



भारत सरकार / Government of India

सरकारी राजपत्र OFFICIAL GAZETTE

संघ प्रदेश दादरा एवं नगर हवेली तथा दमण एवं दीव प्रशासन
U.T. ADMINISTRATION OF DADRA AND NAGAR HAVELI AND
DAMAN AND DIU

असाधारण EXTRAORDINARY

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U.T. Administration of Dadra and Nagar Haveli
and Daman and Diu
Department of Law and Justice
Vidyut Bhawan, Nani Daman

NOTIFICATION

No. LAW/U.T. Merge (4) /Adapt. State Law/2022/66

Dated: 30/03/2022

In exercise of the powers conferred by section 19 of the Dadra and Nagar Haveli and Daman and Diu (Merger of Union Territories) Act, 2019 (44 of 2019) and in pursuance of the Dadra and Nagar Haveli and Daman and Diu (Adaptation of Central Law, State Laws and Presidential Regulations) Orders, dated 18th January, 2022 a copy of “**The Gujarat Lifts, Escalators and Moving Walks Act, 2000 (Guj. Act 4 of 2000)** (as adapted to the Union territory of Dadra and Nagar Haveli and Daman and Diu” dated 22/03/2022 is hereby publish in the Official Gazette of this Union territory of Dadra and Nagar Haveli and Daman and Diu for implementation and for general information.

Sd/—
(Rohit P.Yadav)
Secretary Law
Dadra and Nagar Haveli and
Daman and Diu

THE GUJARAT ¹[LIFTS, ESCALATORS AND MOVING WALKS] ACT, 2000² [(AS ADAPTED TO THE UNION TERRITORY OF DADRA AND NAGAR HAVELI AND DAMAN AND DIU)]

Guj. Act 4 of 2000

AN ACT

to consolidate law relating to regulation of the construction, maintenance and safe operating of ³[Lifts, Escalators and Moving Walks] and the machinery and apparatus pertaining thereto in the ⁴[Union Territory of Dadra and Nagar Haveli and Daman and Diu].

It is hereby enacted in the Fifty-first Year of the Republic of India as follows:-

1. Short title, extent and commencement.-

- (1) This Act may be called the Gujarat ⁵[Lifts, Escalators and Moving Walks] Act, 2000 ⁶[(as adapted to the Union Territory of Dadra and Nagar Haveli and Daman and Diu)].
- (2) It extends to the whole of the ⁷[Union Territory of Dadra and Nagar Haveli and Daman and Diu].
- (3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. Definitions.- In this Act, unless the context otherwise requires,—

- (a) "Baluster" means a short pillar slender above and bulging below;
- (b) "Balustrade" means a row of balusters meant for supporting moving handrails;
- (c) "Chief Inspector" and "Inspector" means respectively the person appointed to be the Chief Inspector of ⁸[Lifts, Escalators and Moving Walks] and the Inspector of ⁹[Lifts, Escalators and Moving Walks] under sub-section (1) of section 15;

¹Substituted for the words "Lifts and Escalators", by the Dadra and Nagar Haveli and Daman and Diu (Adaptation of State Law) Third Order, dated 18th January, 2022 hereinafter referred to as the (Adaptation of State Law) Third Order, 2022.

²Inserted by the (Adaptation of State Law) Third Order, 2022

³Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁴Substituted for the words "State of Gujarat" by the (Adaptation of State Law) Third Order, 2022

⁵Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁶Inserted by the (Adaptation of State Law) Third Order, 2022

⁷Substituted for the words "State of Gujarat", by the (Adaptation of State Law) Third Order, 2022

⁸Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

- (d) "comb plate" means a pronged plate that forms part of an escalator landing and engages with the cleats of the steps at the limits of travel;
- (e) "escalator" means a power driven inclined continuous stairway used for raising or lowering passengers;
- (f) "escalator installation" includes the escalator, the track, the trusses or girders, the balustrading, the step treads and landings and all chains, wires and plants directly connected with the operation of the escalator;
- (g) "licence" means a licence granted under section 4;
- (h) "lift" means an appliance designed to transport persons or materials between two or more levels in a vertical or substantially vertical direction by means of a guided car or platform;
- (i) "lift car" means the load carrying unit with its floor or platform car frame and enclosing body work;
- (j) "lift installation" includes the lift car, the lift way, the lift way enclosure and the operating mechanism of the lift and all ropes, cables, wires and plant, directly connected with the operation of the lift;
- ¹⁰[(j) "moving walk" means a power-driven installation for the conveyance of persons or passengers in which the user carrying surface remains parallel to its direction of motion and is uninterrupted (e.g., pallets, belt);]
- (k) "power" means any form of energy which is not generated by human or animal agency;
- (l) "prescribed" means prescribed by rules;
- (m) "rated speed" means the speed at which the lift or escalator or moving walk is designed to operate;
- (n) "rules" means rules made under this Act
- (o) ¹¹["State Government" means the Union territory Administration of Dadra and Nagar Haveli and Daman and Diu headed by the Administrator appointed by the President under article 239 of the Constitution.]

¹⁰Inserted by the (Adaptation of State Law) Third Order, 2022

¹¹Inserted by the (Adaptation of State Law) Third Order, 2022

3. Permission to erect lift or escalator or moving walk.- (1) Every owner of a place intending to install a ¹²[Lift or Escalator or Moving Walk] in such place after the commencement of this Act, shall make an application in such form as may be prescribed, to such officer as the State Government may authorize in this behalf, for permission to erect such lift or escalator or moving walk. Such application shall specify-

- (a) the type of the ¹³[Lift or Escalator or Moving Walk];
- (b) the rated maximum speed of the lift or the speed at which the escalator is designed to operate;
- (c) the maker's or designer's rated capacity in weight;
- (d) the maximum number of passengers in addition to the lift operator which the lift can carry;
- (e) the total weight of the lift car carrying the maximum load;
- (f) the weight of the counter weight of the lift;
- (g) the number, description, weight and size of the supporting cables of the ¹⁴[Lift or Escalator or Moving Walk];
- (h) the depth of the pit from the lowest part of the car when at the lowest floor of lift;
- (i) such details of the construction of the overhead arrangement with the weights and size of the beams for the lift, as may be prescribed;
- (j) angle of inclination for escalator;
- (k) type of balustrading in escalator;
- (l) the width between balustrades in escalator;
- (m) details of handrails, steps treads, landing, comb plates, trusses or girders and step wheel tracks in escalator;
- (n) the rated load in Kilogram's on escalator;
- (o) the factor of safety based on the static loads in the ¹⁵[Lift or Escalator or Moving Walk]; and
- (p) such other particulars as may be prescribed.

(2) On receipt of an application under sub-section(1), the officer authorised under this section shall, after making such inquiry and requiring the applicant to furnish such information as may be necessary, forward the application with his remarks to the Chief Inspector. The Chief Inspector may there upon either grant or refuse the permission to erect lift or escalator or moving walk. The permission so granted shall be valid for a period of six months from the date on which it is granted or for such further period not exceeding six months as may be allowed by the Chief Inspector for sufficient reasons.

¹²Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

¹³Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

¹⁴Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

¹⁵Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

(3) On grant of permission under sub-section (2), the owner shall get his ¹⁶[Lifts or Escalators or Moving Walks] erected by a person authorised under section 13.

4. Licence to use ¹⁷[Lift or Escalator or Moving Walk].- (1) The owner who is permitted to install a lift or escalator or moving walk under section 3 shall, within one month after the completion of erection of such lift or escalator, make an application to such officer as the State Government may authorize in this behalf, for a licence for operating the lift or an escalator or moving walk.

(2) An application for licence made under sub-section (1) shall be in such form and accompanied by such fees as may be prescribed.

(3) On receipt of an application under sub-section (1), such officer may, after making such inquiry as may be necessary, forward the application with his remarks to the Chief Inspector.

(4) If the Chief Inspector is satisfied that the applicant has complied with the requirements of the provisions of this Act, he may grant the licence to use lift or escalator or moving walk in such form and on such terms and conditions as may be prescribed: Provided that where the Chief Inspector refuses to grant the licence, he shall give a reasonable opportunity of being heard to the applicant.

(5) The owner who has been granted licence under sub-section (4) shall get his ¹⁸[Lift or Escalator or Moving Walk] maintained by a person authorized under section 13.

5. Application for licence in case of existing ¹⁹[Lifts, Escalators and Moving Walks].- (1) Notwithstanding anything contained in sections 3 and 4, every owner of a place in which a ²⁰[Lift or Escalator or Moving Walk] has been installed before the date of the commencement of this Act shall, within three months from such date apply for a licence for operating of such lift or escalator or moving walk.

(2) The provisions of sub-sections (2) and (3) of section 4 shall, as far as may be, apply to such application.

6. Duration and renewal of licence.-(1) Every licence shall be valid for a period of ²¹[twenty] years from the date on which it is granted.

¹⁶Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

¹⁷Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

¹⁸Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

¹⁹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

²⁰Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

²¹Substituted the word for "three", by the (Adaptation of State Law) Third Order, 2022

(2) A licence may be renewed²²[for five years at a time]on an application made in that behalf to the Chief Inspector in such form and accompanied by such fee as may be prescribed along with the report made under section 16 and every such application shall be made not less than thirty days before the date on which the period of validity of the licence is due to expire.

²³[(3) The Inspector (Lifts) may impose certain condition including major modernization to the lift or escalator installation, if necessary, for safety improvements in the lift or escalator before granting renewal of license.]

²⁴**6A. Alternate power supply system.-** The owner shall make arrangements to provide for alternative automatic power supply system to ensure the functioning of the lift in the event of breakdown of power supply within a period of thirty seconds.]

7. ²⁵**[Lift or Escalator or Moving Walk] not to be operated without licence.-** No ²⁶[Lift or Escalator or Moving Walk] shall be operated except under and in conformity with the terms and conditions of the licence granted in respect of the same.

8. **Suspension or cancellation of licence.-** If the licensee has contravened any of the provisions of the Act or rules or any of the conditions of the licence or directions given to him, the Chief Inspector may, after giving a reasonable opportunity of being heard, suspend the licence for such period as he thinks fit or cancel it.

9. **Addition and alterations to lift or escalator or moving walk installation.-** No additions or alterations other than those required to be made under sub-section (2) of section 10 shall be made to any ²⁷[Lift or Escalator or Moving Walk] installation except with the previous permission in writing of an officer authorized in this behalf by the State Government.

²⁸**9A. Code of Practice.-** (1) Save as otherwise provided in this Act, the relevant Code of Practice of Bureau of Indian Standards shall be followed to carry out the purposes of this Act, and in the event of any inconsistency, the provisions of this Act and the rules made there under shall prevail.

(2) The specifications for lift and escalator and moving walk and the material and apparatus used therein shall conform to the relevant specifications of the Bureau of Indian Standards where such specifications have already been laid down or the rules made therefore.

²²Inserted by the (Adaptation of State Law) Third Order, 2022

²³Inserted by the (Adaptation of State Law) Third Order, 2022

²⁴Inserted by the (Adaptation of State Law) Third Order, 2022

²⁵Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

²⁶Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

²⁷Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

²⁸Inserted by the (Adaptation of State Law) Third Order, 2022

(3) The number of lift and escalator and moving walk to be installed in a premises and the spacing between them shall be as per the relevant Code of Practice of Bureau of Indian Standards or the National Building Code.]

10. Right to enter any building for inspection of ²⁹[Lifts or Escalators or Moving Walks] and installation.- (1) An officer authorized in this behalf by the State Government or a person authorized under section 13 may, at any time after giving a reasonable notice to the occupant, enter upon any building in which a ³⁰[Lift or Escalator or Moving Walks] is installed or is being installed or in connection with which an application has been made for licence, for the purpose of inspecting the ³¹[Lifts or Escalator or Moving Walk] or ³²[Lift or Escalator or Moving Walk] installation or the site thereof.

(2) The officer, on such inspection, or on the basis of report made under sub-section (3) of section 16 is of the opinion that any ³³[Lift or Escalator or Moving Walk] in any building is in unsafe condition, he may direct by an order to the owner of the building or his agent appointed under sub-section (2) of section 14 to make such repairs or alterations to be made to such ³⁴[Lift or Escalator or Moving Walk] as he may deem necessary, within the time specified therein and may also if necessary, order the use of such ³⁵[Lift or Escalator or Moving Walk] to be discontinued until such repairs or alterations are made or such unsafe condition is removed. The owner or, as the case may be, his agent shall thereupon comply with the order within the period specified therein and shall forthwith report in writing to the officer of having so complied with.

³⁶**10A. Power of State Government to grant exemption.-** The State Government may, direct, in writing that any of the provisions of this Act be exempted subject to such conditions as it may be prescribed.

10B. Delegation of powers by the Government.- The State Government may, by notification in the Official Gazette, delegate any of the powers conferred on it by or under this Act to such person as it deem fit.]

11. Appeal.- (1) Any person aggrieved by an order of the Chief Inspector made under sub-section (4) of section 4 or section 8, may within thirty days from the date of such order, appeal to the State Government.

²⁹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

³⁰Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

³¹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

³²Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

³³Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

³⁴Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

³⁵Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

³⁶Inserted by the (Adaptation of State Law) Third Order, 2022

(2) Any person aggrieved by an order of the officer made under sub-section (2) of section 10, may within thirty days from the date of such order, appeal to the Chief Inspector.

(3) Any person aggrieved by an order of the Chief Inspector made under sub-section (2), may within thirty days from the date of such order, appeal to the State Government.

(4) An Appellate Authority may pass such order on appeal as it deems just and proper.

(5) The order made by the Chief Inspector on appeal, shall be subject to the appeal to the State Government, and the decision of the State Government on appeal shall be final and shall not be called in question in any Court.

(6) Notwithstanding any appeal made under this section, any order to discontinue the use of lift or escalator or moving walk made by the officer under sub-section (2) of section 10 shall be complied with unless the Appellate Authority has suspended such order.

12. Owner to give facilities for inspection.-The owner of a building in which a ³⁷[Lift or Escalator or Moving Walk] is installed or his agent appointed under sub-section (2) of section 14 shall afford all reasonable facilities to the officer or a person authorized under section 13 for inspecting a ³⁸[Lift or Escalator or Moving Walk] under sections 10 and 16 and whenever ordered to do so by the officer shall, at his own cost, procure at such inspection the attendance of the person, if any, with whom he has entered into a contract for the erection or maintenance of the ³⁹[Lift or Escalator or Moving Walk] (being a person authorized under section 13 for the work of erection or maintenance of a ⁴⁰[Lift or Escalator or Moving Walk]) or a representative of such person who is competent to assist the officer in inspecting the ⁴¹[Lift or Escalator or Moving Walk].

13. Authorization to a person for erection, maintenance, inspection and test.- (1) The Chief Inspector may authorize a person for the purpose of carrying out erection, maintenance, inspection and test of ⁴²[Lift or Escalator or Moving Walk].

(2) The manner, terms and conditions and the fees for authorization under sub-section (1) shall be such as may be prescribed.

(3) No person shall be authorized under sub-section (1) unless he fulfils

³⁷Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

³⁸Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

³⁹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁴⁰Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁴¹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁴²Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

qualifications and such other requirements as may be prescribed.

14. Report of accidents and inquiries.- (1) Where any accident occurs in the operation of any ⁴³[Lift or Escalator or Moving Walk] which results or is likely to have resulted in loss of human life or injury to any person, the owner of the building in which the ⁴⁴[Lift or Escalator or Moving Walk] is working or if such owner has appointed an agent and has communicated his name to the Inspector under sub-section (3), such agent, shall as soon as may be after such accident, give notice in such form and in such manner as may be prescribed, with full details of the accident to the Inspector and ⁴⁵[***] to the District Magistrate or such other officer as the State Government may, by order, specify and the ⁴⁶[Lift or Escalator or Moving Walk] installation shall not be interfered with in any manner and the working of such ⁴⁷[Lift or Escalator or Moving Walk] shall not be resumed except with the written permission of the officer authorized in this behalf by the State Government.

(2) For the purposes of sub-section (1), the owner of every building in which a ⁴⁸[Lift or Escalator or Moving Walk] has been installed, or in the case where such owner does not reside in such building, an agent (who shall be a resident in the town or village in which the building is situate) appointed by the owner, shall give notice of any accident occurring in the operation of the ⁴⁹[Lift or Escalator or Moving Walk].

(3) The name of every agent appointed under sub-section (2) shall be communicated in writing to the Inspector.

(4) The State Government may authorize the Inspector or any other competent person appointed in this behalf, to inquire and report-

(a) as to the cause of any accident affecting the safety of the persons which may have been occasioned by, or in connection with, the ⁵⁰[Lift or Escalator or Moving Walk] installation, or

(b) as to the manner in, and extent to, which the provisions of this Act or the rules made thereunder so far as those provisions affect the safety of any person, have been complied with.

(5) Every Inspector or other person holding an inquiry under sub-section (4) shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908) for the purpose of enforcing the attendance of witness and compelling the production of documents and material objects; and every person required by an

⁴³Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁴⁴Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁴⁵Omitted "also in the area for which a Commissioner of Police has been appointed, to the Commissioner of Police and elsewhere" by the (Adaptation of State Law) Third Order, 2022

⁴⁶Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁴⁷Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁴⁸Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁴⁹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁵⁰Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

Inspector or such other person as aforesaid to furnish any information shall be deemed to be legally bound to do so within the meaning of section 176 of the Indian Penal Code (XLV of 1860).

⁵¹[14A. Intimation about closure of a lift or escalator.-If any lift or escalator installed in a premises, gets decommissioned, an intimation about this shall be given by the owner of the lift or escalator, as the case may be, to the officer authorized by in this behalf, as soon as possible but not later than three months.]

15. Appointment of Chief Inspector, Inspectors and Assistant Inspectors of ⁵²[Lifts, Escalators and Moving Walks].- (1) The State Government may, by notification in the *Official Gazette*, appoint persons ⁵³[possessing such qualifications as may be prescribed by the State Government] to be

- (a) the Chief Inspector of ⁵⁴[Lifts, Escalators and Moving Walks];
- (b) the inspector of ⁵⁵[Lifts, Escalators and Moving Walks].

(2) The Chief Inspector so appointed shall, in addition to the powers conferred on him under this Act, exercise the powers of an Inspector throughout the ⁵⁶[Union Territory of Dadra and Nagar Haveli and Daman and Diu].

(3) Every Inspector so appointed shall exercise the powers and perform the functions of the Inspector under this Act within such areas or in respect of such class of ⁵⁷[Lift or Escalator or Moving Walk] installations and subject to such restrictions as the State Government may direct.

(4) The State Government may, by notification in the *Official Gazette*, appoint persons ⁵⁸[possessing such qualifications as may be prescribed by the State Government] to be the Assistant Inspector of ⁵⁹[Lifts, Escalators and Moving Walks].

16. Inspection of ⁶⁰[Lifts, Escalators and Moving Walks] and charging of fees.-(1)
Every lift or escalator-

- (a) shall be inspected by the officer authorised in this behalf by the State Government,-

⁵¹Inserted by the (Adaptation of State Law) Third Order, 2022

⁵²Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁵³Substituted for the words, figures and expressions "duly qualified as Electrical Inspector under the Indian Electricity Act, 1910 (9 of 1910)" by the (Adaptation of State Law) Third Order, 2022

⁵⁴Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁵⁵Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁵⁶Substituted for the words "State" by the (Adaptation of State Law) Third Order, 2022

⁵⁷Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁵⁸Substituted for the words, figures and expressions "duly qualified as Electrical Inspector under the Indian Electricity Act, 1910 (9 of 1910)" by the (Adaptation of State Law) Third Order, 2022

⁵⁹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁶⁰Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

- (i) before the grant of a licence under section 4; and
 - (ii) in every three years from the date of grant of licence;
- (b) may be inspected by such officer to check up compliance with the order made under sub-section (2) of section 10, if necessary.

(2) Notwithstanding anything contained in sub-section (1), the owner of a building in which a ⁶¹[Lift or Escalator or Moving Walk] is installed, shall get his ⁶²[Lifts or Escalators or Moving Walks] inspected and tested by a person authorized under section 13 at an interval of every six months from the date of grant of licence under section 4 and shall submit such inspection and test report to the Chief Inspector.

(3) The officer authorized under clause (a) of sub-section (1) and the person who has inspected and tested the ⁶³[Lift or Escalator or Moving Walk] under sub-section (2) shall submit their report to the Chief Inspector in such form as may be prescribed.

(4) The fee as may be prescribed shall be paid by the owner of the building in which the ⁶⁴[Lift or Escalator or Moving Walk] is installed for each inspection under sub-section (1) and such fee shall be inclusive of the fee for the inspection of electrical installation attached to the ⁶⁵[Lift or Escalator or Moving Walk] installation. The fee shall be paid within such period and in such manner as may be prescribed.

(5) Where the owner or any person liable to pay fee under this section does not pay the same within the prescribed period, there shall be paid by such owner for the period commencing immediately after the prescribed period and ending on the date of payment of fees, simple interest at the rate of twenty-four per cent per annum on the amount of fees not so paid.

17. Recovery of fees, etc.- All sums payable as fees or interest under this Act shall be recoverable as arrears of land revenue.

⁶⁶[17A. Sealing.- (1) Any lift or escalator or moving walk in respect of which a direction issued under this Act has not been carried out to the satisfaction of the Inspector of Lifts, Escalators and Moving Walks, such Lift or Escalator or Moving Walk, as the case may be, if found being used may be ordered to be sealed by the Inspector of Lifts, Escalators and Moving Walks.

(2) An appeal against an order under sub-section (1) shall lie to the State Government whose decision thereon shall be final.

⁶¹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁶²Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁶³Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁶⁴Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁶⁵Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁶⁶Inserted by the (Adaptation of State Law) Third Order, 2022

17B. Insurance.- The owner shall, after the completion of the erection of such lift or escalator or moving walk, ensure third party insurance so as to cover the risk of passengers using such lift or escalator or moving walk..

17C. Log book and reporting.- The owner shall maintain a log book for each lift or escalator or moving walk and enter therein the details of operation, break-down (other than failure in electrical supply) and accident, if any. These log books may be inspected by the Inspector (Lifts) as and when he so desires.

17D. Life span.- A lift or escalator installed in the premises may be replaced by the owner of the lift or escalator or moving walk, after the period of twenty years of its installation or as directed by the Inspector of Lifts, Escalators and Moving Walks under section 7.

17E. Concurrent liability.- The lift or escalator or moving walk erection or maintenance company, as the case may be, may also be prosecuted and held liable for punishment under this Act in case an accident occurs in the lift or escalator or moving walk, due to malfunctioning of any of the safety provisions of the lift or escalator, if attributable to such lift or escalator erection or maintenance company.]

18. Penalty.- Whoever contravenes any of the provisions of this Act, rules or the conditions of a licence or a direction given by the Chief inspector or the inspector under this Act or the rules shall, on conviction, be punishable with fine not exceeding five thousand rupees and, in the case of continuing contravention, with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

⁶⁷[**18A. Penalty not to affect other liabilities.-** Save as provided in this Act, the penalties imposed under this Act shall be in addition to, and not in derogation of, any criminal or civil liability under any other law for the time being in force which the offender may have incurred.]

19. Offences by companies.- (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed, was in-charge of and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

⁶⁷Inserted by the (Adaptation of State Law) Third Order, 2022

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary, or other officer of the company, such director, manager, secretary, or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.- For the purpose of this section, -

- (a) "company" means any 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.

20. Cognizance of offences.-⁶⁸[(1)] No court shall take cognizance of any offence under this Act except with the previous sanction of the Chief Inspector or the State Government⁶⁹[or such officer, not below the rank of the Inspector of Lifts, Escalators and Moving Walks as the State Government may authorize in this behalf.]

⁷⁰[(2)] The Court not below the rank of the Judicial Magistrate First Class shall try all offences punishable under this Act.]

21. Service of notices, orders or documents.-(1) Every notice, order or document by or under this Act required or authorized to be addressed to any person may be served by post or left,-

- (a) where a local authority is the addressee, at the office of the local authority,
- (b) where a company is the addressee, at the registered office of the company or in the event of the registered office of the company not being in India, at the head office of the company in India,
- (c) where any other person is the addressee, at the usual or last known place of abode or business of the person.

(2) Every notice, order or document by or under this Act required or authorized to be addressed to the owner or the agent of the owner or the occupant of any premises shall be deemed to be properly addressed, if addressed by the description of the "owner" or "agent of the owner" or "occupant" of the premises (naming the premises) and may be served by delivering it or a true copy thereof, to some person on the premises or, if there is no person on the premises to whom the same can with reasonable diligence be delivered, by affixing it on some conspicuous part of the premises.

⁶⁸Renumbered by the (Adaptation of State Law) Third Order, 2022

⁶⁹Inserted by the (Adaptation of State Law) Third Order, 2022

⁷⁰Inserted by the (Adaptation of State Law) Third Order, 2022

- 22. Protection for acts done in good faith.-** No suit, prosecution or other legal proceedings shall be instituted against any officer for anything which is in good faith done, or intended to be done under this Act or the rules or orders made thereunder.
- 23. Application of Act to ⁷¹[Lift or Escalator or Moving Walk] belonging to Government.-** In the application of the provisions of this Act to ⁷²[Lift or Escalator or Moving Walk] installed by the Government, the provisions of this Act shall be deemed to have been adopted or modified to the extent specified in the Schedule.
- 24. Power to make rules.-** (1) The State Government may, by notification in the *Official Gazette*, make rules to carry out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-
- (a) the specifications for ⁷³[Lifts, Escalators and Moving Walks];
 - (b) the manner in which erection plans of ⁷⁴[Lifts, Escalators and Moving Walks] shall be submitted;
 - (c) the manner in which the ⁷⁵[Lifts, Escalators and Moving Walks] may be tested;
 - (d) the form of application for permission to erect a ⁷⁶[Lift or Escalator or Moving Walk] under sub-section (1) of section 3;
 - (e) details of the construction of the overhead arrangement with the weights and sizes of the beams under item (i) of sub-section (1) of section 3;
 - (f) other particulars which the application for permission to erect a ⁷⁷[Lift or Escalator or Moving Walk] shall specify under item (u) of sub-section (1) of section 3;
 - (g) the form in which an application for licence shall be made and the fee which shall accompany such application under sub-section (2) of section 4;
 - (h) the form in which and the terms and conditions on which the licence may be granted for the working of a lift or an escalator under sub-section (4) of section 4;
 - (i) the form in which an application for renewal of licence shall be made and the fee which shall accompany such application under sub-section (2) of section 6;
 - (j) the form of notice to be given under sub-section (1) of section 10;
 - (k) the form in which an application for obtaining authorization shall be made and the fee and the particulars which shall accompany such application under sub-section (2) of section 13.
 - (l) the qualifications and other requirements for obtaining authorization

⁷¹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁷²Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁷³Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁷⁴Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁷⁵Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁷⁶Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

⁷⁷Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022

- under sub-section (3) of section 13;
- (m) the form and the manner in which notice of accident shall be given under sub-section (1) of section 14;
- ⁷⁸[(ma) qualifications of the person for appointment as the Chief Inspector of Lifts, Escalators and Moving Walks, the Inspector of Lifts, Escalators and Moving Walks and the Assistant Inspector of Lifts, Escalators and Moving Walks under sub-sections (1) and (4) of section 15;]
- (n) the rate of fee which shall be charged for inspection of every lift or escalator or moving walk and the period within which and the manner in which such fee shall be paid under sub-section (4) of section 16;
- (o) any other matter which is to be, or may be, prescribed.

⁷⁹[(3)***

(4)***]

25. Provisions of Indian Electricity Act not affected.- Nothing contained in this Act shall affect the provisions of the Indian Electricity Act, 1910 (IX of 1910) or any rules made thereunder.

⁸⁰[26. ***]

By order and in the name of the
Administrator of U.T. of Dadra &
Nagar Haveli and Daman & Diu.

Secretariat,
Daman.

Dated: 22nd February, 2022

Sd/-
(Rohit P. Yadav)
Law Secretary
Department of Law & Justice

⁷⁸Inserted by the (Adaptation of State Law) Third Order, 2022

⁷⁹Omitted “(3) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made and shall be subject to rescission by the State Legislature or to such modification as the State Legislature may make during the session in which they are so laid or the session immediately following”. by the (Adaptation of State Law) Third Order, 2022

(4) Any rescission or modification so made by the State Legislature shall be published in the Official Gazette and shall thereupon take effect.” by the (Adaptation of State Law) Third Order, 2022

⁸⁰Omitted “26. Repeal and savings.- On the commencement of this Act, the Bombay Lifts Act, 1939 in its application to the State of Gujarat, shall stand repealed:

Provided that such repeal shall not affect the previous operation of the said Act and anything done or action taken (including any appointment or delegation made, application or other document filed, licence granted, inquiry or inspection made, notification or notice issued, rule made, proceeding instituted, fees recovered or penalty imposed) by or under the provisions of the said Act, shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act, and shall continue in force unless and until superseded by anything done or any action taken under this Act.” by the (Adaptation of State Law) Third Order, 2022

SCHEDULE
(See section 23)

(1) In section 5, in sub-section (1), for the words "every owner", the words "every Government Officer-in-charge" shall be substituted.

(2) In section 14, in sub-section (2),-

(i) for the words beginning with the words "the owner of every building" and ending with the words "in such building", the following shall be substituted, namely :-

"for every building in which a ⁸¹[Lift or Escalator or Moving Walk] has been installed by Government, the Government or";

(ii) for the words "appointed by the owner" the words "appointed by the Government" shall be substituted.

(3) In section 21, in-sub-section (1), for clause (a), the following shall be substituted, namely:-

"(a) where Government is the addressee, at the office of the agent appointed by Government under sub-section (2) of section 14".

⁸¹Substituted for the words "Lifts and Escalators", by the (Adaptation of State Law) Third Order, 2022
