

Boatmen's Co-operative Society duly registered under Bihar and Orissa Co-operative Societies Act, 1935

BIHAR

India

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Rule

BOATMEN-S-CO-OPERATIVE-SOCIETY-DULY-REGISTERED-UNDER-B of 1935

- Published on 15 April 1997
- Commenced on 15 April 1997
- [This is the version of this document from 15 April 1997.]
- [Note: The original publication document is not available and this content could not be verified.]

Boatmen's Co-operative Society duly registered under Bihar and Orissa Co-operative Societies Act, 1935 Published vide Notification No. S.O. 84, Bihar Gazette (Extraordinary) dated 15.4.1997 S.O. 84, Published in Bihar Gazette (Extraordinary) dated 15.4.1997. - The State Government is pleased to fix the following terms and conditions for settlement of public ferries with the Boatmen's Co-operative Society duly registered under Bihar & Orissa Co-operative Societies Act, 1935 (Bihar and Orissa Act 6, 1935) having jurisdiction to operate in the area where the ferry is situated without adopting formalities of public auction in compliance with the Order passed by the Hon'ble High Court of Judicature at Patna in C.W.J.C. No. 3510/92 against the Bengal Ferries (Amendment) Act, 1988:-

1.

The terms of settlement of public ferry shall be published in District Gazette and local leading daily Newspapers. The publication of which must be one month before the settlement.

2.

Under the proviso of Section 9 of Bengal Ferries Amendment Act, 1976 the settlement of public ferry shall be made with such a willing, Boatmen's Cooperative Society duly registered under Bihar and Orissa Co-operative Societies Act, 1935 (Bihar and Orissa Act 6, 1935) having jurisdiction to operate in the area, where the ferry is situated after obtaining offer of amount annually payable in respect of

settlement under the Bengal Ferries (Amendment) Act, 1988. Generally settlement shall be made with provided that he fulfils all terms and conditions of the settlement.

3.

Settlement of public ferry shall be made with such Boatmen's Co-operative Societies which is duly registered under Bihar and Orissa Co-operative Societies Act, 1935 (Bihar and Orissa Act 6, 1935) and having the jurisdiction to operate ferry in that area and their general meeting election of their management, their audit is regular. They should also come in Class B of classification of audit and are economically capable to some extent in having capital share and to get loan on it so that the operation of ferry could not be disturbed. They can also provide employment on sufficient wages or salary to their boatmen's members.

4.

Such willing Boatmen's Co-operative Societies should have no instalment dues either of Government's Bank or of Co-operative Banks. They should also possess the certificate of economic capacity of fulfilling the all terms and conditions published before settlement itself which will be obtained from the Registrar of the Co-operative Societies, Bihar in their favour.

5.

Generally the terms of such settlement shall be of one year.

6.

The settlement of each public ferry shall be made generally by auction under Section 9 of the Bengal Ferries Act, 1885 after passing maximum period of three years of settlement with Boatmen's Co-operative Society to assess the actual reserve jama for the fixation of reserve jama for future settlement with Boatmen's Co-operative Society which shall not be less than the previous Reserve jama.

7.

The such Boatmen's Co-operative Societies who fulfil the above all terms and conditions, should have mechanically propelled vessels of requisite capacity of carrying passengers and having valid certificate of survey granted by the Officer authorised by the Government of Bihar. In addition to mechanically propelled vessels, they should also possess country Boats of such capacity and in such numbers as fixed by the authority.

8.

The such Boatmen's Co-operative Societies should also have additional mechanically propelled vessels, for rescue purpose as desired by, the authority.

9.

A recommendation paper shall be essential for such Boatmens Cooperative Society obtainable from the Co-operative Department. Government of Bihar for the reserve jama above Rs. 50,000 (Rupees fifty thousand).

10.

Reserve jama shall be fixed by adding 15 per cent more than the average of reserve jama for last three years or the reserve jama of last year, whichever be more.

11.

If the Boatmen's Co-operative Society is not fulfilling above all terms and conditions then the settlement of public ferry shall be made by public auction as per proviso of Section 9 of Bengal Ferries Act, 1885.

12.

The Boatmen's Co-operative Society, who fulfils above all terms and conditions and gets the settlement of public ferry shall have to imperatively, provide all necessary facilities and securities to the passengers like jetty, waiting hall, lavatory, drinking water etc.

13.

To avoid major accident all terms and conditions laid down as above should be complied strictly.

14.

To avoid recurrence of accident the bendalling work has to be done every year which will be done by the Boatmen's Co-operative Society every year on their own cost, whoever, gets the settlement of public ferry.

15.

Passengers can be carried in each ferry by boat or mechanically propelled vessels according to capacity fixed by the competent authority. Adequate insurance will be essential according to the capacity of vessels.