

Rajasthan Regulation of Boating Rules 1957

RAJASTHAN

India

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Rule RAJASTHAN-REGULATION-OF-BOATING-RULES-1957 of 1957

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Rajasthan Regulation of Boating Rules 1957Published vide Notification Rajasthan Gazette Part 4-C, dated 12-6-1958As amended subsequently by the following: -

1. Notification dated 29-6-1974, Published in Rajasthan Gazette Part 4(C). dated 29-6-1974. p.201:

Note. - 1. The amending notifications are referred to by serial No. as given to them above in the footnotes appearing hereinafter.

2. The expression "Mechanical Inspector" has been substituted by the expression "Motor Vehicle Inspector" wherever occurring, vide amending Notification No.2, but no footnote has been given for the same;

3. The expression Form A/B/C/D/E/F/ or G occurring are substituted by the expression "prescribed form" and no footnote has been given for the same also.

In exercise of the powers conferred by section 16 of the Rajasthan Regulation of Boating Act. 1956 (26 of 1956), the Government of Rajasthan is pleased to make the following Rules, namely:-

1. Short title.

- These rules may be called the Rajasthan Regulation of Boating Rules, 1957.

2. Commencement.

- They shall be come into force with immediate effect.

3. Definition.

- In these rules, unless there is anything repugnant in the subject or context:(a)"The Act" means the Rajasthan Regulation of Boating Act, 1956;(b)"Form" means a form appended to these rules;(c)"Regional Transport Officer" means a Regional Transport Officer appointed under the Rajasthan Motor Vehicles Rules, 1951;(d)"Motor Vehicle Inspector" means a Motor Vehicle Inspector of the Transport Department; and(e)"Commissioner" means the Transport Commissioner Rajasthan" and includes "Additional Transport Commissioner, Rajasthan".

4. Certificate of fitness.

- [(a) A certificate of fitness shall be issued in the prescribed form by the Motor Vehicle Inspector of the area subject to the guidelines issued by the Transport Commissioner, on an inspection report of a Naval Officer authorised by the State Government in this behalf] [Notification dated 27-1-1996, Published in Rajasthan Gazette Part 4(C) Extraordinary, dated 27-1-1996, p. 207(8)].(b)[The fee for grant and renewal of a certificate of fitness shall be Rs. 100/- in respect of each boat in addition to any amount paid by the owner of a Boat to the Naval Officer as prescribed by the Transport Commissioner]. [Notification dated 27-1-1996, Published in Rajasthan Gazette Part 4(C) Extraordinary, dated 27-1-1996, p. 207(8)](c)An application for obtaining fitness certificate shall be made in prescribed form and for renewal in prescribed form to the Motor Vehicle Inspector in whose functional area the boat is kept, a month before the expiry of the period of validity.(d)A certificate of fitness shall be valid for a period not exceeding six months and shall be renewable after the said period.(e)[An application for transfer of ownership will be made in the prescribed form with a fee of Rs. 100] [Notification dated 27-1-1996, Published in Rajasthan Gazette Part 4(C) Extraordinary, dated 27-1-1996, p. 207(8)].(f)Every case of transfer of ownership shall be intimated by the Motor Vehicle Inspector to the Licensing Officer concerned in prescribed form.(g)The Motor Vehicle Inspector shall intimate full details of the action taken under sections 5 and 6 of the Act immediately to the Licensing Officer concerned.

5. Licensing of Boats plied for hire.

- (a)An application for license will be made in prescribed form along with a fee of Rs. 10/-.(b)[A licence shall be issued/renewed in the prescribed form against a payment of Rs.200/- for each boat, subject to the guidelines issued by the Transport Commissioner] [Notification dated 27-1-1996, Published in Rajasthan Gazette Part 4(C) Extraordinary, dated 27-1-1996, p. 207(8)].(c)[A licence shall be valid for a period not exceeding one year, and shall be renewable after the said period] [Notification dated 27-1-1996, Published in Rajasthan Gazette Part 4(C) Extraordinary, dated 27-1-1996, p. 207(8)].

6. Appeals.

(a)The Authority to decide an appeal shall be-(1)against the orders of Motor Vehicle Inspector Licensing Officer:(2)against the orders of Licensing Officer Commissioner.(b)Appeal under the Act shall be made in writing in the form of a memorandum in duplicate setting forth concisely the grounds of objection to the order appealed from accompanied by a certified copy of that order.(c)Upon receipt of an appeal in accordance with sub-rule (b) the Appellate Authority may appoint time and place for hearing of the appeal giving not less than 30 days' notice and may order the appellant to deposit such fee not exceeding rupees five as the Appellate Authority may specify.(d)After the Appellate Authority has appointed a time and place for the hearing of the appeal, it shall give an intimation to the Authority against whose order the appeal is made and the appellant, who shall within fourteen days of the receipt of intimation forward to the Appellate Authority concerned, a list of documents upon which he proposes to rely together with copies of such documents in duplicate and may upon the appointed date and subsequent hearings appear either in person or through an agent or a representative authorised in writing in this behalf or a legal practitioner.(e)The Appellate Authority hearing an appeal may, if the appellant succeeds in his appeal, order the refund to him of the whole or part of the fee deposited by him.

7. [Inspection of Boats, their documents and contents. - Any officer of the Transport Department not below the rank of Sub-Inspector of Motor Vehicles, any officer of Revenue Department not below the rank of Nayab Tehsildar, any officer of the Police Department not. below the rank of Head Constable, any officer of the Public Work Department and Irrigation Department not below the rank of Junior Engineer, any officer of the Fisheries Department not below the rank of Inspector and any officer of the Panchayat Raj and Rural Development Department not below the rank of panchayat Extension Officer, may at any time when the boat is in operation or at rest, call upon the boatman to stop the boat and keep it at rest for such time as may be necessary to enable the said officer to make the reasonable examination of the documents arid contents of the boat]. [Notification dated 13-7-1998, Published in Rajasthan Gazette Part 4(C) Extraordinary, dated 13-7-1998, p.129-1.]

Form '1'Application for Grant/renewal of Certificate of Fitness(See Rule 4]To,The Motor Vehicle Inspector.....I hereby apply for the issue of a Certificate of Fitness required by Section 3 of the Rajasthan Regulation of Boating Act, 1956.

1. Name and Address of Owner.

2. Dimensions of Boat.

3. Manufactured by.

4. Engine No. (if any). Fuel used.

5. Carrying/Seating Capacity.

6. Area/Place of operation.

7. Name, address and age of boatman.

8. NOC of concerned Department, in case of Dam, lake, river.

(Department of Irrigation, local authority, Gram Panchayat Etc.)

9. Details of Safety equipment provided by owner.

Place: _____ Date: _____ Signature of thumb impression of the owner _____ Form '2' Certificate of Fitness [See Rule 4] No. Boat No. is certified under section 3 of the Rajasthan Regulation of Boating Act, 1956 (26 of 1956) as fit for plying with respect to its condition of body construction including accessories and its machinery (if so operated), this certificate will expire on Details of the Boat is as under:

1. Sr. No. with District Code.

2. Dimension.

3. Carrying/Seating Capacity.

4. Place of Operation.

5. Name and address of owner.

6. Name and address of Boatman.

7. Engine No. if any (fuel used in engine).

Place: _____ Date: _____ Signature Motor Vehicle Inspector Name Form '3' Application for License [See Rule 5] To, The Regional Transport Officer/Licensing Officer, In accordance with the provisions of Section 7 of the

Rajasthan Regulation of Boating Act, 1956. I hereby apply for a license.

1. Boat No. (As per Certificate of Fitness).

2. Full Name.

3. Father's Name.

4. Address.

5. The river or lake together with route for which the license is required.

6. Purpose of License.

7. Type of boat (With Dimension).

8. Seating/Carrying Capacity.

9. Validity of Certificate of Fitness.

(Copy to be enclosed)

10. NOC of concern Dept.

(Copy to be enclosed)

11. Details of safety equipments.

Place: _____ Date: _____, Signature or thumb impression of the applicant _____
Form '4' License to Ply a Boat for Hire
Under Section 7 of the Rajasthan Regulation of Boating Act, 1956 [See Rule 5]

1. Boat No.

2. Fitness Certificate No.

3. Dimension of boat.

4. Engine No. (if any).

5. Place/Area of plying.

6. Name and Address of the person to whom License is granted.

7. Validity of License.

8. Conditions of License.

Signature of the Licensing Authority Following are the mandatory conditions to this license

- 1. If at any time during the currency of the license, the boat is inspected and found unsuitable for plying, it shall be immediately taken out of plying and either it shall be repaired to the satisfaction of the authority which issued the fitness certificate or it shall be dismantled in presence of a person authorised by the Licensing Authority in such a manner that it cannot be put to re-use.**
- 2. The license can be suspended at any time without giving opportunity of hearing. If in the opinion of the licensing authority or the authority which issued the fitness certificate. plying of the boat has become unsafe.**
- 3. Before entering into a lake or a river, two lists of the passengers alongwith their addresses, shall be prepared and one list shall be left behind with the employee of the owner and one shall be kept by the boatman. On coming back at the bank, safe return of the passengers shall be verified as per the list.**
- 4. The safety equipment (Life Jackets) always be carried in the Boat. Life Jackets shall be worn by every passenger before boat leaves the bank.**
- 5. Certified copy of the fitness certificate shall always be displayed at a conspicuous place in the boat.**
- 6. Boat shall not carry more passengers or load than the permissible in certificate of fitness.**
- 7. Unless specifically authorised the boat shall not be plied after sun-set and before sun-rise.**

8. Boat shall always be sailed by the boatman whose name has been given in the certificate of fitness.

Place:Date:Signature of the Licensing AuthorityForm '5'Application for Transfer of Ownership of a Boat[See Rule 4]Part-ITo,The Motor Vehicle

Inspector.....I.....S/o..... owner of Boat No. have sold my Boat to Shri S/o..... address on date and handed over all the necessary safety equipments alongwith Boat.Place:Date:Signature of TransfererPart-IITo,The Motor Vehicle Inspector.....IS/o Shri..... address..... have on.....(Date) purchased Boat No.....from Shri..... S/o Shri..... alongwith all the necessary safety equipments. I intend to ply this Boat on hire and reward at (place) Name and Address of the Boatman is as under.Place:Date:Signature of Transferee.Form '6'Communication to the Licensing Officer of Transfer of Ownership of a BoatTo,The Licensing Authority.....Boat No.....owned by.....S/o Shri.....has been transferred in the name of.....S/o.....with effect from the.....day of.....19.....Place:Date.....19Motor Vehicle InspectorForm '7'Report of Naval OfficerI hereby certify that the Boat of Shri..... S/o.....Address.....has been inspected by me and found fit to ply on hire at.....Details about the Boat is as under:-

- 1. Name of owner of Boat.**
- 2. Date and place of inspection.**
- 3. Dimensions of Boat.**
- 4. Seating/Carrying capacity.**
- 5. General Condition of Boat.**
- 6. Safety equipments.**
- 7. Spare equipments.**
- 8. Physibility of plying Boat.**

(Under consideration which proposed to be plying particular area).Place:Date:SignatureName and Designation of Officer.Form '8'Report of Inspection for Fitness

- 1. Date and place of Inspection.**

- 2. Name of owner with full address.**
- 3. Name of boat owner, address and age.**
- 4. Place of business.**
- 5. Seating/Carrying capacity.**
- 6. Dimension of Boat.**
- 7. General Condition of Boat.**
- 8. Details of safety equipments.**
- 9. Condition of engine, if any with number and fuel used.**
- 10. Condition of Seats.**
- 11. Spare equipments.**
- 12. Report of Naval Officer.**

(Original to be attached).Place:Date:Signature of M.V. InspectorName and place of Posting.