



Abstract

Rules - Tamil Nadu Urban Local Bodies (Provision of Special Facilities for the Differently Abled Persons in the Multi-Storeyed and Public Buildings) Rules 2013 – orders - Issued

Municipal Administration and Water Supply (MA.1) Department

G.O.(Ms)No.21

**Dated: 01-02-2013.
(Thiruvalluvar Aandu 2044,
Nandana, Thai - 19)**

Read:

- Ref :
1. From the State Commissioner for the Differently Abled, letter No.6027/ DAW 2(2) / 2011, dated: 01.07.2011.
 2. From the Commissioner of Municipal Administration, Letter Roc. No. 32566/ 2011/ TP3, dated: 24.08.2011.

ORDER :

Pursuant to the Announcement No.138 made by the Hon'ble Chief Minister during the Budget session 2011 – 2012 on the floor of Legislative Assembly under Rule 110 for the Provision of Barrier free environment for Differently Abled Persons, the State Commissioner for the Differently Abled in the reference first read above has requested the Government to issue suitable rules regarding the Provision of Ramps in Public and Private Buildings for the benefit of the Differently Abled Persons by making suitable amendments to the Tamil Nadu District Municipalities Act 1920.

2. In the reference second read above, the Commissioner of Municipal Administration has sent necessary proposals to amend the Tamil Nadu District Municipalities Act, 1920, the Madurai City Municipal Corporation Act, 1971, the Coimbatore City Municipal Corporation Act, 1981 and the Multi-Storeyed and Public Building Rules, 1973.

3. Pursuant to that for the provision of Special facilities in the Multi-Storeyed and Public Buildings for the Differently Abled Persons, suitable amendments have been made to the above Acts by the Tamil Nadu Municipal Laws (Second Amendment) Act, 2012 (Tamil Nadu Act No.16 of 2012). The Government have therefore now decided to make new rules for the benefit of Differently Abled Persons in all the Multi Storeyed Building and Public Buildings.

p.t.o.,

4. The appended Notifications will be published in the Tamil Nadu Government Gazette, Extraordinary dated the 1st day of February 2013.

(BY ORDER OF THE GOVERNOR)

**C. V. Sankar,
Principal Secretary to Government.**

To

The Works Manager, Government Central Press,
Chennai – 600 079. (for publication of notification in the Tamil Nadu Government Gazette and to send 500 copies to Government)

The Commissioner of Municipal Administration, Chennai – 600 005.

The Commissioner of Town and Country Planning , Chennai – 600 002.

The Director of Town Panchayats, Chennai – 600 104.

The State Commissioner for the Differently Abled, 15/1, Model School Road,
Thousand Lights, Chennai – 600 006.

Copy to

The Housing & Urban Development Department, Chennai -600 009.

The Law Department, Chennai – 600 009.

The Welfare of Differently Abled Persons (OP) Department, Chennai - 600 009.

The Private Secretary to Chief Secretary to Government, Chennai – 600 009.

The Municipal Administration and Water Supply (OP.2) Department,
Chennai – 600 009.

SF/SC

// forwarded by order //

Section Officer.

APPENDIX

NOTIFICATION - I

In exercise of the powers conferred by sub-section (2) of section 1 of the Tamil Nadu Municipal Laws (Second Amendment) Act, 2012, (Tamil Nadu Act 16 of 2012), the Governor of Tamil Nadu hereby appoints the 1st day of February 2013, as the date on which the said Act shall come into force.

NOTIFICATION - II

In exercise of powers conferred by clause (gg) of sub-section (3) of section 191 of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), clause (hh) of sub-section (3) of section 268 of the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971), clause (hh) of sub-section (3) of section 268 of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), section 11 of the Tiruchirappalli City Municipal Corporation Act, 1994 (Tamil Nadu Act 27 of 1994), section 11 of the Tirunelveli City Municipal Corporation Act, 1994 (Tamil Nadu Act 28 of 1994), section 11 of the Salem City Municipal Corporation Act, 1994 (Tamil Nadu Act 29 of 1994), section 10 of the Tiruppur City Municipal Corporation Act, 2008 (Tamil Nadu Act 7 of 2008), section 10 of the Erode City Municipal Corporation Act, 2008 (Tamil Nadu Act 8 of 2008), section 10 of the Vellore City Municipal Corporation Act, 2008 (Tamil Nadu Act 26 of 2008) and section 10 of the Thoothukudi City Municipal Corporation Act, 2008 (Tamil Nadu Act 27 of 2008), the Governor of Tamil Nadu hereby makes the following Rules, namely :-

RULES

1. **Short title and Commencement** .- These rules may be called the **Tamil Nadu Urban Local Bodies (Provision of Special Facilities for the Differently Abled Persons in Multi-Storeyed Building and Public Buildings) Rules, 2013.**
2. **Definitions** .- In these Rules, unless the context otherwise requires , -
 - (a) "Act" means the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971), the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), the Tiruchirappalli City Municipal Corporation Act, 1994 (Tamil Nadu Act 27 of 1994), the Tirunelveli City Municipal Corporation Act, 1994 (Tamil Nadu Act 28 of 1994), the Salem City Municipal Corporation Act, 1994 (Tamil Nadu Act 29 of 1994), the Tiruppur City Municipal Corporation Act, 2008 (Tamil Nadu Act 7 of 2008), the Erode City Municipal Corporation Act, 2008 (Tamil Nadu Act 8 of 2008), the Vellore City Municipal Corporation Act, 2008 (Tamil Nadu Act 26 of 2008) and the Thoothukudi City Municipal Corporation Act, 2008 (Tamil Nadu Act 27 of 2008), as the case may be ;

p.t.o.,

- (b) “Commissioner” means the Commissioner of a Municipal Corporation or of a Municipality;
- (c) “ Executive Authority” means the Executive Authority of a Municipality or of a Town Panchayat;
- (d) “multi-storeyed and public building” means a building having more than two floors, where public have an access for any purpose and used as a,-
 - (i) school, college or University or other similar educational institution, hostel, library or lecture room;
 - (ii) hospital, nursing home, dispensary or any other similar institution ;
 - (iii) boarding and lodging house;
 - (iv) choultry or marriage hall;
 - (v) cinema theatre, amusement park, swimming pool, recreation centre, motion picture house, assembly hall, auditorium, exhibition hall, museum, recreation pier and stadium ;
 - (vi) market for the display and sale of merchandise, either wholesale or retail ;
 - (vii) bank, ATM counter, insurance company;
 - (viii) jewellery shop;
 - (ix) shopping mall (any building providing multiple services or facilities to the public like shopping, cinema theatres, restaurants, etc., for example a multiplex or a shopping complex) ;
 - (x) industry carrying the activities of production, manufacturing ;
 - (xi) institution of information technology services or radio broadcasting services or television stations;
 - (xii) office of the Central Government or any State Government or any local authority or any body corporate owned or controlled by the Central Government or any State Government ;
 - (xiii) office by any quasi-Governmental organization or any Government undertaking controlled by the Central Government or any State Government ; and
 - (xiv) bus station and bus terminals ;
- (e) ‘urban local body’ means a Municipal Corporation, a Municipality or a Town Panchayat ; and
- (f) all words and expressions used but not defined in these rules shall have the meanings, respectively, assigned to them in the Act.

3. Provision of special facilities for the Differently Abled Persons in Multi-Storeyed and Public Buildings .- (1) In every multi-storeyed and public building, within the territorial area of an urban local body, the following special facilities shall be provided for the benefit of the differently abled persons, namely :-

- (a) A ramp with slope not exceeding 1:12 from the ground level of open space on road level to the entrance door of the lift or staircase;
- (b) A lift of sufficient size to accommodate the differently abled persons with a wheel chair;
- (c) A 90 Centimetres high hand rail and an additional hand rail at a height of 75 centimetres above the finished level of the steps for stair cases and for steps to the ground floor plinth, even if they are enclosed on their sides by walls;
- (d) Sufficient number of special toilets for the use of the differently abled persons depending upon the plinth area and units, preferably located in the ground floor. The size of the toilet block, the arrangement of various accessories within the toilet shall follow the specifications given in the National Building Code;
- (e) Reservation of ten percent of the required car parking, subject to a minimum of two car parkings near the entrance of the building in such a way to provide easy access to the lift and the staircase.

(2) Every person intend to construct or reconstruct a multi-storeyed or public building shall make necessary provision in the building plan itself for providing the special facilities for the differently abled persons in the manner as prescribed in sub-rule (1), while making application to the Commissioner or the Executive Authority of the urban local body concerned for issuing a building license.

(3) The Commissioner or the Executive Authority of the urban local body concerned shall, before giving approval for the construction of a new multi-storeyed and public building or re-construction of an existing building, ensure that necessary provisions have been made in the building plan for providing special facilities for the differently abled persons in the manner as prescribed in sub-rule (1).

(4) In every existing multi-storeyed and public building, the special facilities for the differently abled persons shall be provided in the manner as prescribed in sub-rule (1), by the owner or occupier of that building within 180 days from the date of coming into force of these Rules. The Commissioner or the Executive Authority of the urban local body concerned shall ensure that the special facilities for the differently abled persons have been provided in such building in the manner as prescribed in sub-rule (1).

(5) Where a building, which is not used as a multi-storeyed and public building, is proposed to be used as a multi-storeyed and public building, the special facilities for the differently abled persons shall be provided in such building by the owner or occupier, before such change of use and the concerned licensing authority who is empowered to permit such business, trade or profession shall permit to carry out such change of use in the building only after ensuring that the special facilities for the differently abled persons are provided therein in the manner as prescribed in sub-rule (1).

(6) The Commissioner or the Executive Authority of the urban local body concerned shall, while receiving the notice of completion of a multi-storeyed and public building to be furnished by the owner of that building, shall ensure that the special facilities for the differently abled persons have been provided properly in such buildings in the manner as prescribed in sub-rule (1).

**C. V. Sankar,
Principal Secretary to Government.**

/True Copy/

Section Officer.