

No. 64(2)/LXXIX-V-1-2024-1-ka-5-2024

Dated Lucknow, February 26, 2024

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Lift Aur Escalator Adhiniyam, 2024 (Uttar Pradesh Adhiniyam Sankhya 4 of 2024) as passed by the Uttar Pradesh Legislature and assented to by the Governor on February 26, 2024. The Urja Anubhag-3, is administratively concerned with the said Adhiniyam.

THE UTTAR PRADESH LIFTS AND ESCALATORS ACT, 2024

(U.P. Act no. 4 of 2024)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

*to provide for the registration and regulation of the construction, installation, maintenance and safe working of lifts and escalators and all machinery and apparatus pertaining thereto in the State of Uttar Pradesh and for matters connected therewith and incidental thereto .*

IT IS HEREBY enacted in the Seventy-fifth Year of the Republic of India as follows: -

Short title and  
extent

1. (1) This Act may be called the Uttar Pradesh Lifts and Escalators Act, 2024.

(2) It extends to whole of the State of Uttar Pradesh.

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

- (a) "AMC" means Annual Maintenance Contract;
- (b) "Automatic Rescue Device" or "ARD" means a device that operates automatically in case of failure or loss of power supply to move the lift car to a landing and open the landing and lift cage doors simultaneously;
- (c) "Baluster" means a short pillar slender above and bulging below;
- (d) "Balustrade" means a part of escalator or moving walk which ensures the users safely by providing stability, protecting from moving parts and supporting the handrail. It also means barricades on top of the elevator car to prevent fall hazard;
- (e) "Combplate" means a pronged plate that forms part of an escalator landing and engages with the cleats of the steps at the limits of travel;
- (f) "Director, Electrical Safety" means Director of Electrical Safety, Government of Uttar Pradesh and shall include Additional Director of Electrical Safety and Joint Director of Electrical Safety authorized by him;
- (g) "District Magistrate" means the District Magistrate having jurisdiction;
- (h) "Divisional Commissioner" means Divisional Commissioner of a Revenue Division having jurisdiction;
- (i) "Escalator" means a moving inclined continuous stairway or runway used for raising or lowering passengers which is worked by power;
- (j) "Escalator Installation" means an installation which includes the escalator, the operating mechanism, the track, the trusses or girders, the balustrades, the step treads and landings and all chains, wires and plants directly connected with the operation of the escalator;
- (k) "Government" means the Government of the State of Uttar Pradesh;
- (l) "Lift" means a hoisting and lowering mechanism equipped with a cage which moves in an upward and downward direction, and is worked by power and is designed or is actually used to carry passengers or goods or both excluding the hoists or lifts which are covered under the Factories Act, 1948 (Act no. 63 of 1948);
- (m) "Lift Cage" means the car or cage of a lift used for the conveyance of passengers or goods or both;
- (n) "Lift Installations" include the lift cage, the lift way, the lift way enclosure, and the operating mechanism of the lift and all ropes, cables, wires, safety provisions and plant and machinery connected with the operation of the lift;
- (o) "Lift Way" means the shaft or hoist way in which the lift cage travels;



(p) "Lift Way Enclosure" includes any substantial structure surrounding or enclosing the lift way;

(q) "Inspector" means Electrical Inspector nominated by Government of Uttar Pradesh ;

(r) "Owner" means a person or body of persons or a body corporate who owns or operates or maintains lift, escalator or moving walk and shall include his authorized agent for this behalf;

(s) "Passenger" means any person who uses the lift or escalator for the purpose of the conveyance;

**Explanation :-** For the purpose of this clause , a lift operator shall also be deemed to be a passenger;

(t) "Power" means any form of energy which is not generated by human or animal agency;

(u) "Premises" means any structure, whether temporary or permanent, where a lift or escalator is installed;

(v) "Prescribed" means prescribed by rules made under this Act;

(w) "Private Premise" means someone's own residential house, having one basement floor, ground floor and two floors above ground floor , used by his own self or by his family members ;

(x) "Public Premise" means all premise which are not "Private Premise" ;

(y) "Rated Speed" means the speed at which the lift or escalator is designed to operate;

(z) "Rules" means rules made under this Act;

(aa) "Secretary in Power Department in Government of Uttar Pradesh" means senior most amongst Additional Chief Secretary or Principal Secretary or Secretary in Power Department in Government of Uttar Pradesh;

(ab) "Section" means a section of this Act;

(ac) "State" means the State of Uttar Pradesh .

Registration by  
owner to erect  
lift or escalator

3. (1) Every owner of a place intending to install a lift or an escalator in any premise after the commencement of this Act, shall make an application in such form as may be prescribed giving full details or information as prescribed, to such officers as the Government may authorize in this behalf.

(2) On receipt of an application under sub section (1), the officer authorized under this section shall register it and a registration number shall be generated to be shared with the applicant.

(3) Applications for "Private Premise" and "Public Premise" shall be registered separately.

(4) After registration, the owner shall get his lift or escalator erected by a person authorized under section 11.

Intimation on  
completion of  
commissioning  
and before use of  
lift or escalator

4. The owner who has registered to install a lift or escalator under section 3 shall intimate the completion of commissioning, before use of lift or escalator, to such officers as the Government may authorize in this behalf on a prescribed format for the purpose along with a fee as may be prescribed ;

Provided that for the lifts or escalators commissioned in Government premises, no fee shall be charged.

5. The owner who has registered under section 3 and has completed commissioning of the lift or escalator and intimated the same under section 4, shall ensure the following:-

Maintenance  
of lift or  
escalator

(a) he shall ensure that the lift or escalator in his premise is maintained on a regular periodic interval. He shall compulsorily take comprehensive AMC from the OEM (Original Equipment Manufacturer) or his authorized service provider registered under section 11 ;

(b) he shall submit every year a copy of the AMC for his lift or escalator or any other arrangement made for the maintenance of lifts and escalators to such officers as the Government may authorize in this behalf on a prescribed format :

Provided that for the lifts or escalators commissioned in private premises, the owner shall not be required to submit the copy of the AMC every year ;

(c) he shall ensure that the lift or escalator is maintained by the competent person or agency authorized under section 11 at least on monthly basis ;

(d) he shall take a fitness certificate from the AMC technical team every time the technical team visits for maintenance or attending to any fault and the entry to this effect shall be made by the AMC technical team in the logbook for periodic maintenance ;

(e) he shall also ensure that any technical fault coming up during day-to-day operations , are attended promptly. Till such technical fault is attended, it shall be obligatory on part of the owner to place a visible display for "NOT IN USE" of the lift or escalator ;

(f) A logbook of periodic maintenance shall be maintained and displayed near lift or escalator installed in Public Premise and the same shall be produced when asked by any such officers as the Government may authorize in this behalf ;

(g) A mock drill exercise shall be taken up at least twice in a year by the owner or his authorized person for safe exit of passengers trapped inside the lift in case of an emergency.

6. The owner shall ensure the provision of installation of an automatic rescue device in the lift to rescue the travelling passengers trapped inside, in case of any breakdown. The device shall be such that the lift reaches at the nearest landing floor and keeping the landing and cage doors open. There shall be adequate light in the lift and two-way communication system to be used by the passenger and emergency bell inside the lift to be used in case of any emergency. There shall be a display of instructions for the passengers about how to use the emergency provisions in the lift :

Safety of  
passenger

Provided that CCTV camera shall be installed in all lifts installed in public premises.

7. In case of Public Premise, the owner shall take insurance mandatorily to cater adequately to any accidents or mishaps during operations of the lift or escalator to cover the risk of passengers using such lift or escalator and the amount payable to the deceased or injured must be commensurate to the norms prescribed by the Government :

Insurance

Provided that for the lifts or escalators commissioned in Government premises, no insurance shall be required.



Compliance of various codes for building, electrical-mechanical installation and lift or escalator

8. Save as otherwise provided in this Act, the relevant code of practice with respect to building in which the lift or escalator is to be installed, the lift and escalator itself, any other electrical or mechanical apparatus and installations and any other code of relevance, shall be adhered to. The lifts and escalators in public premises shall be disabled-friendly.

Duration of registration

9. (1) Every registration shall be valid for a period of whole life of the lift or escalator as ascertained by the manufacturer.

(2) In case any alteration or addition is made to an existing lift or escalator, fresh registration shall be mandatory.

(3) In case any lift or escalator installed is shifted to some other premise, fresh registration shall be mandatory.

(4) The period of registration for installations under sub-sections (2) and (3) of this section shall be valid for the fresh life span of the lift or escalator as ascertained by the manufacturer after alteration or addition or shifting.

(5) A lift or escalator installed in the premises shall be uninstalled by the owner of the lift or escalator on expiry of life span of the lift or escalator specified by the manufacturer.

Registration in case of existing lifts and escalators

10. (1) Notwithstanding anything contained in sections 3 and 4, every owner of a place in which a lift or an escalator has been installed prior to the commencement of this Act, shall, within six months from the date of the commencement of this Act, apply to such officers as the Government may authorize in this behalf for registration for operating such lifts or escalators on a prescribed format along with prescribed fee.

(2) The other provisions of this Act shall be applicable on these lifts and escalators. In case any modifications or alterations are required in the lift or escalator to meet out the provisions of this Act, it shall be completed within thirty months from the date of commencement of this Act. Till then, no punitive action shall be taken for such lifts and escalators which are covered under section 10.

Registration of manufacturer, commissioning and installing agency, agency involved in AMC

11. (1) All manufacturers, commissioning and installing agencies and agencies involved for AMC shall get them registered with such officers as the Government may authorize in this behalf.

(2) They shall have to apply for such registration on a prescribed format and along with prescribed fee.

(3) The desired qualifications for them shall be as prescribed by the Government.

(4) In case of any complaint or any information regarding non-compliance of the provisions of the Act or rules made thereunder, such officers as the Government may authorize in this behalf, may give a show cause notice to the manufacturer or commissioning and installing agency or agency involved for AMC. After giving due opportunity of hearing, if the officer finds non-compliance of the provisions of the Act or rules made thereunder he shall cancel his registration.



12. (1) In case of any accident during operation of a lift or escalator resulting into loss of or injury to human or animal life, it shall be obligatory on the part of the owner or any other person duly authorized by owner for the purpose to inform the District Magistrate and in-charge of Police Station having jurisdiction or any other such officers as the Government may authorize in this behalf without any delay but not later than 24 hours of the occurrence of the accident.

Report of accidents and inquiries thereof

(2) In case of an accident under section 12 (1), the lift or escalator installation shall not be interfered with in any manner except for the rescue operation and the working of such lift or escalator shall not be resumed except with the prior written permission of the District Magistrate who shall give permission only after taking a technical report from Electrical Inspector having jurisdiction.

(3) A separate logbook of accidental history shall be maintained and displayed near lift or escalator installed in Public Premise and the same shall be produced when asked by any such officers as the Government may authorize in this behalf.

(4) In case of any accident under section 12 (1), the District Magistrate shall require any Electrical Inspector and an Executive Magistrate, jointly, to inquire and report,—

(a) as to the cause of any accident affecting the safety of the public, which may have been occasioned by or in connection with the installation, operation and maintenance of lift or escalator; 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.

The District Magistrate, while ordering the inquiry, shall indicate a period within which the report shall be submitted.

(5) Every Electrical Inspector and Executive Magistrate holding an inquiry under sub section (4) of this section shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908 (Act no. 5 of 1908), for the purpose of enforcing the attendance of witness and compelling the production of documents and the material objects, and every person required by an Electrical Inspector or such other person who are legally bound to do so within the meaning of section 176 of Indian Penal Code, 1860 (Act no. 45 of 1860).

(6) The inquiry shall be concluded as expeditiously as possible, but not later than the time-limit indicated by District Magistrate and the Inquiry Report shall be submitted to the District Magistrate.

(7) Financial compensation shall be paid to the family of the deceased or to the person injured or his legal guardian, in case of a minor, in case of accident under section 12 (1) in the manner as may be prescribed by the Government for the purpose, by the owner not later than the period prescribed since submission of inquiry report. Owner may recover the compensation partly or fully from anyone found responsible for the accident in the inquiry report or any insurance claim.

(8) The District Magistrate shall ensure that due compensation is paid to the family of the deceased or to the person injured in the accident under section 12 (1) as expeditiously as possible, but not later than the time-limit indicated by District Magistrate. In case of any delay or failure to pay compensation by the owner, the District Magistrate shall use coercive provisions as done for the recovery as arrears of land revenue.



Right to enter  
any building for  
inspection of  
lift or escalator

13. (1) In case of any complaint or any information regarding non-compliance of the provisions of the Act or rules made thereunder, any Electrical Inspector having jurisdiction and Executive Magistrate authorized by District Magistrate may enter any building for inspection of lift or escalator under commissioning or installed in public premises with prior permission of District Magistrate.

(2) Any Electrical Inspector and Executive Magistrate authorized by District Magistrate under sub-section (1) shall have all powers as mentioned in section 12(5) of the Act.

(3) A detailed report of the findings after inspection shall be submitted to the District Magistrate as expeditiously as possible, but not later than the time-limit indicated by District Magistrate.

(4) Based on the report, the District Magistrate shall issue directions to the owner to rectify the reported findings relating to non-compliance of the provisions of the Act and rules made thereunder. The owner or any person authorized by owner for the purpose shall comply these directions and report compliance to the District Magistrate as expeditiously as possible, but not later than the time-limit indicated by District Magistrate.

**Explanation:** In case the non-compliance is of serious nature endangering human safety, the District Magistrate shall order and the owner shall ensure that the lift or escalator shall not be in operation till it is rectified.

(5) Non-compliance of the directions under sub - section (4) shall lead to penal action under this Act.

Recovery of  
Dues

14. All sum payable as fees or interest or compensation or any other dues under this Act shall be recoverable as arrears of the land revenue.

Late Fees

15. A late fee shall be charged to the owner in case he violates any timeline prescribed under this Act or rules made thereunder as prescribed.

Protection  
for acts done  
in good faith

16. No suit, prosecution or other legal proceedings shall be instituted against any office for anything which is done in good faith, or intended to be done under this Act or the rules or the order made thereunder.

Service of  
notices, orders  
or documents

17. (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 through electronic mode 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 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.

18. (1) Appeals against the orders passed by District Magistrate shall lie to the Appeals Divisional Commissioners having jurisdiction.

(2) Appeals against the orders passed by Director, Electrical Safety shall lie to an officer designated by Secretary in Power Department in Government of Uttar Pradesh not below the rank of Special Secretary.

19. The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act. Power to make rules

20. The State Government may, by notification in the Official Gazette, exempt any premise from adhering to the provisions of this Act or rules made thereunder : Power to exempt certain premises

Provided that due justification shall be given in the notification for exempting such premise and it will be done exceptionally.

21. In the application of the provision of this Act to lifts or escalators installed in any premise situated in Uttar Pradesh belonging to any Government or Semi-Government or Public Sector Undertakings, the provisions of this Act shall be modified to the extent specified in the Schedule. Application of Act to lifts or escalators installed in Government premises

22. Nothing contained in this Act shall affect the provisions of the Electricity Act, 2003 (Act no. 36 of 2003) or any rules made thereunder. Saving Clause

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SCHEDULE  
(See section 21)

1	In sub-section (1) of section 3, for the words "every owners", the words "every Government Officer-in-charge" shall be substituted.
2	In sub-section (1) of section 12, for the words "the owner or any other person duly authorized by owner for the purpose", the words "every Government Officer-in-charge or any other officer duly authorized by him" shall be substituted .
3	In sub-section (1) (a) of section 17, for the words "where a local authority is the addressee, at the office of the local authority", the words "where government is addressee, at the office of the officer-in-charge" shall be substituted .



## STATEMENT OF OBJECTS AND REASONS

Due to rapidly increasing urbanization, industrial growth and proliferation of multi-storey buildings in Uttar Pradesh, the use of lifts and escalators is increasing among people in public as well as private premises. With the increasing use of lifts and escalators in the State, accidents related to them are also increasing. In the absence of an enactment pertaining to lifts and escalators in the state, there is no effective control on the lifts and escalators installed in multi-storied buildings and building owners are operating lifts and escalators arbitrarily without following any safety rules. Due to non-use of safety devices in lifts installed by builders in multi-storey buildings, complaints are being made by the allottees to the concerned development authority and other forums.

Lifts and escalators are frequently used by the general public including elderly persons, children and persons with disabilities. Their safety, while using lifts and escalators is of utmost importance. With this objective in mind, it is required to be strictly ensured that the manufacturing, construction, quality, built-in safety features, installation, operation and maintenance of lifts and escalators is in adherence to the relevant codes and procedures.

In view of the above, it has been decided to make a law to provide for the registration and regulation of the construction, installation, maintenance and safe working of lifts and escalators and all machinery and apparatus pertaining thereto in the State of Uttar Pradesh and for matters connected therewith and incidental thereto.

The Uttar Pradesh Lifts and Escalators Bill, 2024 is introduced, accordingly.

By order,

ATUL SRIVASTAVA,

*Pramukh Sachiv.*

पी०एस०यू०पी०-ए०पी० 1140 राजपत्र-2024-(3161)-599 प्रतियां (डी०टी०पी०/ऑफसेट)।  
पी०एस०यू०पी०-ए०पी० 175 सा० विधायी-2024-(3162)-300 प्रतियां (डी०टी०पी०/ऑफसेट)।