



SUPPLEMENT
TO THE
BOMBAY GOVERNMENT GAZETTE.

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PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following REPORT of the Select Committee of the Council of the Governor of Bombay for the purpose of making Laws and Regulations, together with the Bill as altered by them, is published for general information :—

Report of the Select Committee on the " Bill to provide for the Periodical Survey of Steam Vessels, in the Ports, Harbours, Rivers or Waters of the Presidency of Bombay."

We, the undersigned, forming the Select Committee, beg to report that we have carefully considered the provisions of the Bill, and that we affirm its principles.

We have made several verbal alterations, which we considered to be improvements.

In Section I. we have substituted in line 8 the word "other" for "Indian," so as to make the Act applicable to Steamers plying between the Presidency and Ports beyond the Continent of India ; and we have modified the provisions of Section VII. so as to extend the Act to such British Steamers as may happen at any time to visit the Ports of this Presidency, though they do not regularly ply from them. In Sections III. and XII., we have applied the provisions of the Penal Code in commutation of fines instead of assigning specific periods of imprisonment. We have also made Schedule B more specific than in the original draft, by stating clearly that only one fee will be charged for each Survey, whether the Survey be made by one or more Surveyors.

The order in regard to the translation of the Bill is applicable to the translation of this Report.

(Signed) J. D. INVERARITY,
(") A. D. ROBERTSON,
(") M. H. SCOTT.

*Poona, Council Chamber,
16th July 1863.*

*A Bill to provide for the Periodical Survey of Steam Vessels in the Ports,
Harbours, Rivers or Waters of the Presidency of Bombay.*

WHEREAS it is desirable to provide for the Survey, by competent Surveyors, of Steam Vessels in the Ports, Harbours, Rivers or Waters of the Presidency of Bombay, with a view to the due security of life and property of passengers, and of property shipped on board such Steam Vessels; It is enacted as follows:—

Preamble.

I. Every Steam Vessel, plying in the Harbour of Bombay, or in any of the Ports or Harbours, or on any of the Rivers or Waters of the Presidency of Bombay, and every British Steam Vessel plying between any Port of the Presidency of Bombay and any other Port, shall be liable to be surveyed twice in every year, in the manner hereinafter prescribed.

II. It shall be lawful for the Governor of Bombay in Council to appoint a fit and proper person or persons, to be a Surveyor or Surveyors for the purposes of this Act.

III. It shall be lawful for the said Surveyors, in the execution of their duties, to go on board any Steam Vessel, liable to be surveyed under this Act, as soon as reasonably may be after the arrival of such Steam Vessel in any of the Ports, Harbours, Rivers or Waters of the Presidency of Bombay, but not so as unnecessarily to hinder the loading or unloading of such Steam Vessel, or to detain or delay her from proceeding on any voyage or service, and to inspect such Steam Vessel or any part thereof, and any of the machinery, equipments, or articles on board thereof: and the Owner, Master, and Officers serving on board of such Vessel, shall be bound to afford to the Surveyors all reasonable facility for such inspection or Survey, and to afford them all such information respecting such Vessel and her machinery and equipments, or any part thereof respectively, as may be reasonably required by the Surveyors; and any person who shall refuse access to the Surveyors, or shall otherwise hinder them in the performance of their duty, or shall refuse or neglect to give any information which may

reasonably be required of them, and which they have it in their power to give, shall be liable for each offence to a penalty not exceeding Five Hundred Rupees, commutable to simple imprisonment under Section 67 of the Indian Penal Code.

IV. When any Survey is made under this Act, the Surveyors making such Survey shall forthwith, if satisfied that they can with propriety do so, and on payment by the Owner or Master of the fees hereinafter mentioned, give to the Owner or Master of the Steam Vessel surveyed a Certificate and Declaration signed by them, and framed as nearly as the circumstances of each case will admit in the Form set forth in Schedule A hereto annexed.

V. No Officer of Customs shall grant a clearance, nor shall any Pilot be assigned to any Steam Vessel, liable to be surveyed under this Act, which shall not have been duly furnished with a Certificate and Declaration under the provisions of this Act, applicable to the voyage on which she is about to proceed, or the service on which she is about to be employed; and if any Steam Vessel liable to be surveyed under this Act, shall leave or attempt to leave any of the Ports, Harbours, Rivers or Waters of the Presidency of Bombay, without such Certificate and Declaration applicable to the voyage on which she is about to proceed, or the service on which she is about to be employed, the Owner or Master of such Steam Vessel shall be liable to a fine not exceeding One Thousand Rupees for each offence, and if there be any Officer of Customs or any Pilot on board of such Steam Vessel, he may detain her until she is duly furnished with such Certificate and Declaration.

VI. If the Commander or any other Officer of a Steam Vessel liable to be surveyed under this Act, is a licensed Pilot, and shall leave or attempt to leave any of the Ports, Harbours, Rivers or Waters of the Presidency of Bombay in such

Steam Vessel without such Steam Vessel being duly furnished with a Certificate and Declaration under the provisions of this Act, applicable to the voyage on which she is about to proceed, or the service on which she is about to be employed, such Commander or other Officer shall be liable at the pleasure of the Governor of Bombay in Council to be deprived temporarily or permanently of his license as a Pilot.

VII. It shall be lawful for the Governor of Bombay in Council to give special directions to the Surveyors under this Act to survey any British Steamer lying in any of the Ports, Harbours, Rivers or Waters of the Presidency of Bombay, and the provisions of this Act shall apply (so far as the same are in any way applicable) to every Vessel so specially directed to be surveyed, and to the Owner, Master, Officers and Crew thereof.

VIII. The Governor of Bombay in Council is hereby empowered to frame Rules as to the manner in which the Surveys shall be made, and the times and places of such Surveys, and the duties of the Surveyors, provided that such Rules shall not be inconsistent with the provisions of this Act.

IX. Any Surveyor demanding or receiving directly or indirectly from the Owner, Master, or Officer, of any vessel surveyed by him under the provisions of this Act, any fee or remuneration otherwise than as provided by this Act, shall be liable to dismissal, in addition to any other penalty to which he may by law be liable.

X. For every Survey made under this Act, the Owner or Master of the Steam Vessel surveyed shall pay to the Surveyors making the same, a fee calculated on the Tonnage of the Vessel according to the rates in Schedule B hereto annexed.

XI. The Certificate and Declaration granted by Surveyors under this Act shall be hung up, and remain at all times suspended, in some conspicuous part of the Vessel for which the same is granted, where the same may be easily read; and in default of compliance with this provision, every Owner or Master shall be liable to a penalty not exceeding One Hundred Rupees for each offence.

XII. No Certificate or Declaration shall be held to be in force for the purposes of this Act after the expiration of six Calendar months from

the date thereof. Provided that if any Steam Vessel is absent when her Certificate and Declaration expire, no penalty shall be incurred for the want of a Certificate and Declaration, until she first begins to ply or is about to ply after her next subsequent return to any of the Ports, Harbours, Rivers or Waters of the Bombay Presidency. And the Governor of Bombay in Council, or any Officer appointed by him for that purpose, may require any Certificate and Declaration which has expired or has been revoked or cancelled, to be delivered up as may be directed; and any Owner or Master or other person who, without reasonable cause, neglects or refuses to comply with such requirement, shall incur a penalty not exceeding Five Hundred Rupees, commutable to simple imprisonment under Section 67 of the Indian Penal Code, for each offence.

Provido in case of Vessels absent from Harbour, &c. when Certificate expires.

XIII. The Governor of Bombay in Council, or any Officer appointed or authorized by him for that purpose, may revoke and cancel any Certificate and Declaration given or made under this Act in any case in which he has reason to believe—

(1) That the Certificate or Declaration of the sufficiency and good condition of the hull, equipments, and machinery of any Steam Vessel, has been fraudulently given or erroneously made; or

(2) That such Certificate or Declaration has otherwise been issued upon false or erroneous information; or

(3) That since the giving and making of such Certificate and Declaration, the hull, equipments, or machinery of such Ship have sustained any injury or are otherwise insufficient.

And in every such case the Governor of Bombay, in Council or such Officer as last aforesaid, may, if he thinks fit, require the Owner or Master to have such Steam Vessel again surveyed as herein provided.

XIV. If any Steam Vessel shall be surveyed under the provisions of this Act, and if the Surveyors shall decline to give any Certificate or Declaration, or shall give a Certificate or Declaration with which the Owner or Master of the Steam Vessel shall be dissatisfied, the Governor of Bombay in Council may, on the application of such Owner or Master, appoint two other competent Surveyors to survey the said Steam Vessel. The

If the correctness of a Survey is doubted, Government may order a Second Survey by other Surveyors.

Certificate to be in force only six months, and to be delivered up when expired or revoked.

Surveyors so appointed shall forthwith survey the said Steam Vessel, and shall either decline to give any Certificate and Declaration, or shall give such Certificate and Declaration as under the circumstances may seem to them proper. Every Survey made under this Section shall be made subject to all the provisions and rules both as to the payment of fees and otherwise which are applicable to Surveys made in ordinary cases under this Act. If the Surveyors appointed under this Section unanimously refuse to give any Certificate and Declaration, or agree as to the terms of their Certificate and Declaration, such refusal or such Certificate and Declaration shall be final and conclusive; but if they do not agree, the refusal originally made or the Certificate and Declaration originally granted by the Surveyors, who surveyed the said Steam Vessel in the first instance, shall remain and be of full force and effect.

XV. Any case arising out of this Act may be tried by any Officer having the full powers of a Magistrate, within whose jurisdiction the offence may have been committed, or by any Police Magistrate of the Town of Bombay. The provisions of Section LV. of Act XXII. of 1855 (for the regulation of Ports and Port-dues) are hereby extended to all penalties imposed under this Act; and all fees due under Section X. of this Act shall be recoverable in like manner as penalties are recoverable.

XVI. The word "Surveyors" as used in this Act shall be taken to include any Surveyor acting alone when authorized so to do by the Governor of Bombay in Council under the provisions of this Act.

Offences under this Act by whom to be tried.

Penalties and fees how to be recovered.

Surveyor acting alone included in term "Surveyors."

SCHEDULE B.

Rate of Fees to be charged (referred to in Section X.) for each Survey, whether one or more Surveyors are employed.

	Rs.	n.	p.
For Steamers of less than 200 Tons	20	0	0
" " 200 Tons and up to 350	25	0	0
" " 350 " " 700	30	0	0
" " 700 " " 1,000	40	0	0
" " 1,000 " " 1,500	50	0	0
" " 1,500 " and upwards.....	60	0	0

By order of His Excellency the Governor in Council,

H. M. BIRDWOOD,

Officiating Under-Secretary to Government.

SCHEDULE A.

Form of Surveyors' Certificate and Declaration.

Name of Steam Vessel.	Tonnage.	When and where built and Material.	Power.	Description of Engines and age.	Description of Boilers and age.	Ground Tackle.	Condition of Hull.	General Equipment.	Name of Master and number of Officers and Dock-crew, and of Engineers and Engine-room Crew.	When and where last coppered, repaired, or cleaned.	Limits (if any) beyond which the vessel is not fit to ply.	Time, if less than six months, for which the Hull, Boilers, Engines, or any of the Equipments will be sufficient.	REMARKS.

We, the undersigned, declare that we have examined the above-named Steamer, and to the best of our judgment she and her Engines, as shown in the above Statement, are fully sufficient for the service on which it is intended to employ the said Steamer, that is to say, for (as the case may be.)

A. B.
C. D.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

Report of the Select Committee on a "Bill to provide for the Periodical Survey of Steam Vessels, in the Ports, Harbours, Rivers or Waters of the Presidency of Bombay."

मुंबई प्रेसिडेन्सीचे बंदरांतील किंवा नद्यांतील किंवा खाड्यांतील आगीचे गळबतांची मुदती मुदतीचे पाहणी करण्याबाबद्द नियम ठरविण्याविषयीचे आक्ताचे मसुद्याबाबद्द रिपोर्ट करण्यासाठी बंदेगान आली नवाब मुस्तताब हजरत अनरबल गवरनर साहेब बाहादुर जंजीरे मुंबई यांचे कौन्सिलाने नेमकेले सिलेक्टर कमिटीचा रिपोर्ट.

आम्ही रिपोर्ट करतो ऐसाजे या आक्ताचे मसुद्यांतील ठरावांच्या आम्ही लक्षपूर्वक विचार केला आणि त्यांच्या हेतु बरोबर आहेस आम्हास वाटते. शब्दांचे कांहीं फेरफार केले असतां मसुदा सुधारे असे आमचे मतरेस आल्यावरून त्या प्रमाणे कित्येक फेरफार केले आहेत.

या प्रेसिडेन्सीचे व हिंदुस्थानापलीकडील बंदरांचे दरमियान फिरणारे आगबोरीस हा आक्ता लागू करण्यासाठी १ वे कलमाचे ८ वे ओळींतील "हिंदुस्थानांतील" या शब्दाबद्दल "इतर" हा शब्द आम्ही घातला आहे; या प्रेसिडेन्सीचे बंदरांव ज्या इंग्रजी स्टीमरी नेवमी फिरत नाहीत त्या सदर प्रकाशने बंदरांत कोणतेही वेळी आल्या असतां त्यांस हा आक्ता लागू व्हावा असा ७ वे कलमांतील ठरावांत फेरफार केला आहे. दंड न दिला असतां कैद किती ठरवावी याविषयी ठराव न करतां तसे प्रसंगी अपराध्यांस शिक्षा करण्याविषयीचे कायद्यांतील ठराव लागू करावा असा ३ रे व १२ वे कलमांत फेरफार केला आहे; पाहणी एका किंवा अधिक सरवेयरांनी केली असली तथापि प्रत्येक पाहणीबद्दल एकच फी पडेल असें साफ लिहून ब. परिशिष्टही मूळचे मसुद्यांत होते त्यापेक्षां अधिक स्पष्ट केले आहे.

मसुद्याची भाषांतरें करण्याचा हुकूम या रिपोर्टीचे भाषांतरांसही लागू आहे.

(सही) जोनाथन डंकन इन्वेगारिटी.

मुकाम पुणे.

» आर्चिबाल्ड डेविड राबर्टसन.

तारीख १६ वी माहेजुलै सन १८६३ दसवी.

» मैकल ह्यू स्कॉट.

(True Translation)

VENAYEK WASSOODEW,
Oriental Translator to Government.

Report of the Select Committee on a "Bill to provide for the Periodical Survey of Steam Vessels, in the Ports, Harbours, Rivers or Waters of the Presidency of Bombay."

સુખર્ષિમેરિડે ન્હીનાં ખરમાં જાયવા ન શકે. જાયવા જાત્રીમાં જાગજોરની બેજાને વ-
જેતે તપારે હુરવા જાજત નિયત કરાવવા જાજત ના જા હુર ના મરુદા વિરો ત્રિપોટ
હુરવા સાડિ ખંદેગાન જાજત નિયત મુસે તાજ હુર ના જાજત નાજ ગયર નરસાજ
જા હુર નંજો સુખર્ષિની ડોંસિલે નેમલી સિલેટ ફમિદી નો ત્રિપોટ.

હમે ત્રિપોટ ફરીએ છેએ કે જા જા હુર ના મસુદાના કરાવનો હમે જુજ ધ્યાન પો હોંયા-
ડીને વિચાર કયો જને તેની મતલબ જાજત છે એવું હમને લાગે છે. શાજો નો ફર્ક ફર ફાર
ફર ફો તો મસુદો સુખર્ષી એવું હમારી નગરમાં જાજ્યા ઉપરથી તે પ્રમાણે ફરલો એક ફર ફાર
કયો છે.

જા પ્રેસિડેન્સીનાં ખંદરની જને ફિંદુ સ્થાનની પેલી તરફનાં ખંદરની વચ્ચે ફર નારી
જાગજોરને જા જા હુર લાગૂ કરવા સાડિ હાલી ફલમની ટમી લીડીમાંના "ફિંદુ સ્થાન મોંફોનાં"
જા શાજોને જાજે "બીન્" એ શાજ હમે લખ્યો છે. જા પ્રેસિડેન્સીનાં ખંદરમાં એ જાગજોર
જાજોરો હમેમાં ફરતી નથી તે જાગજોરો સદર હુ પ્રકારનાં ખંદરમાં જાજે ત્યારે તેજોને જા
જા હુર લાગૂ કરવા સાડિ હાલી ફલમના કરાવનાં ફર ફાર કયો છે, - હું નહીં જાપે તો ફેટલી ફેટ
કરાવવી તેનો કરાવ કયો નથી પણ તેલે પ્રસંગે ફિંદુ સ્થાનના ફોળહારી ફાયદાનો કરાવ
લાગૂ કરવો એવો ફોળહારી ફાયદામાં ફર ફાર કયો છે. એક જાયવા વના સરવેયરો-
એ તપાસ ફરીફોય તોપણ દરએ ફોળહારી જાજત એક ફી જેસરી એવું સાડિ લખીને જા-પરિ-
શિષ્ટ પણ જસાનના મસુદામાં ફોળહારી તો વધારે સ્પષ્ટ કયું છે.

મસુદાના તરબુજા કરવાનો હુડમ જારિ થોરેના તરબુજા જોને પણ લાગૂ છે.

(સફી) નેનાયેક ડંડુન. ઈન્વેસ્ટિગેટીવ.

સુડામ પુણા તારીખ વધુમી }
માહેબુલે વત્કડ જંગેરેજી. }

” જા રિપોર્ટ ડેવિડ રાજર્ડસન.
” મેડલ. લ્યૂ. સ્કેટ.

(True Translation)

VENAYEK WASSODEW,

Oriental Translator to Government.