

The Gopalpur Port Rules, 1987

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The Gopalpur Port Rules, 1987Published vide Notification Orissa Gazette Extraordinary No. 289/24.2.1987-Notification No. 688-4-P & P-82/86-PD/24.2.1987Notification No. 688-IV-P and P-82/86-PD, dated the 24th February, 1987. - Whereas the draft of Gopalpur Port Rules, 1986 was published as required by Sub-section (2) of Section 6 of the Indian Ports Act, 1908 (15 of 1908), in the extraordinary issue of the Orissa Gazette No. 1671, dated the 27th November, 1986, under the notification of the Government of Orissa in the Commerce and Transport Department No. 4950/PD, dated the 28th October, 1986 inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of thirty days from the date of publication of the said notification in the Orissa Gazette;And whereas no objections or suggestions were received with respect to the said draft before the expiry of the said period;Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the State Government do hereby make the following rules, namely :

1. Short title and commencement.

(1)These rules may be called the Gopalpur Port Rules, 1987.-(2)They shall come into force on the date of their publication in the Orissa Gazette.

2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context-(a)"Act" means the Indian Ports Act, 1908 (15 of 1908);(b)"Conservator" means an officer appointed as such by the Government of Orissa under the Act;(c)"Commander" means the master of a sea-going vessel and Serang or Tindal in charge of a port tug, motor launch or a fishing trawler;(d)"Day-break" means half-an-hour before sunrise and "Dark" means half-an-hour after sun-set;(e)"Form" means the form appended to these rules;(f)"Harbour limits" means the Arzipalli dock basin;(g)"Port" means the Gopalpur Port, the limits of which are defined in the notification of Government of Orissa in the Commerce and Transport Department No. 2346, dated the 12th July, 1985 or as modified from time

to time by the State Government;(h)"Port approaches" means that portion of the port limits to the sea-wards of the Arzipalli dock basin defined in the Port Limits;(i)"Vessel" means a sea-going power driven vessel, port tug or a power driven launch or a fishing trawler;(j)Words and expressions used but not defined in these rules shall have the same meaning as respectively assigned to them in the Act.

3. Entry and exit of vessels.

(1)All sea-going vessels on entering or leaving the port between sunrise and sunset, shall fly their National Flag, and when entering the port, each vessel shall show her number. Vessels anchoring in the roadstead must leave sufficient searoom for other vessels to enter or leave the harbour.(2)No vessel of more than two metres draft shall enter the harbour without prior permission of the Conservator.(3)Agents of all vessels expected to arrive in the port shall, at the earliest possible moment, sent to the Conservator the following information, namely : (i) Name of vessel, (ii) Agent's name, (iii) Date expected, (iv) Net registered tonnage, (v) Tonnage and description of cargo to be landed, (vi) Tonnage and description of cargo to be shipped, (vii) Last port of call, (viii) Colours under which sailing, and (ix) Estimated draft on arrival at the port.(4)Vessel arriving at port shall keep watch on V. H. F. and the port Signal Station to receive instructions from port control and shall also contact port control on arrival at the port limits.(5)When two vessels appear likely to meet in the approach channel, the vessel which is portward shall stop and anchor if necessary until the outward bound vessel has cleared the sand pump trestle and proceeds seawards.(6)Vessel carrying petroleum in bulk shall observe the provisions of the Petroleum Rules, 1937, and all other rules or directions made or given by the Conservator from time to time to ensure safety.(7)If any vessel strikes, or damages any buoy, mark or beacon, or any structure, the master shall report the circumstances forthwith in writing to the Conservator.(8)The commanders of all vessels arriving within the port limits shall furnish the Conservator with full particulars in respect of their vessels in Form 'A'.(9)Any damage to the fairway, buoys, marks or beacons done by a vessel shall be charged to the master or the owner of the vessel.

4. Allotment of berth.

(1)All vessels within the port shall occupy such berths as may be allotted to them by the Conservator and shall change their berth or remove their vessel from the berth when required by him :Provided that the Conservator may not make an order for changing or vacating the berth already allotted without giving prior notice to the owner of the vessel.(2)Master of vessels in roads shall not immobilise the main engines of their vessels without specific instructions from the Conservator.(3)Master shall maintain regular and continuous anchor watches while in the port.(4)Master shall maintain continuing watch on the Port Signal Station and the V. H. F. of the port control or intermittent watches at specific times as may be notified by the Conservator from time to time.

5. Striking the yards and top masts and rigging etc. of vessels.

- All vessels within the port shall strike their yards and top masts on being required to do so by Conservator, whether by signal or otherwise.

6. Removal, hanging etc. of anchors.

(1)All vessels within the port shall be anchored or moored in such manner as may be directed by the Conservator.(2)The anchors of all vessels must be buoyed and care taken that the buoys "watch".

7. Regulation relating to handling of cargo/passenger by vessels.

(1)The plying of catamaranas, flats, cargo, passenger and other boats, whether for hire or not and whether regularly or only occasionally, in or partly within and partly without the port, and the quantity of cargo or number of passengers to be carried by any such vessel, shall be subject to such regulations as may be laid down from time to time by the Government and owners of such boats shall be subject to the control of the Conservator, and shall carry out at all times all orders issued by him in connection with the plying of their boats and which are not inconsistent with the regulations issued by Government.(2)No vessel's anchor shall be weighed and no vessel's engine shall be moved while passengers are embarking or disembarking-(a)gangways over which passengers embark and disembark to and from the shore shall consist of not less than two widths of planking securely fastened together of a total width of not less than 2 feet and a portable handrail provided for such gangway;(b)gangways over which passengers embark and disembark to or from pontoons or jetties shall be so constructed as to form one unit with a total width of not less than 2 feet and shall be fitted with a fixed Guardrail on each side;(c)where practicable two gangways shall be provided, one for embarking or disembarking passengers and the other for loading or discharging cargo, if it is not practicable to provide two gangways, on no account may passengers be embarked or disembarked and cargo loaded or discharged at the same time over the same gangways;(d)every vessel fitted with electric light shall be provided with a cluster of flood lights placed on each side of the vessel in such a Position so as to illuminate the passenger gangway at whatever place passengers are landed or embarked. Vessels not fitted with electric lights shall be provided with efficient oil lamps to illuminate the passengers' gangway.(3)When cargo is being loaded into or unloaded from a vessel through any of her hatchways the longitudinal and athwartship beams and hatch covers of such hatchways shall be secured in such a manner as will prevent them from falling into the hold.

8. Discharge and disposal of oil, etc.

(1)All vessels taking in or discharging ballast or any particular kind of cargo such as ammunitions or other explosive, kerosene oil, bones, coral or other offensive articles and timber within the limits of the port shall do so only at such stations as may be set apart from time to time by the Conservator.(2)Ballast and rubbish shall not be thrown overboard within the limits of the port without the special permission of the Conservator.(3)Vessels discharging or loading petroleum shall have all firehouses connected and all fire extinguishing appliances in readiness for immediate use,

and if, the petroleum is dangerous petroleum, shall have their awnings furled.(4)(a)When the master or agent of a vessel declares that any petroleum is certificated petroleum and that he intends to discharge such petroleum at the port, he shall deliver to the pilot or to the Conservator along with his declaration and the certificate relating to such petroleum.(b)After delivery of such certificate and declaration, the vessels may proceed to the usual anchorage and there discharge any such petroleum.(5)The bilges of every vessel which has carried a cargo of petroleum shall immediately after the vessel has been unloaded be thoroughly cleared of all traces of such, petroleum and dried and the holds be thoroughly ventilated.(6)(a)When petroleum imported otherwise than in bulk is landed within the port, it shall be landed either-at jetties provided for the purpose or in cargo and except when electric light is exclusively used, only after sunrise and before sunset and only at such place or places as the Conservator of the port shall direct.(b)Dangerous and non-dangerous petroleum shall not be conveyed to the shore at the same time on the same cargo-boat.

9. Provision of free passage/spaces along piers, jetties etc.

- A free passage shall be kept to all landing places, wharves and anchorages in accordance with such directions as may be issued on the subject by the Conservator and all vessels shall move when required by the Conservator to clear such passage.

10. Anchoring.

(1)Every ship having petroleum on board shall be anchored at such anchorage as the Conservator of the port shall appoint in this behalf, and shall not leave such anchorage until so much of the petroleum other than certificated petroleum as it is intended to land has been discharged.(2)Such anchorage shall, in no case, be the same as that of vessels laden with explosives and shall be sufficiently far removed from the anchorage for vessels laden with explosives to prevent the possibility of a fire originating at the former place affecting vessels anchored at the latter.

11. Moving and warping of vessels.

(1)All vessels within the port shall be moved or warped from the place as required and by such means or appliances as may be ordered by the Conservator in consultation with the master of such vessels.(2)No vessel shall cast off a warp that has been made fast to her to assist a vessel moving, without being required to do so by the officer-in-charge of the vessel moving.

12. Mooring.

(1)No fishing boats shall be anchored or moored to their nets and no fishing nets or obstructions of any description shall be fastened within the harbour area and approaches.(2)Except in cases of danger to life or property the use of the whistle of any vessel whether sea-going or inland is strictly prohibited whilst such vessel is moored in the harbour.

13. Charge for use of moorings, port crafts.

- The charges for use of moorings, port crafts etc., shall be notified by the Conservator from time to time.

14. Use of piers, jetties etc., and fixation of rates for the use.

(1) Charges against sea-going vessels and inland steam or motor vessels for use of ghat-wharves, etc., shall be made as follows :

(a) Sea-going vessel	Five hundred rupees for every twenty-four hours or part thereof which shall count from the time of arrival of the vessels.
(b) Fishing trawlers and harbour crafts (other than country crafts) having a length of fifty feet and above	Ten rupees per day or part of a day subject to maximum of two hundred rupees a month.
(c) Fishing trawlers and harbour crafts (other than country crafts) having a length of less than fifty feet	Five rupees per day or a part of a day subject to maximum of one hundred rupees per month.
(d) Country crafts	One rupee per day or part of a day subject to a maximum of ten rupees per month.

(2) For drawing fresh water through shore connection at the landing quays : (a) [All vessels, other than fishing trawlers and inland vessels, shall pay at the rate of rupees sixty per Metric Ton.] [Substituted vide Orissa Gazette Extraordinary No. 1160/1994.] (b) All fishing trawlers and inland vessels shall pay at the rate of rupee one per every twenty litres of fresh water drawn. (3) Charges for stacking bags on landing quays or ghat wharves shall be made at the rate of ten paise per bag for every twenty-four hours or part thereof after the first twenty-four hours. (4) (i) Charges for Godown with flooring and stocking charges in the Port area shall be at the rate of rupees twelve per square metre for first fortnight, rupees thirty per square metre for second fortnight (including 1st fortnight), rupees forty per square metre for third fortnight (including 1st and 2nd fortnight), rupees sixty per square metre for fourth fortnight (including 1st, 2nd and 3rd fortnight) and dues for the balance period will be determined basing on clearance of quantity. (ii) Charges for paved area shall be at the rate of rupees ten per square metre (Fortnightly). (iv) Charges for open undeveloped area shall be at the rate of rupees four per square metre per month. (5) Charges for stacking mechanised vessel on the landing quay and adjacent area shall be one hundred rupees per day or part thereof. (6) Charges for hiring slipway shall be one thousand rupees for the first twenty -four hours and two hundred fifty rupees per day for the subsequent days. (7) [Charges for supply of fresh water to ship at anchorage point shall be at the rate of rupees fifty per every one thousand litres or part thereof. (8) Charges for weighment of cargo in Port Weigh Bridge shall be at the rate of rupee one per each metric ton, subject to a minimum rupees ten per consignment.] [Inserted vide Orissa Gazette Extraordinary No. 1301/29.10.199-Notification No. 11291/26/9/1991.]

15. Use of fires and lights.

(1)(a)No vessel shall be fumigated except at a place appointed by the Conservator for that purpose.(b)Pitch or dammer shall not be heated on board vessels within the port, but in a boat alongside or astern ; nor shall spirits be drawn off on board such vessels by candles or other unprotected artificial lights.(c)Vessels while loading or unloading cotton, shall not have any unprotected lights in the hold or orlop.(d)When gunpowder, ammunition or other explosives in excess of 100 lb. (45 Kgs.) in weight are being shipped on board or being discharged from any vessel within the limits of the port, no fires, lights or smoking are under any circumstances shall be permitted on board.(2)All private jetties within the port limits shall exhibit between "dark" and "day break" a white light 10 feet above the deck of such jetty as close to the water line as possible.(3)No person shall smoke or use naked lights of any description in a hold or between decks of a vessel or in any enclosed space on the upper deck of any vessel in the harbour in which stores, cargo or inflammable materials is stored.(4)Fire may be lit in country boats and cargo boats between daybreak and 9 p. m. or the purpose of cooking ; provided that in vessels with Mohammedan crews such fires may be kept alight between dark and daybreak during the month of Ramzan.(5)No smoking or free light of any description (other than lights required by Port Rules) shall be allowed in any cargo-boat during the time that any petroleum is on board.

16. Use of signal and signal lights.

(1)The master of any vessel arriving at the port with ammunition, explosives, or over 100 lb. (45 Kgs.) in weight of gun powder, on board a cargo, shall display a red flag 'B' of the International Code at the fore during day-time ; and between sunset and sunrise shall exhibit, when at anchor, a white light over three red lights hoisted in a vertical line one over the other not less than 3 (three) feet apart for such time as the ammunition, explosives or gunpowder may be on board within port limits.(2)When it is necessary to attract attention of another vessel, the person in-charge of a power driven vessel shall do so one prolonged blast of not more than 30 seconds duration on the whistle. This signal shall not be used on any occasion or for any purpose other than as provided by this rule.(3)The signal of steam whistle prescribed in the Collision Regulations and Rule 16 (b) of these rules shall not be used on any occasion or for any purpose otherwise than as therein provided and no other signal by whistle shall be made other than those therein, prescribed.(4)When at anchor between sunset and sunrise all cargo boats, flats and passenger boats irrespective of tonnage shall carry in the forward part of the vessel where it can best be seen a white light at night not exceeding 20 feet above the hull and constructed to show a clear light all round the horizon.

17. Number of crew.

- All vessels within the port shall have on board a sufficient number of crew to perform any duties which may become necessary for the safety of the vessel in regard to veering or having in cable, bracing up the yards, striking masts and yards, etc., in case of emergency arising.

18. Cleaning/painting vessels and cleaning bilges.

- No person other than a number of the crew shall be employed in cleaning or painting a vessel or in working in the bilges, boilers or double bottom of a vessel in the port except during such time as may be fixed by the Conservator from time to time in this respect.

19. Employment of children.

- Children under fifteen years of age shall not be employed at piers, jetties landing places, wharves, quays, docks, warehouses or sheds upon the handling of goods.

20. Landing of goods.

- No goods shall be landed or shipped except at the places appointed by the Conservator for each class of cargo.

21. Prohibition on taking photographs etc.

- No person shall, except under the authority of a written permit granted by the Conservator-(1)have or carry with him a camera for taking photographs or any material for making a sketch, plan, model or other devices ; or(2)take any photograph or make any sketch, plan or model of any movable or immovable object of building or installation within the dock area.Explanation-For the purposes of this rule, the expression "dock area" shall consist of the following :(i)The slipway and workshop;(ii)The sand pump trestle and the installations; and(iii)The quay wall (Cargo berth).

22. Stevedoring.

(1)The Conservator shall issue licences to certain approved firms and individuals granting them permission to perform the work of stevedoring vessels in the port and no stevedore shall be allowed to work on board any vessel in the port unless he is holding such licence. Every such licence shall be valid for one year unless it is renewed.(2)The Conservator may, after giving the licensee an opportunity of being heard and for reasons to be recorded in writing, cancel or suspend any such licence.

23. Prevention of the spread of contagious diseases.

- All vessels arriving at the port shall, during their stay and while departing from the port comply with the provisions of the Indian Port Health Rules, 1955.

24. Repeal and savings.

- The Puri and Gopalpur Port Rules, 1937 (No. 6553-IIP-43/37-Com., dated the,24th August, 1937) amended as the Gopalpur Port Rules in the notification of Government of Orissa in the Commerce

Department No. 245, dated the 21st January, 1941 are hereby repealed :Provided that anything done or any action taken under the rules so repealed shall be deemed to have been done or taken under these rules. Form Report of arrival of vessels [See Rule 3 (8)]

Date of arrival	Name of vessel	How rigged	Tons	Colour	Name of master	Wherefrom, also intermediate ports (if any) touched at	Date of departure
1	2	3	4	5	6	7	8
Consignees	Cargo	Name of pilot-in-charge		Number of passengers on board	Remarks as to the light, buoys and beacons, if any	Signature of the master	Remarks
9	10	11		12	13	14	15

[Substituted vide Orissa Gazette Extraordinary No. 828 dated 5.5.2001.]