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COMMERCE & TRANSPORT (COMMERCE) DEPARTMENT

NOTIFICATION

The 5th August, 2019

No.2586–PORT(A)-4/2017/Com.— Whereas, the draft of certain rules to amend the Odisha Boat Rules, 2004, which the State Government propose to make in exercise of the powers conferred by Sections 12 and 19 of the Northern India Ferries Act, 1878 (17 of 1878), Sections 15 and 22 of the Bengal Ferries Act, 1885 (Bengal Act 1 of 1885) read with Section 16A of the Madras Canal and Public Ferries Act, 1890 (11 of 1890) was published in the Extraordinary issue No. 1122 of the *Odisha Gazette* dated the 27th June, 2017 under the notification of the Government of Odisha in the Commerce & Transport (Commerce) Department No.3203–PORT(A)-4/2017/Com. dated the 27th June, 2017 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 *Odisha Gazette*.

And, whereas, no objection or suggestion has been received in respect of the said draft during the period so specified above.

Now, therefore, in exercise of the powers conferred by the said sections of the aforesaid Acts, the State Government do hereby make the following rules, namely:-

1. (1) These rules may be called the Odisha Boat (Amendment) Rules, 2019.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha Boat Rules, 2004 (hereinafter referred to as the said rules), in rule 2,—

(a) in clause (a), after the word "including", the words "motorised water sports equipment and" shall be added;

(b) for clause (i), the following clause shall be substituted, namely:—

"(i) "Registration Officer" means any person appointed as such by the State Government."; and

(c) after clause (i) so substituted, the following clause shall be inserted, namely:—

"(j) "registration number" means the registration number issued in respect of a boat as per Book of Registry of the concerned District following the District Code indicating the place of registration as notified by the State Government."

3. In the said rules, in rule 3, for clause (b), the following clause shall be substituted, namely:—

"(b) unless the registration number is painted on both the sides of the boat in white figures of not less than 15 cms. in height and 2 cms. in breadth."

4. In the said rules, in rule 4, after sub-rule (1), the following explanation shall be inserted, namely:—

Explanation— operator of all motorised water sports equipment will be same as "Tindal" or "Manjhi" for any boat for the purpose of these rules.

5. In the said rules, in rule 27,—

(a) in clause (f), after the words "minimum of two", the words "and life jacket or vest of one number to each passenger and crew member" shall be added; and

(b) for clause (k), the following clause shall be substituted, namely:—

"(k) It has a valid insurance policy for minimum personal accident cover of rupees fifty thousand per head in respect of death and rupees twenty-five thousand per head in respect of permanent disabilities for unnamed persons limited to the total licensed carrying capacity of the boat and crew."

6. In the said rules, after rule 42, the following rule shall be inserted, namely:—

"43.(1) The Collector and District Magistrate of a District shall have the Authority for requisition of boats during emergency or public exigencies.

(2) Necessary hire charges for use of boats along with crew shall be chargeable as per rates finalized by the Special Relief Commissioner subject to crew numbers not exceeding six qualified persons."

7. In the said rules, Appendix-A shall be omitted.

By Order of the Governor

G. SRINIVAS

Principal Secretary to Government