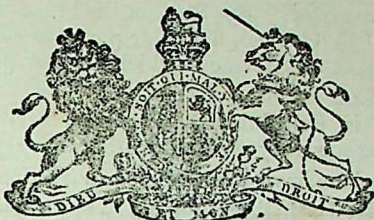


THE



Bombay Government Gazette.

Published by Authority.

FRIDAY, 22ND AUGUST 1873.

 *Separate paging is given to this Part, in order that it may be filed as a separate compilation.*

PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Report of the Select Committee of the Council of His Excellency the Governor of Bombay, on the "Bill to amend Bombay Act No. II. of 1864, providing for the periodical Survey of Steam Vessels, and to provide for the Examination of Engineers of Steam Vessels," and the Bill as amended by the Committee are, in accordance with Rule 25 of the Rules for the Conduct of Business at Meetings of the Council, published for general information:—

Report of the Select Committee appointed to consider the "Bill to amend Bombay Act No. II. of 1864, providing for the Periodical Survey of Steam Vessels, and to provide for the Examination of Engineers of Steam Vessels."

The Committee appointed to report on Bill No. IX. of 1873 (a Bill to amend Bombay Act No. II. of 1864, providing for the Periodical Survey of Steam Vessels, and to provide for the examination of Engineers of Steam Vessels), beg to state that they approve of the principle of the Bill as amended.

2. They have not to recommend many alterations in the Bill as introduced. The most important modifications suggested by them are to be found in Sections 1, 2, and 16, and in the new Section inserted as No. 14.

3. Section I. of the Bill as introduced only exempts from liability to survey Steam Vessels holding a valid certificate granted by the British Board of Trade, but there would appear to be no sufficient reason why this exemption from liability to be surveyed should not be extended to steam vessels holding valid certificates granted by the Governments of Bengal or Madras or by any British Colonial Government. This exemption is accordingly proposed to be granted. In the same way it is proposed that certificates of competency or service granted by any British Colonial Government or by the Governments of Bengal or Madras shall be held to have the same validity and effect as similar certificates granted under the provisions of the Bill or by any competent authority in the United Kingdom.

4. The Select Committee consider it expedient to insert in the Bill a provision empowering Government to exempt from the operation of Sections 12 and 13 of the Bill all Steam Tugs, Barges and Launches. By Section XIII. of Act I. of 1868 of the Lieutenant-Governor of Bengal in Council, a similar power is conferred upon the Lieutenant-Governor of Bengal in respect of Steamers which do not ply with passengers or goods and of Steam Tugs for hire.

5. The rates of fees in Schedule B. have been revised, as under Section 5 each Surveyor engaged in making a survey will be entitled to a separate fee.

6. Some minor alterations have been effected in Sections 4 and 7.

7. The Honourable Mr. Bythell was unable to be present at the meeting of the Select Committee and does not therefore sign this report.

(Signed) A. ROGERS.
 " M. K. KENNEDY.
 " NARAYAN VASUDEO.

21st August 1873.

Bill No. 9 of 1873.

A Bill to amend Bombay Act No. II. of 1864, providing for the Periodical Survey of Steam Vessels, and to provide for the Examination of Engineers of Steam Vessels.

WHEREAS it is expedient to amend Bombay Act No. II. of 1864, providing for the periodical survey of steam vessels, and to make provision for the management by competent Engineers of steam vessels plying in the Ports, Harbours, Rivers or Waters of the Presidency of Bombay; It is enacted as follows:—

I. For Section I. of Act II. of 1864, passed by the Governor of Bombay in Council, entitled an "Act to provide for the periodical survey of steam vessels plying in the Ports, Harbours, Rivers or Waters of the Presidency of Bombay," shall be substituted the following section:—

"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. No steam vessel holding a certificate granted by the British Board of Trade or by any British Indian or British Colonial Government shall be liable to be so surveyed as long as such certificate remains in force and valid, unless such steam vessels, or the machinery belonging to the same, shall, subsequently to the issue of such certificate, have sustained injury or damage, or been found unseaworthy or otherwise inefficient."

II. It shall be the duty of any Surveyor appointed for the purposes of the said Act II. of 1864; on going on board of any steam vessel arriving in any Port or Harbour of the Presidency of Bombay, to enquire of the master thereof if any certificate has been granted by the British Board of Trade or by any British Indian or British Colonial Government for the same, and in such case to demand the production of the said certificate for his inspection. And it shall further be the duty of such Surveyor to enquire of the Master and other Officers and the Engineers of such steam vessel whether any injury or damage has been sustained by the said steam vessel or the machinery of the same, since the date of the issue of such certificate. And if any such Master, Officer, or Engineer shall refuse to answer any such question, or shall not truly answer the same, he shall be liable to a penalty not exceeding 500 Rupees.

III. Every such Surveyor shall, after satisfying himself that any steam vessel is entitled, under the provisions of Section I. of this Act, to be exempted from Survey, deliver to the master of such vessel a certificate to that effect under his hand, and upon the production of such certificate the proper Officer of Customs shall grant a Clearance, and the proper authority shall assign a Pilot to such steam vessel, any

thing in the said Act II. of 1864 to the contrary notwithstanding.

IV. Whenever any boiler explosion shall occur on board of any steam vessel subject to this Act, it shall be lawful for the Governor of Bombay in Council, if he shall think fit, to direct that an investigation of the cause of such explosion be made by such person or persons as he shall think fit. The person or persons authorized by the Governor in Council to make such investigation may enter into and upon such steam vessel and cause to be removed any portion of such steam vessel, or of the machinery thereof, for the purpose of such investigation, and shall report the cause of such explosion.

V. For Section X. of Act II. of 1864, passed by the Governor of Bombay in Council, entitled an "Act to provide for the periodical survey of steam vessels plying in the Ports, Harbours, Rivers or Waters of the Presidency of Bombay," shall be substituted the words following:

"For every survey made under this Act the owner or master of the steam vessel surveyed shall pay to each of the Surveyors making the same a fee calculated on the tonnage of the vessel according to the rates in Schedule B hereto annexed."

VI. It shall be lawful for the Governor of Bombay, by an order to be published in the *Government Gazette*, to appoint any ports or places in the Presidency of Bombay to be ports of survey for the purposes of the said Act II. of 1864, and of this Act.

VII. It shall be lawful for the Governor of Bombay in Council, from time to time, by an order to be published in the *Government Gazette*, to direct that in any port or place of survey other than Bombay, in addition to the fees imposed by the said Act II. of 1864, there shall be paid for every survey of a steam vessel in such port or place by the owner or master of such steam vessel such further fee, for or towards the expense of the journey of a surveyor to such port or place, as in such order shall be set forth, and from time to time in like manner to alter, vary or revoke any such order; and every fee so to be payable shall be recoverable by the ways and means in the said Act provided for the recovery of the fees thereby imposed.

VIII. Examinations shall be instituted for persons who intend to become Engineers of Steamers, or who wish to procure certificates of competency as hereinafter mentioned.

IX. The Governor of Bombay in Council, or any Board or Officer duly authorized by him in that behalf shall, from time to time, nominate two or more competent persons for the purpose of examining the qualifications of applicants for examination, and may make rules for the conduct of such examination, and as to the qualifications to be required and the fees to be paid by all applicants for examination.

X. The Governor in Council, or such Board or Officer as aforesaid, shall deliver to every applicant who is reported by the examiners to have passed the examination satisfactorily, a certificate (hereinafter called a "certificate of competency") to the effect that he is competent to act as Engineer.

XI. Every person, who before the passing of this Act, has served for a period of not less than one year as first or only engineer in any steam vessel, or who has attained or shall attain the rank of First Class Assistant Engineer in the service of Her Majesty, shall be entitled to a certificate of service. Each of the certificates of service shall contain particulars of the name and of the length and nature of the previous service of the person to whom it is delivered, and the Governor in Council, or the other authority as aforesaid, shall deliver such certificates of service to the various persons so respectively entitled thereto, upon their proving themselves to have attained such rank, or to have served as aforesaid, and upon their giving a full and satisfactory account of the particulars aforesaid, and on payment of such fees as the Governor in Council shall, by an order published in the *Government Gazette*, from time to time, direct.

XII. No clearance shall be granted for any steam vessel unless the master thereof shall satisfy the proper Officer of the Customs that such steam vessel has as its engineer an engineer possessing a certificate of competency or a certificate of service.

XIII. The owner and also the master of

Penalty for plying
without a certificated En-
gineer.

any steam vessels subject
to this Act, which shall
ply in any of the Ports,
Harbours, Rivers or

Waters of the Presidency of Bombay, without
having in charge of the engines thereof an
engineer possessing a certificate of service
or a certificate of competency, shall be liable
to a fine not exceeding five hundred Rupees.

XIV. It shall be competent to the

Power to exempt cer-
tain Steam Vessels.

Governor in Council
to exempt from the
operation of Sections

XII. and XIII. of this Act all Steam Tugs,
Steam Barges and Steam Launches.

XV. It shall be lawful for the Governor

Withdrawal of certi-
ficate.

in Council or authori-
ty as aforesaid in case
of the misconduct, neg-

ligence or incompetency of any engineer
possessing a certificate of competency or a
certificate of service, to cancel such certi-
ficate, or to suspend the same for such time
as to him or them shall seem fit.

XVI. Every engineer's certificate of

English certificates to
be available.

competency or service,
which may be granted
by any competent au-

thority in the United Kingdom, or by any
British Indian or British Colonial Govern-
ment, shall have in all respects the same
validity and effect, as if the same had been
granted under the provisions of this Act.

XVII. All certificates, whether of com-

Certificates to be made
in duplicate.

petency or service,
shall be made in du-
plicate, and one part

shall be delivered to the person entitled to
the certificate, and the other shall be kept
and recorded as the Governor in Council
shall direct. A note of all orders made for
cancelling, suspending, altering, or otherwise
affecting any certificate in pursuance of the
powers herein contained, shall be entered on
the record of certificates.

XVIII. Whenever any engineer proves to

Copy of certificate to
be delivered.

the satisfaction of the
Governor in Council,
or of such other autho-

rity as aforesaid, that he has, without fault
on his part, lost or been deprived of any
certificate already granted to him, a copy of
the certificates to which by the record so
kept as aforesaid he appears to be entitled,
shall be delivered to him, and shall have all
the effect of the original.

XIX. In citing this Act it shall be suffi-

Short Title.

cient to use the expres-
sion, "The Steam Ves-
sel Survey Amendment Act of 1873."

XX. This Act shall commence and

Commencement of Act.

take effect as to Sec-
tions XII. and XIII.

upon the 1st day of March 1874, and as to
the residue thereof on the 1st day of Decem-
ber 1873.

XXI. This Act shall be read together

Construction of Act.

with, and as part of,
the said Act II. of
1864.

SCHEDULE B.

(Referred to in Section X. of Act II. of 1864.)

For steamers	of less than 200 tons register		Rs.	15
Ditto	of 200 tons register and up to 350 tons register		"	20
Ditto	350 do. do. 700 do.		"	25
Ditto	700 do. do. 1,000 do.		"	30
Ditto	1,000 do. and upwards		"	35

By order of His Excellency the Governor in Council,

JOHN NUGENT,

Acting Under Secretary to Government.

Poona, 21st August 1873.