RAPID URBANIZATION V. COMPLIANCE DEFICIT: THE FIRE SAFETY GOVERNANCE IN INDIA

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ABSTRACT

This paper focuses on the key macro and micro factors contributing to the rise of urban fire and disaster tragedies in India. It uses a socio-legal approach to show how rapid urban growth has disconnected from local enforcement and emergency response capabilities. The study evaluates the recent shift from the National Building Code (NBC 2016) to the National Building Construction Standard (NBCS) of May 2026. It argues that the non-mandatory and overlapping safety legislation is a step back from good and sustainable governance. Additionally, the study examines the investment and ground-level problems that aid such a state. To address these risks, this paper recommends a multi-layered policy approach.

India's rapid vertical urbanization has significantly outpaced its safety infrastructure and regulatory oversight. On June 5th, 2026, a fire broke out on the 12th floor of a Noida high-rise building, where the residents fled through smoke-filled corridors, and firefighters arrived within minutes. However, their hoses could not contain the blaze as they stopped at the sixth floor. Even the tallest ladder available with them could not reach the fire, and for several minutes, water sprayed against the building, falling short of the flames. Social media ironically dubbed this incident as "watering the plants", but this is not an isolated incident. The seasonal spike in fire incidents is a painful reminder of a tragic drowning incident that took place in the Rajinder Nagar coaching basement back in July 2024. Investigations pointed to insufficient exits, sealed doors, and illegal construction of extra rooms in the coaching and basements, all of which were not sanctioned by the government. Since then, more incidents have come into light, like the factory fires in India's fire capital, Virudhunagar, which have experienced backto-back explosions that killed over 40 workers, with bodies discovered fused to the benches. Investigations pointed out that such fire incidents, including the recent Malviya Nagar hotel fire, which resulted in 21 deaths, were a result of a fire breaking out in a place lacking

valid clearances, i.e., no valid Fire NOC, blocked exits, and untrained workers.[1] There was also an incident in 2019 where the Anaj Mandi factory caught fire in Delhi, killing 43 workers who were sleeping in an illegal manufacturing unit, which had only one ventilator. But no significant improvement has been made since then, as similar incidents keep repeating. The noncompliance becomes a big concern as even the Supreme Court, in its 2018 verdict, heard a public interest lawsuit that both the Parliament Building and the Supreme Court lacked full fire compliance. Unfortunately, losses due to fires or explosions in cooling units have become a seasonal event in India.[2]

The motive of mentioning these recent incidents is to reveal a critical gap in India's building safety measures, which marks a result of a decade of deregulation, underfunding, and deliberate neglect. This means that there exists safety legislation, but it is systematically undermined by non-compliance, i.e., construction of illegal spaces, blocked exits, absence of fire safety systems, poor ventilation, depleting AQI standards (*which exacerbate indoor heat retention and strain cooling systems, indirectly increasing fire risks*), along with insufficient disaster-mitigating measures and infrastructure. And these are just an understatement of the current picture.

The Law in Force

The safety legislation in India comprises a network of overlapping regulations, with the primary legislation being the National Building Code of 2016 (*now replaced with NBCS*) and related standards, such as IS 871 for structural loads and relevant ventilation standards under NBC Part Eight.[2] The key provisions included multiple exits, pressurised enclosure structures, ventilation, lighting, and occupancy limits that should exist in a building. For instance, the NBC Part Three required that ventilation openings should be provided in a building, such as windows and ventilators, which should cover at least 6% of the floor area, according to the climate conditions, to ensure fresh air and light. NBC Part Four on fire and life safety requires fire-related stairs, alarms, and sprinklers in high-risk buildings. Part eight outlined ventilation rates, specifying 20 to 30 cubic meters of fresh air per person to reduce odours, including a dedicated vent area according to the perimeter requirement of an industrial building; while

[1] https://timesofindia.indiatimes.com/city/delhi/nocs-missing-safety-onus-on-you/articleshow/125842536.cms [2] https://www.livelaw.in/several-buildings-including-sc-and-parliament-not-fire-safe-petition-filed-in-sc-noticeissued-read-petition

[2] National Building Code of India, vol-I Part 1, (2016) *now replaced by National Building Construction Standards, 2026.*

hospitals and laboratories have additional medical gas and oxygen standards under the IS codes. However, even if the Code specifies safety guidelines, their implementation is voluntary, meaning that states can implement them through their own bylaws and norms. And when there exist no compulsory rules, only a handful follow. In most cases, the building premises are kept cool or breezy through an internal cooling mechanism, using mechanical air conditioning units, without meeting any emergency ventilation requirements. So there exists a serious problem of non-compliance with the existing rules; it appears as if the builders, contractors, and owners evade such safety protocols. In May 2026, the NBC 2016 was replaced by the new National Building Construction Standard (NBCS), which has loosened the fire safety compliance threshold, exempting buildings under 24 meters from mandatory fire provisions. This change has effectively raised the bar for mandatory safety from the previous 15 meters, with thousands of mid-rise buildings left out of the new regime, and making fire safety somewhat advisory.[3] Meanwhile, many older Acts and bye-laws still follow a similar line to the NBC 2016, such as the Delhi Building and State Fire Acts, and the Uttar Pradesh Act 2016. Such implementation has created a mismatch of safety norms, leading to inconsistent compliance. This leads to weak, informal enforcement and compliance, which has contributed to such tragedies.

However, even strong legislation is ineffective without the infrastructure to enforce it. This leads us to India's severely underfunded disaster response system.

India's Investment and Disaster Response Infrastructure

Another problem here is India's disaster response infrastructure, which is unable to handle unforeseen future events. The main reason why fire-related incidents keep happening, regardless of the media outrage or authorities' crackdowns, is that in an evolving disaster-prone region, there exists no significant disaster-resilient infrastructure that can catch up to it. The Noida fire incident highlighted that the issue extends beyond existing codes and involves a lack of proper mitigation measures and funding. Most fire departments still use equipment designed for low-rise buildings, even though this incident has highlighted that aerial ladder platforms reaching up to 50 meters are rare outside a few major cities. The biggest indicator of such underfunding is that, in NCT Delhi, with approximately 23 million people, there are only 3 aerial ladders and 10 water pumps.[4] Moreover, India's Disaster Management Grants have

[3] National Building Construction Standards, SP 7:2026, (2026).
[4] Appliances and Specifications, Department of Delhi Fire Service, https://dfs.delhi.gov.in/dfs/appliances-andspecifications (last visited June 23, 2026).

dropped by 15.8%, falling from a Revised Estimate of Rs 33,515 crore in 2025-26 to a Budgeted Estimate of Rs 28,216 crore for 2026-27, which contrasts with other countries, such as Japan or China.[5]

While cities grow at a relatively high rate, firefighting capacity increases by perhaps a relatively small amount. And this is not a gap, as fire services fall in the state jurisdiction, so the union government cannot enforce a uniform code. So, while this statement is constitutionally accurate, it also serves as a convenient shield against accountability. The state fire departments' official website lists only a small number of appliances and equipment specifications available with them. This only shows that most of the states show little interest in investing in modern equipment, and municipalities show even less interest in enforcing basic bylaws.

The Ground Level Problems

The foremost reason why, even after many tragedies, India is unable to tap into disaster-resilient infrastructure is the builder-politician nexus.[6] That is, a building is sanctioned for three or four floors, but there are six existing; a basement is approved for parking, but becomes a library; fire NOCs are obtained without ensuring compliance with building safety norms. The omnipresent problem here is that safety is treated as an 'option' that is left to the executives' adoption, and in places where safety practices are recognised as voluntary, the public's safety is left in the hands of municipal authorities, contractors, and builders. This has resulted in deincentivising the safety norms of the public, leading to fake clearances and insufficient routine checks. In such a situation, when accountability does come, it usually occurs after a disaster rather than being preventive. Today, action is reactive, rather than preventive. As a result, violations go unpunished until the tragedy strikes, and the pattern repeats itself.

This has resulted in fragmented accountability. Fire services are a state subject, building bylaws are municipal, and disaster management is a central subject. No single authority has the mandate to ensure safety, and every authority can point fingers at the others. There seems to be no checks and balances with respect to the safety procedures that are being followed in India,

[5] PRSIndia, Union Budget Analysis 2026-27 (2026), https://prsindia.org/files/budget/budget_parliament/2026/Union_Budget_Analysis-2026-27.pdf.

[6] PTI, *Delhi: MCD Demolishes, Partially Razes 26 Properties in Crackdown Against Non-Compliance*, ETREALTY (Jun. 9, 2026, 8:20 AM), https://realty.economictimes.indiatimes.com/news/infrastructure/delhimcds-major-crackdown-demolishes-26-illegal-properties-in-wake-of-fire-safety-tragedy/131600084.

and in the midst of this, the builders continue to work unchecked, using shortcuts and lowquality materials.[7] Although the recent spike in fire tragedies in Delhi has prompted a crackdown, with authorities now focusing on raiding and demolishing sites that are not in compliance with NBC norms. The demolition drives do prove that it is possible to enforce the new rules with political will and public awareness. But such enthusiasm needs to continue as the norm and not as an exception.

Another problem is public indifference. Building occupants rarely demand safety certificates. Renters, shoppers, and workers are often unaware of violations or afraid to complain. Only after a disaster do residents protest, or the media shine a spotlight. Community-level fire drills are almost non-existent. As the general perception, public priorities remain misaligned: aesthetic improvements often come before essential safety devices like smoke detectors, which are much cheaper than interior finishes.[8] This suggests that the general public would rather avoid the estimated cost of fire safety procedures. An additional problem enters the picture, which is underestimating the side effects of rapid urbanization in an already overcrowded place.[9] Along with topping overcrowding, urbanization leads to rapid industrialisation, deforestation, and the need for increased land for residential or industrial premises. The cities that were once breathable now have balconies encroached to that extent that the front house neighbours can literally shake hands with one another. This has resulted in poor ventilation from the structures that were supposed to help with the heat, and as outside temperatures soar, it results in the 24/7 usage of air conditioners. This leads to increasing indoor heat and CFC levels in the environment. So, in such a situation, the overuse of a machine that has not been kept in tip-top condition, resulting in a building fire, is entirely predictable.

The Way Forward

One must realise that the estimated cost of having a working and installed anti-fire system is small compared to the loss that can take place in the absence of disaster-resilient infrastructure and measures. To mitigate further disasters, especially fire incidents, the article highlights the need for standardised changes in the existing safety legislation in India, with the first being to

[7] Rajendra Kumar Barjatya v. U.P. Avas Evam Vikas Parishad (2024) INSC 990 (India).
[8] Saloni Pathak, *Fire Safety Can't Be an Afterthought: Essential Measures Every Builder Must Prioritise to Ensure Safety in Apartments*, TIMES OF INDIA (Jun. 8, 2026, 2:39 PM), https://timesofindia.indiatimes.com/realestate/news/fire-safety-cant-be-an-afterthought-essential-measures-every-builder-must-prioritise-to-ensuresafety-in-apartments/articleshow/131583618.cms.
[9] Rajagopal Kannan, *Modern-Day Fire Protection Arrangements in Indian Urban Homes: The Role of Regulations*, 7 INT ' L J. MULTIDISCIPLINARY RES. (2025).

immediately make the fire safety provisions mandatory. It further recommended that the height of the threshold be reinstated to a 15-meter threshold as under NBC, 2016. So basically, the first recommendation is to make voluntary fire safety provisions strict and mandatory. Second is to establish a national mission to upgrade the firefighting infrastructure. This would mean investing in disaster-resilient infrastructure and methods, and filling vacancies to increase the firefighting workforce in India. Every building, and every city that has high-rise buildings, say 15 meters or so, must be equipped to deal with the worst-case scenario, which in such a case would mean evacuating and curbing a disaster as effectively and efficiently as possible. Fire brigades should have at least one aerial ladder platform capable of reaching 50 meters. Cities should also invest in high-pressure water systems for high-rise buildings, dedicated fire lifts, and mandatory helipads for tall towers. The state fire department must be equipped to deal with fire emergencies as per the estimated population in their neighbourhood (e.g., IS9668 recommends water for firefighting shall be provided at the scale of 1800-1/min for every 50000 population and additional for above)[10] and the type of residential buildings (whether high-rise or low-rise, within a tight space or not, etc.). Furthermore, residents, building contractors, and the public must realise that making the building premises disaster resilient is a step towards sustainability and risk mitigation. The estimated cost is high,[11] yet it is tiny compared to the economic and human losses from a single major tower. The third recommendation is to implement independent third-party safety audits that can happen alongside annual inspections by municipal officials. Unannounced inspections from approved private agencies and heavy penalties that are criminal and not just financial would ensure better regulation. Delhi's recent efforts to demolish illegal construction and seal non-compliant basements are a step in the right direction, but it should become routine rather than reactive. So, the fourth recommendation is to tie insurance and financing to the compliance. Buildings that pass the safety audit should receive a lower insurance premium, while those without a valid Fire NOC should be uninsurable or face high premiums. This would incentivise compliance through banks, which can enforce fire safety norms and NOCs by not offering home and commercial loans for buildings lacking life safety systems. However, to ensure that such steps are carried out effectively, and not circumvented by fake clearances, efforts are needed from all three spheres- the governmental (with strict implementation, investment, and proper execution), the private

[10] Bureau of Indian Standards, IS 9668: 1990, Provision and Maintenance of Water Supplies for Fire Fighting — Code of Practice (1st rev. 1990), 4.1.2 https://www.cracindia.in/admin/uploads/IS-9668.pdf.
[11] *How Much Does Fire Safety Services Cost in 2025?* S&IB SERVICES (last visited Jun. 25, 2026), https://www.sibservices.in/fire-safety-services-cost/.

sector (due diligence and compliance) and the public (through awareness and community empowerment). Empowering communities is the foundation of this whole structure. It is for the apartment owners' association, schools, and coaching centres to be legally required to conduct quarterly fire drills and first response training. Subsidized low-cost smoke alarms should be available, and citizens must also understand that the fire NOC is not just a formality; it is a matter of life and death.

The Cost of Waiting

One good thing that came out of the Noida fire incident is that there were no casualties. The Tamil Nadu factory explosion or the Lucknow coaching fire incident did not. Each time, it is promised that an investigation or a crackdown will be there, but the above highlighted problems can never be curbed with temporary measures. This is not a problem with technology. It is a problem with political will, public demand, and a system that has made safety an option rather than a right. We can keep watering the plants, or we can finally invest in saving lives. The choice is clear: either keep doing post-tragedy rituals or create a system where safety is a guaranteed right, not an expense that can be negotiated.