

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th July 2017 and is hereby published for general information:—

ACT No. 29 OF 2017.

An Act to amend the Tamil Nadu Lifts Act, 1997.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-eighth Year of the Republic of India as follows:—

Tamil Nadu
Act 35 of
1997.

1. (1) This Act may be called the Tamil Nadu Lifts (Amendment) Act, 2017. Short title and commencement.
(2) It shall come into force on such date as the State Government may, by notification, appoint.
2. In the long title to the Tamil Nadu Lifts Act, 1997 (hereinafter referred to as the principal Act), for the expression "Lifts and all machinery", the expression "Lifts, Escalators and all machinery" shall be substituted. Amendment of long title.
3. In section 1 of the principal Act, in sub-section (1), for the expression "Lifts", the expression "Lifts and Escalators" shall be substituted. Amendment of section 1.
4. In section 2 of the principal Act,— Amendment of section 2.
(1) for clause (a), the following clauses shall be substituted, namely:—
(a) "competent person" means the person or company authorised by the Chief Inspector under sub-section (1) of section 10;
(aa) "escalator" means a power driven inclined continuous stairway used for raising or lowering passengers;
(aaa) "Government" means the State Government";
(2) in clause (b), for the expression "Inspector of Lifts", the expression "Inspector of Lifts and Escalators" shall be substituted;
(3) in clause (h), in sub-clause (iv), for the expression "a lift", the expression "a lift or an escalator" shall be substituted.
5. In section 3 of the principal Act, in the marginal heading, for the expression "Inspector of Lifts", the expression "Inspector of Lifts and Escalators" shall be substituted. Amendment of section 3.
6. In section 4 of the principal Act,— Amendment of section 4.
(1) in the marginal heading, for the expression "lift", the expression "lift and escalator" shall be substituted;
(2) in sub-section (1), for the expression "a lift", the expression "a lift or an escalator" shall be substituted;
(3) in sub-section (2),—
(a) for the expression "a lift", the expression "a lift or an escalator" shall be substituted;
(b) for the expression "such fee not exceeding one thousand rupees as may be prescribed", the expression "such fee as may be prescribed" shall be substituted;
(c) in clauses (a) and (b), for the expression "lift", the expression "lift or escalator" shall be substituted;
(d) for clauses (i) and (j), the following clauses shall be substituted, namely:—
(i) the details, as may be prescribed, of the construction of the overhead arrangement with the weight and sizes of the beams;
(j) the angle of inclination for an escalator;
(k) the details of handrails, steps treads, landing, combplates, trusses or girders and step wheel tracks in escalator;

- (l) the rated load in kilograms on escalator;
- (m) the factor of safety based on the static loads in the lift or escalator; and
- (n) such other particulars as may be prescribed.”;

(4) in sub-section (4), for the expression “lift”, the expression “lift or escalator” shall be substituted.

Amendment of section 5.

7. In section 5 of the principal Act,—

(1) in the marginal heading, for the expression “lift”, the expression “lift and escalator” shall be substituted;

(2) in sub-section (1), for the expression “lift”, the expression “lift or escalator” shall be substituted;

(3) in sub-section (2), for the expression “such fee not exceeding one thousand rupees as may be prescribed”, the expression “such fee as may be prescribed” shall be substituted;

(4) in sub-section (5),—

(a) for the expression “period of one year”, the expression “period of three years” shall be substituted;

(b) for the expression “renewable yearly”, the expression “renewable for every three years” shall be substituted.

Amendment of section 6.

8. In section 6 of the principal Act,—

(1) in the marginal heading, for the expression “lifts”, the expression “lifts and escalators” shall be substituted;

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

“(2-A) Every owner of a place in which an escalator has been erected and is being worked immediately before the date of the commencement of the Tamil Nadu Lifts (Amendment) Act, 2017 (hereafter in this sub-section referred to as the date of commencement of the Act) may continue the working of such escalator for a period of two months from the date of commencement of the Act and such escalators shall not continue the working after the expiry of a period of two months from the date of commencement of the Act, unless he obtains a licence under section 5 in respect of such escalator.”;

(3) in sub-section (3),—

(a) for the expression “sub-section (2)”, the expression “sub-section (2) or sub-section (2-A)” shall be substituted;

(b) for the expression “such fee not exceeding one thousand rupees as may be prescribed”, the expression “such fee as may be prescribed” shall be substituted.

Amendment of section 8.

9. In section 8 of the principal Act, in sub-section (1), in clause (iv), for the expression “lift”, the expression “lift or escalator” shall be substituted.

Amendment of section 9.

10. In section 9 of the principal Act,—

(1) in the marginal heading, for the expression “lift”, the expression “lift and escalator” shall be substituted;

(2) for the expression “lift”, the expression “lift or escalator” shall be substituted.

Substitution of section 10.

11. For section 10 of the principal Act, the following section shall be substituted, namely :—

“10. *Erection, maintenance, inspection and test of lift and escalator installation to be entrusted to competent person.*— (1) The Chief Inspector may authorise, any person or company for the purpose of carrying out erection, maintenance, inspection and test of a lift or an escalator, on such terms and conditions as may be prescribed.

(2) Every application for authorisation under sub-section (1) shall be made to the Chief Inspector in such form as may be prescribed and shall be accompanied by such fee as may be prescribed.

(3) No person shall be authorised under sub-section (1), unless he fulfills such qualifications and other requirements, as may be prescribed.

Explanation.— For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals whether registered or not;

(b) “Chief Inspector” means the Chief Electrical Inspector to Government.

12. In section 11 of the principal Act,—

(1) in sub-section (1),—

(a) for the expression “a lift”, the expression “a lift or an escalator” shall be substituted;

(b) for the expression “lift”, the expression “lift or escalator” shall be substituted;

(c) for the expression “purpose of inspecting the site, the erection of lift or the lift installation”, the expression “purpose of inspecting the site, the erection or the installation of lift or escalator” shall be substituted;

(2) in sub-section (2), for the expression “lift”, in three places where it occurs, the expression “lift or escalator” shall be substituted;

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

“(2-A) Any lift or escalator in respect of which a direction issued under sub-section (2), has not been carried out, such lift or escalator, in case the same is found being used, shall be ordered to be stopped forthwith and sealed by the Inspector.”;

(4) in sub-section (3), for the expression “sub-section (2)”, the expression “sub-section (2) or sub-section (2-A)” shall be substituted;

(5) in sub-section (4), for the expression “a lift”, the expression “a lift or an escalator” shall be substituted.

13. In section 12 of the principal Act, for the expression “lift”, the expression “lift or escalator” shall be substituted.

14. In section 13 of the principal Act,—

(1) for the expression “lift”, in three places where it occurs, the expression “lift or escalator” shall be substituted;

(2) for the expression “Madurai or Coimbatore”, the expression “Madurai, Coimbatore, Salem, Tiruchirappalli, Tirunelveli or Tiruppur” shall be substituted.

15. In section 22 of the principal Act, in sub-section (2),—

(1) in clauses (a), (b) and (c), for the expression “lifts”, the expression “lifts and escalators” shall be substituted;

(2) in clause (d), for the expression “lift”, in two places where it occurs, the expression “lift and escalator” shall be substituted;

(3) for clause (f), the following clauses shall be substituted, namely:—

“(f) the terms and conditions and restrictions subject to which and the form in which the licence may be granted for the working of a lift and an escalator;

(ff) the fees to be paid in respect of an application for permission under section 4 and the fees to be paid in respect of an application for licence under sections 5 and 6 and the fees to be paid in respect of an application for authorization under section 10; which fees may be different for different classes of lifts and escalators, and the manner in which such fees shall be paid;”;

(4) in clause (g), for the expression “lifts”, the expression “lifts and escalators” shall be substituted.

Amendment of
section 11.

Amendment of
section 12.

Amendment of
section 13.

Amendment of
section 22.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government-in-charge,
Law Department.