

THE GAZETTE OF INDIA : EXTRAORDINARY [Part II – Sec. 3(i)]

MINISTRY OF SURFACE TRANSPORT
(SHIPPING WING)

New Delhi, the 12th September 1988

NOTIFICATION

G. S. R. 922(E). - In exercise of the powers conferred by sub-section (1) read with clauses (d), (e) and (l) of subsection (2) of section 435 U of the Merchant Shipping Act 1958 (44 of 1958), the Central Government hereby makes the following rules, namely: -

1. Short title and commencement and application :-

(1) These rules may be called the Merchant Shipping (Indian Fishing Boats Inspection) Rules, 1988.

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

(3) They shall apply to every Indian fishing boat to which Part XV A of the Act applies.

2. Definitions: -

In these rules, unless the context otherwise requires, -

- (a) "Act" means the Merchant Shipping Act, 1958 (44 of 1958);
- (b) "certificate" means a certificate of inspection granted under section 435 K of the Act;
- (c) "Form" means a form specified in Schedule II;
- (d) "Registrar" means a registrar of Indian fishing boats appointed as such under section 435 E of the Act;
- (e) "Schedule" means a schedule appended to these rules.

3. Application for certificate of inspection: -

(1) Every application for the grant of a certificate shall be made by the owner, agent or skipper of an Indian fishing boat to a Registrar in form FBIC - I.

(2) Every such application shall be accompanied by such fees as are specified in Part A of Schedule I.

4. Inspection of Indian fishing boats :-

On receipt of an application under rule 3, the Registrar shall cause the Indian fishing boat to be inspected by a Surveyor.

5. Preparation for inspection :-

The following preliminaries shall be completed by the owner, agent or skipper of an Indian fishing boat before an inspection is commenced, namely: -

- (1) The fishing boat shall be made clean and free from fish or ice.
- (2) Rigging and equipment shall be kept handy for inspection.

6. Inspection :-

- (1) **In respect of every fishing vessel**, it shall be inspected to ensure that:
 - (a) the hull machinery and equipment are sufficient for the intended service and are efficient;
 - (b) hatchways and other openings in hull and superstructure have efficient means of closing and are in all respects satisfactory for the intended service;
 - (c) the ventilators, air pipes, side scuttles, scuppers, discharges and other sea connections are adequate and efficient;
 - (d) bulwarks on weather deck are efficient and have sufficient freeing ports;
 - (e) the elements of stability are determined by an inclining experiment and an approved stability information booklet is provided on board;
 - (f) it has sufficient freeboard to allow an angle of heel of at least 20 degrees at which progressive flooding of fish holds could occur through hatches which remain open during fishing operations and which cannot rapidly be closed;
 - (g) the main and auxiliary machinery essential for the propulsion and safety is provided with effective means of control;
 - (h) it has sufficient power for going astern to secure proper control of the vessel in all normal circumstances;
 - (i) the arrangements for fuel oil, lubricating oil and other flammable oil are such as to ensure safety commensurate with the size and intended service of such vessel:

- (j) adequate bilge pumping arrangements are provided,
- (k) the main and auxiliary steering gear is adequate and sufficient for the intended service;
- (l) it is provided with sufficient emergency source of electric power in addition to the main source of electric power and adequate precautions are taken against shock, fire and other hazards of electrical origin.

(2) In respect of every sailing vessel, it shall be inspected to ensure that-

- (a) it is staunch and tight and strong enough for the service intended;
- (b) joints in planking are in good condition and properly caulked;
- (c) in case of decked vessel, the deck planking is in good condition and properly caulked and effective means of battening down the hatches are provided;
- (d) sails are strong and durable and in good condition and of sufficient area to enable efficient navigation under sails alone;
- (e) all blocks, pulleys and ropes are in good condition and of sufficient strength;
- (f) the anchors, chains, hawsers are sufficient and efficient;
- (g) the rudder and steering gear are efficient and in good condition.

(3) In respect of every Indian fishing boat, it shall be inspected to ensure that it is equipped with life saving appliances, fire appliances, lights, shapes, and sound signals, specified in the Merchant Shipping (Life Saving Appliances) Rules, 1982; the Merchant Shipping (Fire Appliances) Rules, 1969; and the Merchant Shipping (Prevention of Collisions at Sea) Regulations, 1975.

7. Defects:-

If the surveyor finds that any defect exists in the hull, machinery, equipments or rigging of an Indian fishing boat, he shall address a letter to the owner or skipper of such boat in from FBIC II pointing out the defect and the repairs necessary to make them good.

8. Issue of certificate:-

On the Registrar being satisfied on the basis of the report of the surveyor that the Indian fishing boat has complied with the provisions of the foregoing rules, he shall grant in duplicate, a Certificate in from FBIC III.