

Bill Summary

The Inland Vessels (Amendment) Bill, 2005

- The Inland Vessels (Amendment) Bill, 2005 was introduced in the Rajya Sabha on December 8, 2005. The Standing Committee on Transport, Tourism and Culture (Chairperson: Nilotpal Basu) submitted its report on March 21, 2006.
- The Inland Vessels Act, 1917 seeks to provide for (a) the survey of inland mechanically propelled vessels, (b) registration of such vessels, (c) credentials for masters and engineers, (d) investigation into casualties, (e) protection of passengers, (f) insurance of inland vessels etc.
- The Inland Vessels (Amendment) Bill seeks to (a) extend inland water limits, (b) amend the definition of mechanically propelled vessels, (c) make certificate of registration issued by a state valid in other states, (d) provide for induction of masters and engineers from the Coast Guards, Navy and Army without examination, (f) apply certain sections of the Motor Vehicles Act, 1988 to inland vessels, and (g) provide for pollution control in inland waters.
- The definition of inland waters has been extended to also include (a) tidal waters deemed as inland waters by the central government and (b) waters declared by the central government to be smooth and partially smooth under the Merchant Shipping Act, 1958, in addition to canals, rivers, lakes or other navigable waters within a state.
- The definition of mechanically propelled vessels has been extended to include (a) dumb (not self propelling) vessels towed by the mechanically propelled vessel and (b) vessels propelled by an outboard motor (motor situated outside the hull of the ship) in addition to any vessel wholly or partially propelled by electricity, steam or other mechanical power.
- A surveyor may grant a temporary permit of upto 30 days to authorise an inland mechanically propelled vessel to go on a voyage, pending the issue of a certificate of survey. (A certificate of survey issued by a surveyor and applicable to a voyage or service is required by an inland vessel to proceed on voyage.)
- The state government may grant a masters or engineers certificate of service without examination to a person who has served as a master or engineer on a vessel of the Coast Guard, Indian Navy or Army for a period as prescribed by the state government.
- A license, certificate of competency or service granted by the state government to a master or engineer shall be valid through out India.
- The provisions of the Motor Vehicles Act, 1988 dealing with (a) the duty of a driver in case of accident or injury, (b) compensation payable on death or disablement, (c) insurance of vessels against third party risks, and (d) accident claim tribunals, shall be applicable to mechanically propelled vessels.
- Prevention and control of pollution of inland water
 - No mechanically propelled vessel shall discharge oily mixtures, hazardous chemicals or obnoxious substances in inland water unless with the purpose of securing the safety of a mechanically propelled vessel, preventing damage to such vessel, cargo or for saving of life.
 - The owner or operator of an inland port, cargo or passenger terminal shall provide reception facilities for the discharge of oily mixtures and hazardous chemicals by vessels and may impose charges and conditions as notified by the state government.
 - The state government may direct the owner or operator of an inland port, cargo or passenger terminal to provide for pollution containment equipment and pollutant removing materials.
 - Surveyors shall inspect inland ports, cargo or passenger terminals. If they find that a port or terminal is not complying with all the required pollution control measures, a notice shall be issued. No owner or operator who has been issued such notice shall allow work on his port or terminal unless the surveyor certifies that his port or terminal is provided with the necessary equipment in accordance with the rules.
 - The central government shall make rules to prescribe (a) substances as hazardous or obnoxious, (b) fitment of oily mixture treatment equipment, (c) details of reception facilities at inland ports and terminals, (d) records to be maintained by inland ports and terminals.
 - Contravention of provisions dealing with pollution control is punishable with fine upto Rs 50,000, or imprisonment upto a year, or both.

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