

The Navigation Rules, 1893

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The Navigation Rules, 1893[Rules Under The Bengal Canals Act, 1864]

1.

Every vessel, entering or passing along any of the above lines of navigation, shall be liable to measurement for the purpose of ascertaining the amount of toll the vessel should pay according to the schedule of rates authorised by Government to be charged on the line of navigation.

2.

The tonnage of every vessel, except loose timber and raft whether laden or empty, shall for the purpose of the "Canals Act, 1864," and of these rules, be determined by the following measurements:-(a)The product of half the length of the vessel, measured along the waterline and round the contour of the vessel from the centre of stem to centre of stern post multiplied by the interior greatest breadth of the vessel or by the greatest breadth of the cargo, should this over-hang, or, in the case of the logs, be lashed alongside, multiplied by the greatest interior depth from the water-line to the bottom of the vessel, is to be taken as equal to the number of maunds upon which toll shall be levied.(b)The measurement of the length is to be made in feet rejecting fractions of a foot and the measurement of the breadth and depth in feet and quarters of feet rejecting portions of less than a quarter of a foot.(c)In calculating the amount of toll to be levied on steamers an allowance of one-third the total maundage as found under clauses (a), (b) and (c) is to be made for engine space.

3.

Every vessel entering or passing along any of the above lines of navigation shall be furnished with a ticket on paying the prescribed toll.The ticket shall specify the station at which it has been issued, the name of the person in charge of the vessel, the date on which the voyage commenced, the point

to which the vessel may proceed on the line of navigation, the maundage of the vessel, the amount of the toll charged, the number of days allowed for the voyage, and date of such last day. The number of the days so allowed, without additional payment, shall be calculated at the rate of one day for every eight miles, or portion of eight miles, to be traversed together with one day for every one day for every two hundred maunds of measurement. In the case of rafts one day for every five miles shall be allowed.

4.

Toll may be paid at the first station, either for the entire number of toll stations on the line of navigation, or for any less number of stations.

5.

The ticket thus given may be demanded for inspection by any duly authorised navigation officer, and must be kept on board and at hand for that purpose. They must be shown at each toll station the vessel has to pass, as a passport that no further payment of toll is to be demanded. The tickets shall be delivered up to the last toll-station. Navigation officer shall have authority to check-measure vessels whenever they consider it necessary, and if the toll due according to the check, measurement exceeds that originally paid, the difference shall be payable at the toll-station which the vessel may arrive at, if the check-measurement, was made at some point other than a toll station. The officer collecting the difference shall endorse the ticket, showing the measurements, and noting the amount recovered in excess of the toll originally paid.

6.

Owners or hirers of vessels may compound, by the payment of a fixed sum, for the use of the whole portion of any of the above lines of navigation for any period that may be agreed upon not exceeding one year. Each vessel so compounded for shall be furnished with a ticket showing the amount of toll paid, the period for which the toll has been compounded for and the limits of the lines of navigation within which the vessel may pass. Such ticket shall be kept on board of the vessel, and shall be produced when required under rule 5, but shall be given up only on the date of expiry of the period for which granted, and at the station from whence issued.

7.

Duplicates of lost tickets, of which the numbers and dates of entry can be satisfactorily established, will be granted by the officers in charge of toll-stations on payment of a fee of one rupee.

8.

Every vessel which does not complete its voyage within the number of days allowed by rule 3 shall, for each day or part of a day in excess, be liable to an extra charge equal to 8 annas per 100 maunds,

calculated on the maundage of the vessel as determined by rule 2. The charge for demurrage on timbers and rafts shall be as follows :-

Timber in rafts or loose ... 6 paise per timber per day.

Bamboos in floats ... 12 paise per 100 per day.

Bullah in raft ... 50 paise per 190 day.

The Superintending Engineer may at his discretion exempt any boats on any line of navigation, or any portion of a line of navigation, from the payment required by this rule.

9.

The Superintending Engineer in charge of the Circle in which the line of navigation is suited shall fix such places and the length of time as he may consider necessary at and during which vessels may remain while waiting for cargo or otherwise. If the time so fixed is exceeded, a charge of one rupee for each day or part of a day after the expiry thereof should be charged for demurrage. Any vessel which on completion of a voyage or on entering the canal remains for a period of 24 hours or more at any place in the line of navigation other than one so fixed shall be liable to an extra charge per diem as provided in rule 8, which shall be recoverable as toll.

10.

The Superintending Engineer in charge of the Circle shall notify at what places on the line of navigation vessels may be ordinarily loaded or unloaded. Permission to load or unload at places other than those so notified may be granted in special cases by the navigation officers. Should any vessel be loaded or unloaded at any place other than those notified by the Superintending Engineer, and without the permission specified above having obtained, the person in charge of the vessel and the consignor or consignee of the goods shall, on conviction before a Magistrate be liable to a fine not exceeding Rs. 10 for each offence.

11.

Except with the written permission of a navigation officer no goods or cargo may be deposited on any bank, berm, or land appertaining to the canal at places other than these notified by the Superintending Engineer of the Circle as available for such purpose. Any person depositing goods in contravention of the above rule shall on conviction before a Magistrate, be liable to a fine not exceeding Rs 50.

12.

Navigation officers may order consignors or consignees or owners to remove their goods from the places notified as available for depositing cargo under rule 11. Goods not finally removed within a period of six days from the receipt of such order shall be liable to a charge of 25 paise per 100 maunds for each day after the expiry of the six days until finally removed.

13.

No vessel of dimensions exceeding those which shall be notified for each line of navigation by the Superintending Engineer in charge of the Circle will be allowed to enter such line of navigation or to pass along it.

14.

It will not be compulsory for the locks to be opened to single vessels of less than 500 maunds burden, except in the case of mail or despatch boats or passenger or cargo boats in tow of steam-vessels; but the locks shall be opened for the passage of boats at least twice a day.

15. Mooring.

- All vessels stopping at night must be moored head and stern to the bank of the channel or wherever specially ordered. Only one line of vessels shall be allowed to pass along a canal or to make fast along and in a line with the canal banks or along and in a line with the banks of the river entrances to the locks, and no vessel shall be made fast, or be placed in such a position as to endanger the safety of other vessels, to obstruct their passage, or to impede the navigation.

16. Rule of the road.

- When under sail, vessels are to keep in the centre of the channel. When being tracked vessels are, practicable, to keep to starboard or right side of the channel. Vessels meeting in a canal, except when one vessel overtakes another, the former must pass on the left. Vessels, one of which is sailing and the other steaming meeting in a canal, the sailing vessel to keep to the leeward. A steamer passing any vessel is bound to go at a speed not greater than half speed.

17. Lights and signals.

- All vessels, whether travelling or moored in a line of navigation, must between sunset and sunrise, carry a white light in a lantern on the forepart of steam-vessels in motion shall carry the lights prescribed by the Board of Trade Regulations. Barges or boats attached to a steam-vessel, whether in motion or moored, shall carry the white light prescribed above. Where signals are used, no vessel shall enter or attempt to enter the entrance channel of a lock when a red flag or red light is displayed at the end of the lock next her, but shall wait until the signal intimating 'all clear' is displayed. Steam-vessels approaching a lock shall whistle when a mile distant, and shall continue to whistle at intervals until the signal intimating that the lock is open or closed is displayed, or, if no signals are used, until arrival.

18. Crews and attendants.

- Every vessel when stationary shall be securely fastened and shall at all times have some person in attendance on board. Every vessel in motion shall have a sufficient crew.

19. Fittings.

- Vessels must have their masts, high awnings and funnels fitted so that they can be let down with ease and speed, and no bamboos or poles shall be erected on or by vessels when at anchor.

20. Conduct of Navigation.

- Vessels are prohibited from making fast to any portion of the lock-gate or gearing and steamers are prohibited from making fast the two lines of their boats until the latter are clear of the locks. Steamers are prohibited from lashing boats or barges alongside while proceeding within locks. Towing ropes of a greater length than 50 feet are not to be used in a canal. The throwing of cinders into any canal is prohibited: they are to be deposited on the banks.

21.

In every case of wreck or obstruction of the channel by sunken vessels, the Supervisor of the line of navigation or of part of it may call upon the person in charge of the vessel to remove the same without delay and shall give every reasonable assistance towards so doing. But should the owner of the vessel or raft be not forthcoming or should he not use reasonable expedition in removing the obstruction, or should he decline or fail to use proper assistance which may be offered to him by the Supervisor, this officer may, under the provisions of Section 14 of the Act, undertake the removal of the obstruction himself at the cost of the owner of the boat recovering the expense in the manner laid down in Section 9 of the "Canals Act, 1864". If the sunken vessel obstructs the traffic or is likely to cause injury to the canal and immediate action is consequently necessary, the powers conferred by this rule on the Supervisor may be exercised by any navigation officer.

22.

If the Supervisor be unable to ascertain the name and place of business or of abode of the owner of the cargo of any vessel or boats seized under the "Canal Act" he shall notify the seizure in the most public manner available.

23.

In the event of any damage or injury being occasioned to the canal works by willfulness or negligence on the part of any person in charge of a vessel, the navigation officers may detain the vessel at any point within the canal for a period not exceeding 48 hours; provided that, within that period, the navigation officers shall lodge a complaint against such person in charge of the vessel

before a Magistrate under Section 16 of the "Canals Act".

24.

For any contravention of rules 15, 16, 27, 28, 19 and 20, the person in charge of the vessel shall, on conviction before a Magistrate be liable to a fine not exceeding Rs. 50.

25.

All offences against the provision of these rules shall be punishable as provided for in Section 18 of the "Canals Act, 1864" and all fines imposed may be recovered in the manner mentioned in Section 17 of the same Act.

26.

The term "navigation officers" as used in the foregoing rules shall include the persons alluded to in section 8 of the "Canals Act 1864" and all Public Works Officers or subordinates incharge of the canal not below the grade of sub-overseer.

27.

The canals may be closed once a year for effecting the necessary repairs to them on one month's notice of the intention so to close them being given; but whenever it becomes necessary to close the canals immediately owing to the failure of the supply of water in the river or to any unforeseen emergency, they may be closed without prior notice, or kept closed beyond the date fixed for re-opening, and no claim in such case by owners of vessels or others for compensation on account of detention shall be entertained.