

The Jammu and Kashmir Ferry Boats Control Act, 1971

JAMMU & KASHMIR

India

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Act 18 of 1971

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The Jammu and Kashmir Ferry Boats Control Act, 1971 Act No. 18 of 1971 [Received the assent of the Governor on 13th October, 1971 and published in the Government Gazette dated 15th October, 1971]. An Act to provide for control on plying of ferry boats in the Jammu and Kashmir State. Be it enacted by the Jammu and Kashmir State Legislature in the Twenty-second Year of the Republic of India as follows -

1. Short title, extent and commencement.

(1) This Act may be called the Jammu and Kashmir Ferry Boats Control Act, 1971. (2) It shall extend to the whole of the State. (3) It shall come into force on such date as the Government may by notification specify in this behalf and different dates may be specified for different areas.

2. Definitions.

- In this Act, unless the context otherwise requires - (a) "ferry" means a place at which persons, animals or goods are transported across a water-course by means of a ferry boat; (b) "ferry boat" includes Beri, Kishti, Machwa, Raft, Skins, Shikara or steam or Motor Launch or any other device used for transporting persons, animals or goods across a water-course; (c) "water course" means such river, canal, stream and other channel or collection of water as the Government may, by notification, declare to be a water-course for purposes of this Act.

3. Regulation of ferries and ferry boats.

(1) If the Government is satisfied that for the safe transport of persons, animals and goods across a water-course, it is necessary to do so, it may, by a notified order, provide for regulating, prohibiting, restricting or otherwise controlling the operation of ferry boats over such water-course. (2) Without

prejudice to the generality of the powers conferred by sub-section (1), an order thereunder may provide-(a)for regulating by permits and imposing conditions for operation of ferry boats over a water-course and for charging fee for such permits ;(b)for classification of ferry boats for purposes of transport of persons, goods and animals over a water-course ;(c)for controlling the fares and freights at which persons, goods and animals may be transported from one ferry to another ferry ;(d)rejecting any ferry boat or any class of ferry boats for operation over any water-course ;(e)for prohibiting die operation of any ferry boat or any class of ferry boats which in the opinion of the Government is unworthy or unfit for operation either generally or over a particular water-course ;(f)regulating the timings of operation of ferry boats over a watercourse ;(g)regulating transport of corpses or persons suffering from any infectious or contagious disease or goods likely to cause discomfort, injury or harm to passengers or animals ;(h)regulating the carriage and exhibition of lights by such ferry boats ;(i)regulating the conduct of passengers in such ferry boats ;(j)prescribing the equipment and the number of persons to ply or operate a ferry boat over a water-course ;(k)prescribing the conditions and terms on which the operation of ferry boats owned or engaged by the Government, may be leased out, and(l)regulating any other matter incidental or supplemental to the aforesaid powers.

4. Power of delegation.

- The Government may, by notification, direct that all or any of the powers under section 3 be exercisable in any area, also by such officer or authority and subject to such conditions, as it may specify in the notification.

5. Penalty.

- Any person, who contravenes any of the orders made under this Act, or any of the conditions of any permit granted for operation of ferry boats under this Act, shall be punished with fine not exceeding one thousand rupees by an authority specified by the Government in this behalf.