
5.	Automatic Sprinkler system in Basement if area of basement exceeds 200 Sq. meters.	N.A	N.A.	--
6.	(a) Terrace Tank capacity 10000 liters (b) Additional 5000 literes if area of basement exceeds 200 Sq. mts.	10,000 Ltrs	20,000 Ltrs	--
7.	One Booster Pump of 450 LPM	01 No. 450 LPM	01 No. 900 LPM	--

8) The Management has remitted Fire Precautionary fee and 10% Statutory fee vide Challan No.30392, Dated 31.07.2015 for Rs.1,56, 400/- at Sub Treasury, Kurnool.

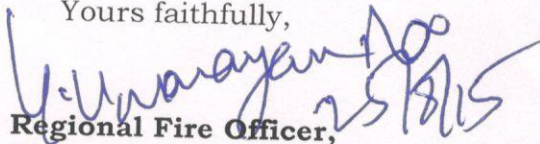
9) The Fire Safety systems were tested by us during the inspection and performance found satisfactory. Therefore, this office **issue of No Objection for Occupancy** clearance to the existing Educational Building **St. Joseph's English School, D.No.41-144-1, Kotha Peta, Kurnool, Kurnool District.**, subject to the following conditions.

i)	All the fire protection arrangements shall be maintained in good repair as seen during inspection.
ii)	All the escape / exit routes shall not be kept locked / blocked or encroached.
iii)	All the occupants must know the correct method of operation of the fire fighting system installed.

iv)	Any loss of life or property due to non-functioning of fire safety measures and other installations shall be the responsibility of the management.
v)	All students / staff members of the institution shall be trained to operate the fire safety equipment during emergency.
vi)	Addition / alteration, if any in the building may be obtained with prior permission from this department.
vii)	Mock drills should be conducted once in 3 months for initial two years. Thereafter, once in every 6 months.

10) The No Objection Certificate for occupancy is valid for a period of One year from the date of issue. It is the responsibility of the owner of the Building to apply for renewal of NOC, duly remitting the User Charges as per G.O. Ms. NO. 71 Home (Prinsion-A) Department, Dated.01-04-2010 two months before expire of this No Objection Certificate and strictly applicable to the buildings show in attested plans with given occupant load only.

Yours faithfully,

  
**Regional Fire Officer,**  
**Southern Region, Hyderabad.**

Copy to the Correspondent/Principal, St. Joseph's English School, D.No.41-144-1, Kotha Peta, Kurnool, Kurnool District.

Copy to the District Fire Officer, Kurnool District along with original Challan & One set plan.

Copy to the Station Fire Officer, Kurnool.

**HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH  
WEDNESDAY, THE SIXTEENTH DAY OF MARCH  
TWO THOUSAND AND SIXTEEN**

:PRESENT:  
**THE HON'BLE SRI JUSTICE SANJAY KUMAR**  
**WPMP.NO:10758 of 2016**  
IN  
**WP.NO:8493 of 2016**

Between:

St. Joseph's English School, represented by its Principal  
Mrs.S.Aiswarya Reddy W/o S.C.Anoop, aged about 35 years, H.No.41-144--1 Kothapet,  
Kurnool, Kurnool District

**...Petitioner**  
(Petitioner in WP 8493 of 2016  
on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Home Department, A.P., Secretariat, Hyderabad.
2. The Director General, A.P.State Disaster Response and Fire Services, Hyderabad.
3. The District Fire Officer, Kurnool District, Kurnool.
4. The Assistant District Fire Officer, O/o District Fire Officer, Kurnool, Kurnool District.

**...Respondents**  
(Respondents in-do-)

**Counsel for the Petitioner : S S.NAGESWARA REDDY**  
**Counsel for the Respondents : GP FOR HOME (AP)**

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the affidavit filed in W.P. the High Court may be pleased to direct the respondents not to insist the petitioner for No Objection Certificate every year pending disposal of the above writ petition;

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

**ORDER:**

**This Court had occasion to consider an identical issue in W.P.No.34677 of 2015 and as no legal basis was cited to justify the insistence on a 'No Objection Certificate' on an annual basis and the collection of amounts therefor, there shall be interim direction as prayed for. However, this order shall not preclude the authorities from resorting to periodic checks to monitor as to whether the educational building is complying with all fire safety norms.**

Sd/- K. SRINIVASA RAO,  
ASSISTANT REGISTRAR

//TRUE COPY//

  
For ASSISTANT REGISTRAR

To

1. The Principal Secretary, Home Department, State of Andhra Pradesh, A.P., Secretariat, Hyderabad.
2. The Director General, A.P.State Disaster Response and Fire Services, Hyderabad.
3. The District Fire Officer, Kurnool District, Kurnool.
4. The Assistant District Fire Officer, O/o District Fire Officer, Kurnool, Kurnool District.(RR 1 to 4 by RPAD)
- ~~5. One CC to Sri S S.NAGESWARAREDDY, Advocate [OPUC]~~
6. Two CCs to GP for Home(AP), High Court at Hyderabad [OUT]
7. One spare copy

tssb



SKJ

DATED: 16-03-2016

WPMP No. 10758 OF 2016  
IN  
WP No. 8493 of 2016

INTERIM DIRECTION



From :  
Sri E.Swamy, MBA (HR).,  
Adv. Dip in Fire Engg(NFSC).,  
Regional Fire Officer,  
Southern Region, A.P., Vijayawada

To:  
The District Educational Officer,  
Kurnool District.

Rc No. 1069/RFO/SR/2019 Dated: 18-10-2019.

Sir,

Sub:- A.P. State Disaster Response and Fire Service Department- Southern Region -Kurnool District- Issue of **No Objection Certificate for Occupancy** to the existing Non - Multi Storied building of M/s St. Joseph's English School, D.No.41/195, N.R. Peta, Kurnool, Kurnool District - Regarding.

Ref: - 1. Circular Memorandum Rc.No.2305/B2/2007, Dt:02.04.2016 of Director General, State Disaster Response and Fire Services, A.P., Hyderabad.  
2) Rc.No.1069/RFO/SR/2019, Dt. 10.10.2019 of the Regional Fire Officer, S.R. Vijayawada.  
3) Inspection report Rc.No.Rc.No.2467/A2/KNL/2019, Dated: 17.10.2019.

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In obedience to the reference 2<sup>nd</sup> cited above, the inspection Committee comprising of District Fire Officer, Kurnool, Assistant District Fire Office, Kurnool and the Station Fire Officer, Kurnool have inspected and scrutinized the plans of existing Non-Multi Storeyed Educational Building of M/s St. Joseph's English School, D.No.41/195, N.R. Peta, Kurnool, Kurnool District on 10-10-2019 and submit the following report.

2). The management stated that the building Ground + 3 Upper floors with a height of 14.60 Mtrs for Educational Occupancy was constructed before the year 2007.

3). Particulars of the building:

a)	Address of the Building	M/s St. Joseph's English School, D.No.41/195, N.R. Peta, Kurnool, Kurnool District
b)	Area of plot / Height of the building	1550.00 Sq.Mtrs. / 14.60 Mtrs.
c)	No. of blocks / floors	01 No. / Ground + 03 Upper Floors
d)	Type of Occupancy	Educational-B1

4). The Management has provided the following open spaces all around the building

Direction	Required	Provided	Deficit	Remarks
North	03.00 Mtrs.	--	03.00 Mtrs.	12 Mts. Public road is available
East	03.00 Mtrs.	02.00 to 04 Mtrs.	01.00 Mtrs.	--
South	03.00 Mtrs.	--	03.00 Mtrs.	--
West (F)	04.00 Mtrs.	03.50 Mtrs.	00.50 Mtrs.	Road available

5). The builder has provided the following Floor wise Occupancy details:

Sl. No.	Floor	Floor Area in Sq. Mtrs.	Occupancy	No. of Occupants as per Table 3 NBC, 2016
1.	Ground floor	819.50	Educational	205
2.	1 <sup>st</sup> floor	628.20	Educational	157
3.	2 <sup>nd</sup> floor	628.20	Educational	157
4.	3 <sup>rd</sup> floor	486.40	Educational	122
	Total	2562.30	--	--

6) The builder has provided the following Means of Escape for the building (Staircases):

Sl. No.	No. of Staircases	Required		Provided		Deficiency (in Meters)
		No	Width in Meters	No	Width in Mtrs	
1.	Internal Staircase	01	01.50	01	01.50	Nil
2.	External Staircase	01	01.50	01	01.20	00.30
	Total:	02	03.00	02	02.70	00.30

7) The Builder provided the following Occupant Load per unit and Exit width as follows

Sl. No.	Floor	Floor Area in Sq. Mtrs.	Occupancy	No. of Occupants	Means of Escap as Required	Provided	Deficit
1.	Ground	819.50	Educational	205	2.05	2.70	Nil
2.	First	628.20	Educational	157	1.57	2.70	Nil
3.	Second	628.20	Educational	157	1.57	2.70	Nil
4.	Third	486.40	Educational	122	1.22	2.70	Nil
Total		2562.30		641			

8) Fire Safety Measures provided by the management as per Table-7 of Part IV NBC, 2016:

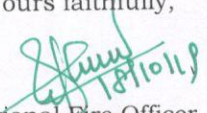
Sl. No.	Fire Safety Measures	Required	Provided	Deficit
1.	Fire Extinguishers	26 Nos.	26 Nos.	Nil
2.	Hose Reel	08 Nos.	08 Nos.	Nil
3.	Terrace Tank	10,000 Ltrs.	10,000 Ltrs.	Nil
4.	Booster Pump 450 LPM	01 No.	01 No.	Nil

9) Basing on the recommendations of the inspection committee, he No Objection Certificate for Occupancy is issued to existing Educational building of M/s St. Joseph's English School, D.No.41/195, N.R. Peta, Kurnool, Kurnool District, subject to the following Conditions:

Sl. No.	As Builder	As Occupant	As Security personnel
1.	All the fire protection arrangements shall be maintained in good repair as seen during inspection.	All the escape / exit roots shall not be kept locked / blocked or encroached.	All the occupants must know the correct method of operation of the fire fighting system installed
2.	Any loss of life or property due to non-functioning of fire safety measures and other installations shall be the responsibilities of the management.	All occupants shall be trained to operate the fire safety equipments during emergency.	Mock drills should be conducted once in 3 months for initial two years. Thereafter, once in every 6 months.
3.	Addition / alteration, if any in the building may be verified by building authority.	Mock drills should be conducted once in 3 months for initial two years. Thereafter, once in every 6 months.	All security personnel shall be trained to operate the fire safety equipments during emergency.
4.	This No Objection Certificate for occupancy is valid for one year from the date of issue of this letter. This is only for Fire Safety Point of View.	Raise the alarm If the fire cannot be controlled, evacuate the area completely at once with nearest safe exit.	Attack the fire using available fire equipment only if you feel capable of controlling it. If not, takes all steps to isolate the area by closing doors and windows.

10) This No objection Certificate for Occupancy is valid for one year from the date of issue of this letter . It is the responsibility of the management to apply for Periodical Occupancy Renewal Certificate, duly remitting the user charges as per G.O.Ms.No.140, Home (Prison-A) Department, Dt: 04.09.2015 two (2) months before expiry of this No Objection Certificate.

Yours faithfully,

  
Regional Fire Officer,  
Southern Region, Vijayawada

Copies to

- The Management of M/s St. Joseph's English School, D.No.41/195, N.R. Peta, Kurnool, Kurnool District.
- The District Fire Officer, Kurnool District.



[ 3206 ]  
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE FOURTEENTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY TWO



**:PRESENT:**

**THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO**  
**WRIT PETITION NO: 35983 OF 2022**

**Between:**

M/s. St. Joseph's English School, D.No.41/195, N.R. Peta, Kurnool, Kurnool District  
518 002.

**...Petitioner**

**AND**

1. State of Andhra Pradesh, Represented by its Principal Secretary, Department of Home, Secretariat Building, Velagapudi, Andhra Pradesh
2. The Director General, State Disaster Response and Fire Services, Near Police Control Room, Governorpet, Vijayawada - 520002.
3. Regional Fire Officer, Southern Region, A.P., Vijayawada
4. The District Education Officer, Kurnool District.
5. District Fire Officer, Kurnool District, Kurnool.

**...Respondents**

Petition is filed under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly in the nature of Writ of Mandamus declaring the actions of the 3<sup>rd</sup> and 5<sup>th</sup> Respondents in insisting upon the Petitioner to take Fire No Objection Certificate every year by paying fee as per G.O.Ms.71 dated 01.04.2010 as illegal, arbitrary, unconstitutional and contrary to Andhra Pradesh Fire Service Act, 1999 and Rules made thereunder and consequently direct the 2<sup>nd</sup> Respondent not to insist upon obtaining NoC every year.

**IA NO: 1 OF 2022 :**

Petition is filed under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents, particularly the 3<sup>rd</sup> and 5<sup>th</sup> Respondents not to insist the petitioner for No Objection Certificate every year pending disposal of WP 35983 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of VARUN BYREDDY Advocate for the Petitioner and of GP FOR HOME for the Respondent Nos.1 to 3 and 5 and of GP FOR EDUCATION for the Respondent No.4, and the Court made the following

**ORDER:**

**“The erstwhile High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh had occasion to consider an**

identical issue in W.P.M.P.No.10771 of 2016 in W.P.No.8504 of 2016 and as no legal basis was cited to justify the insistence on a "No Objection Certificate" on an annual basis and the collection of amounts therefore, there shall be interim direction as prayed for. However, this order shall not preclude the authorities for resorting to periodic checks to monitor as to whether the educational building is complying with all fire safety norm.

Post on 19.11.2022."

SD/- CHITTI JOSEPH  
ASSISTANT REGISTRAR

SECTION OFFICER

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Fo.

To,

1. State of Andhra Pradesh, Represented by its Principal Secretary, Department of Home, Secretariat Building, Velagapudi, Andhra Pradesh
2. The Director General, State Disaster Response and Fire Services, Near Police Control Room, Governorpet, Vijayawada - 520002.
3. Regional Fire Officer, Southern Region, A.P., Vijayawada
4. The District Education Officer, Kurnool District.
5. District Fire Officer, Kurnool District, Kurnool. (by RPAD)
6. One CC to SRI. VARUN BYREDDY Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court Of Andhra Pradesh. [OUT]
8. Two CCs to GP FOR EDUCATION, High Court Of Andhra Pradesh. [OUT]
9. One spare copy

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HIGH COURT

RRR, J

DATED:14/11/2022

POST ON 19.11.2022

ORDER

WP.No.35983 of 2022

INTERIM DIRECTION

