

सत्यमेव जयते

The Inland Vessels Act, 2021

(ACT NO. 24 OF 2021)

[*As on the* 30*th June*, 2026]

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AMENDMENT ACT

1. The *Jan Vishwas* (Amendment of Provisions) Act, 2026 (8 of 2026).

LIST OF ABBREVIATIONS USED

Cl., cls.	*for*	Clause, clauses.
Ins.	,,	Inserted.
Notifn.	,,	Notification.
S., ss.	,,	Section, sections.
Sch.	,,	Schedule.
Subs.	,,	Substituted.
w.e.f.	,,	with effect from.

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THE INLAND VESSELS ACT, 2021

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THE INLAND VESSELS ACT, 2021

ACT NO. 24 OF 2021

[11*th August*, 2021.]

An Act to promote economical and safe transportation and trade through inland waters, to bring uniformity in application of law relating to inland waterways and navigation within the country, to provide for safety of navigation, protection of life and cargo, and prevention of pollution that may be caused by the use or navigation of inland vessels, to ensure transparency and accountability of administration of inland water transportation, to strengthen procedures governing the inland vessels, their construction, survey, registration, manning, navigation and such other matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-second Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(*1*) This Act may be called the Inland Vessels Act, 2021.

(*2*) It extends to the whole of India.

(*3*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for bringing into force different provisions of this Act in different States or Union territories, as it may deem fit by the Central Government.

2. Application and scope.—(*1*) Save as otherwise expressly provided in this Act, the provisions of Chapters I, III, X, XVI and XVIII shall apply to all inland vessels plying within inland waters of India, and—

(*a*) Chapters IV, V, VI, VIII, IX, X, XI, XII, XIII and XIV shall apply to all mechanically propelled vessels registered under this Act;

(*b*) Chapters VIII, IX, X, XI, XII and XIII shall apply to vessels registered under such laws in force in India other than this Act, or registered in such laws in force in any country other than India; but endorsed or recognised under this Act for the purpose of plying within inland waterways;

(*c*) Chapters IV, V, VI, VII, VIII, IX, X, XI, XII, XIII and XIV shall apply to all vessels identified as special category vessels plying or using inland waterways;

(*d*) Chapter XVII shall apply to all non-mechanically propelled inland vessels.

(*2*) Notwithstanding anything contained in sub-section (*1*), the Central Government or the State Government, as the case may be, may extend the application of any Chapter or provision of this Act to any class or category of inland vessels, or to any region of inland waters, by notification in the Official Gazette.

3. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "authorised insurer" means any insurance company carrying on any class of marine insurance business, which is registered or recognised by the Central Government under any law for the time being in force in India;

1. 16th February, 2022, Section 1 and 106, *vide* Notifn. S.O. 743(E), dated 16th February, 2022, *see* Gazette of India, Extraordinary, Part II, sec. 3(ii).
7th of June, 2022, Section 2 to 105 and 107 to 114, *vide* Notifn. S.O. 2604(E), dated 7th June, 2022, *see* Gazette of India, Extraordinary, Part II, sec. 3(ii).

(*b*) "bareboat charter" means an arrangement for the hiring of a vessel without crew, where the charterer is responsible for appointing the crew and making other arrangements;

(*c*) "bareboat charter-cum-demise" is a bareboat charter where the ownership of the vessel is intended to be transferred after a specified period to the company to which it has been chartered;

(*d*) "cargo terminal" means a place designated for the loading, or unloading, or any other allied processes of such loading or unloading of cargo in a port, jetty, wharf or such other places developed within inland waters for the purpose of loading and unloading of cargo;

(*e*) "casualty" includes any vessel which—

(*i*) is lost, abandoned, materially damaged;

(*ii*) causes loss of material or damage to any other vessel;

(*iii*) causes any loss of life or personal injury;

(*iv*) causes pollution as a result of or in connection with its operation;

(*f*) "central database" means the centralised record maintained for recording the data and details of—

(*i*) vessels;

(*ii*) registration of vessels;

(*iii*) crew and manning in the vessels;

(*iv*) certificates issued in respect of vessels;

(*v*) reception facilities; and

(*vi*) such other data,

to be recorded and maintained in the form of an electronic portal or in such other form and manner as may be prescribed by the Central Government;

(*g*) "certificate of insurance" means a certificate issued by an authorised insurer in pursuance of the insurance premium paid by the insured, and includes a cover note complying with such requirements as may be prescribed by the Central Government;

(*h*) "competent authority" means the authority referred to in section 6;

(*i*) "court" means any civil court, revenue court or High Court having jurisdiction over the matters of liabilities and offences as provided in this Act including investigation and inquiry into claims arising out of causalities and accidents within its jurisdiction;

(*j*) "cover note" includes any note of undertaking issued by the insurer who promises to cover the liability and to indemnify the losses incurred by the insured as provided in the contract of insurance;

(*k*) "crew" means personnel employed for operation or serving on an inland vessel other than master or passengers as a part of performing the functions of manning;

(*l*) "dangerous cargo" means any cargo, which, due to its nature, form or content as a whole or in part, are declared as dangerous or potentially dangerous while carried in on any class or category of inland vessels in inland waters under this Act or any other law for the time being in force;

(*m*) "dangerous goods" means any goods, which, due to its nature, form or content as a whole or in part, are declared as dangerous or potentially dangerous while carried in on any class or category of inland vessels in inland waters under this Act or any other law for the time being in force;

(*n*) "designated authority" means the authorities appointed by State Government under sub-section (*3*) of section 5;

(*o*) "fishing vessel" means a vessel fitted with mechanical mode of propulsion, which is exclusively engaged in fishing for profit, within inland waters;

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(*p*) "hazardous chemical" means any chemical, which has been designated as pollutants under this Act or any other law for the time being in force in India;

(*q*) "inland vessel" includes any mechanically propelled inland vessel or non-mechanically propelled inland vessel which is registered and plying in inland waters, but does not include—

(*i*) a fishing vessel registered under the Merchant Shipping Act, 1958 (44 of 1958) or the Marine Products Export Development Authority Act, 1972 (13 of 1972); and

(*ii*) any vessel that are specified as not to be inland vessels by notification by the Central Government.

Explanation.—For the purposes of this clause, it is clarified that a vessel registered under the Merchant Shipping Act, 1958 (44 of 1958) and plying within the inland waters shall be deemed to be an inland vessel registered under this Act;

(*r*) "inland waters", for the purpose of inland navigation, includes any—

(*i*) canal, river, lake or other navigable water inward of baseline or as may be declared by notification in the Official Gazette by the Central Government;

(*ii*) tidal water limit, as may be declared by notification in the Official Gazette by the Central Government;

(*iii*) national waterways declared by the Central Government; and

(*iv*) other waters as may be declared by notification in the Official Gazette by the Central Government;

(*s*) "lien" is a legal right or interest that a creditor has in the inland vessel or any property thereof, retained until a debt or duty is secured, or the performance of some other obligation is satisfied;

(*t*) "limitation of liability" means the rate or extent of liability within which the owner or such other persons entitled under this Act, may limit the liability or be permitted to limit or cap the liability arising out of claims, in accordance with the procedure laid down and the rates, as may be specified in this Act or as may be prescribed by the Central Government;

(*u*) "load line" means a water line which is marked on an inland vessel to denote the safe carrying or loading capacity of such vessel;

(*v*) "master" includes any person including serang or such other person, who is in command or in charge of any inland vessel, and does not include a pilot or harbour master;

(*w*) "material fact" means a fact of such a nature, which determines the judgment of a prudent insurer, in assessing the extent of his liability, premium to be charged, conditions to be specified and such other terms to be entered and incorporated in a policy of insurance governing the relationship with the insured;

(*x*) "material particular" means any particular of such a nature, which determines the judgment of a prudent insurer, in assessing the extent of his liability, premium to be charged, conditions to be specified and such other terms to be entered and incorporated in a policy of insurance governing the relationship with the insured;

(*y*) "mechanically propelled inland vessel" means—

(*i*) any inland vessel in the inland waters which is propelled by mechanical means of propulsion; or

(*ii*) floating units, floating surfaces, dumb vessels, barges, rigs, jetties or such other non-mechanically propelled inland vessel, which are towed or pushed with the assistance of another mechanically propelled vessel and used for carriage, storage, transportation and accommodation of passengers and cargo in or through inland waters;

(*z*) "minimum manning requirement" means the standard and number of persons required for safe manning and navigation of vessels, as may be prescribed by the Central Government;

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(*za*) "non-mechanically propelled inland vessel" means any vessel which is not a mechanically propelled inland vessel;

(*zb*) "notification" means a notification published in the Gazette of India or the Official Gazette of a State, as the case may be, and the expression "notify" with its grammatical variation and cognate expressions shall be construed accordingly;

(*zc*) "obnoxious substance" means any substance, which has been designated as pollutants under this Act or any other law for the time being in force in India;

(*zd*) "official number" means the number assigned to any vessel by the Registrar of Inland Vessels or such other person appointed under this Act, to be affixed or displayed on a conspicuous part of such vessel to refer, distinguish and identify one vessel from another;

(*ze*) "oil" means any edible oil carried on vessel as cargo or persistent oil such as crude oil, heavy diesel oil, lubricating oil and white oil, carried on board of a vessel as cargo or fuel;

(*zf*) "oily mixture" means a mixture with any oil content;

(*zg*) "owner" means operator, charterer, beneficial owner or registered owner, who is responsible for the activities of the vessel and shall be under obligation to comply with the provisions of this Act in relation to, or in possessing express or implied title under this Act or any other law for the time being in force;

(*zh*) "passenger" means any person carried on board of a vessel, except persons employed or engaged in any capacity on board of the vessel in connection with the business of the vessel;

(*zi*) "passenger terminal" means the terminal designated for the embarking or dis-embarking of passengers and the permitted cargo, in a port, jetty, wharf or like places;

(*zj*) "passenger vessel" means any vessel permitted to carry more than twelve passengers;

(*zk*) "pilot" means a person appointed by the owner of the vessel to assist the master or to steer the vessel in such area of inland water in accordance with the mandatory requirements, as specified in section 83;

(*zl*) "prescribed" means prescribed by rules by the Central Government or a State Government, as the case may be;

(*zm*) "priority of lien" means the ranking of liens in the order in which they are perfected or recorded in the book of registry maintained at every port or place of registry;

(*zn*) "reciprocating country" means any country, as may on the basis of reciprocity, specified by notification by the Central Government to be a reciprocating country for the purposes of this Act;

(*zo*) "recognised organisation" means any organisation recognised and authorised by the Central Government to perform and execute the functions involved in survey, classification or certification of vessels;

(*zp*) "salvage" means an act of the salvor in retrieving or saving any property or life in danger due to wreck or accident and includes all expenses incurred by the salvor in the performance of salvage services;

(*zq*) "salvor" means any person who conducts salvage operations;

(*zr*) "service provider" includes any person, who in the capacity of owner or operator of an inland vessel used or plying in inland waters, providing services to any service user for the purposes of transportation, storage or accommodation;

(*zs*) "service user" includes any person who as a passenger or owner of cargo or freight forwarder, uses the services of any inland vessel in the inland waters for transportation, storage or accommodation purposes;

(*zt*) "special category vessel" means a mechanically propelled inland vessel that is identified under this Act as special by considering its use, purpose, function or utility or the means of

propulsion including the fuelling system or source of power for propulsion, such as liquefied natural gas, electrical propulsion, the design, dimensions of construction or areas of operation or such other criteria or standards;

(*zu*) "vessel" includes every description of water craft used or capable of being used in inland waters, including any ship, boat, sailing vessel, tug, barge or other description of vessel including non-displacement craft, amphibious craft, wing-in-ground craft, ferry, roll on-roll-off vessel, container vessel, tanker vessel, gas carrier or floating unit or dumb vessel used for transportation, storage or accommodation within or through inland waters;

(*zv*) "wreck" means a state of any vessel, or goods or a part or property of such vessel or carried on the vessel,—

(*i*) which have been cast into or have fallen into the inland waters and then sunk and remain under water or remains floating on the surface; or

(*ii*) which have sunk in the inland waters, but are attached to a floating object in order that they may be found again; or

(*iii*) which are intentionally thrown away or abandoned without hope or intention of recovery; or

(*iv*) which by its presence in inland waters, is a hazard or causes impediment to navigation, or adversely affects safety of life or causes pollution.

CHAPTER II

DECLARATION OF INLAND WATER AREA INTO ZONES

4. Declaration of inland water area into Zones.—(*1*) The State Government may, for the purposes of this Act, declare by notification any inland water area to be a "Zone" depending on the maximum significant wave height criteria specified in sub-section (*2*).

(*2*) For the purposes of sub-section (*1*), the State Government may classify the maximum significant wave height criteria into the following Zones, namely:—

(*i*) Zone 1 refers to the area (other than Zone 2 or Zone 3) where the maximum significant wave height does not exceed 2.0 metres;

(*ii*) Zone 2 refers to the area (other than Zone 3) where the maximum significant wave height does not exceed 1.2 metres; and

(*iii*) Zone 3 refers to the area where the maximum significant wave height does not exceed 0.6 metres.

CHAPTER III

ADMINISTRATIVE PROVISIONS

5. Administrative role of Central Government and State Governments.—(*1*) The Central Government may, by general or special order, direct that any power, authority or jurisdiction exercisable by it under, or in relation to any such provision of this Act, or the rules made thereunder, or as may be specified in the order allocating the duties, shall, subject to such conditions and restrictions as may be so specified, also be exercisable by the competent authority or by such other officer as may be specified in that order.

(*2*) On and from the date of issue of notifications or rules made by the Central Government under the provisions of this Act, the provisions shall,—

(*a*) uniformly apply in whole or in any part of India, as may be specified therein; and

(*b*) prevail over such notifications or rules, as the case may be, issued or made by the State Governments.

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(*3*) The State Governments may, by notification, appoint one or more designated authorities within their respective jurisdiction for the purposes of exercising or discharging the powers, authority or duties conferred, by or under this Act and the rules made thereunder.

(*4*) Notwithstanding anything contained in sub-section (*1*) and section 6, the existing administrative authorities constituted under State Governments or Union territory Administrations may continue to be the designated authorities for the purposes of sub-section (*3*).

(*5*) The State Government may, for the purposes of implementing the various provisions of this Act and the rules made thereunder, by general or special order, direct that any power or authority conferred under this Act, subject to such conditions and restrictions as it may think fit, be exercised or discharged by the respective designated authorities or any officer or any other organisation or body.

(*6*) Save as otherwise provided in this Act, the State Government shall have the power to make rules and shall exercise the powers conferred on it, as provided by or under this Act.

(*7*) Notwithstanding anything to the contrary in this Act, for the purposes of administration of the non-mechanically propelled inland vessels, as specified in Chapter XVII, the Central Government shall have no powers of administration and shall only provide assistance to the respective State Government, on receipt of official request from such State Government.

6. Competent authority.—The Inland Waterways Authority of India, constituted under section 3 of the Inland Waterways Authority of India Act, 1985 (82 of 1985) shall be the competent authority for the purpose of exercising or discharging the powers, authority or duties conferred, by or under this Act.

CHAPTER IV

SURVEY OF INLAND VESSELS

7. Power to classify and categorise for purpose of survey.—(*1*) For the purposes of this Chapter,—

(*a*) the classification of mechanically propelled vessels;

(*b*) the criteria for such classification; and

(*c*) the standards of design, construction, fitness and crew accommodation of such vessels,

shall be such, as may be prescribed by the Central Government.

(*2*) The State Government shall classify and categorise mechanically propelled inland vessels on the basis of criteria and standards referred to in sub-section (*1*).

8. Construction, alteration or modification of mechanically propelled inland vessel.—(*1*) No person shall construct any mechanically propelled inland vessel, or alter or modify any mechanically propelled inland vessel so as to affect its strength, stability or safety, except with prior approval of the designated authority, in such manner as may be prescribed by the Central Government.

(*2*) The list of alterations or modifications referred to in sub-section (*1*), which would affect the strength, stability or safety of any mechanically propelled inland vessel, and the criteria therefor, shall be such as may be specified by the Central Government, by notification.

9. Survey of vessels.—(*1*) The standard for type and periodicity of surveys for every mechanically propelled inland vessel shall be such as may be prescribed by the Central Government.

(*2*) The owner, operator, master or construction yard or any other applicant, as the case may be, shall submit a request for survey in such form and content as may be prescribed by the Central Government.

10. Appointment and qualifications of surveyors.—(*1*) For the purposes of this Act, the State Government may, by notification, appoint officers or persons as surveyors of inland vessels and such surveyors shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

(*2*) The minimum criteria and qualifications for the appointment of surveyors, which the State Governments shall adopt in the appointment of surveyors, shall be such as may be prescribed by the Central Government.

11. Powers of surveyors.—(*1*) On receipt of the application from the owner or master or construction yard for conducting survey, in such form and within such time as may be prescribed by the Central Government, the surveyor may board or enter and inspect a mechanically propelled inland vessel:

Provided that the surveyor shall not unnecessarily hinder the loading or unloading of cargo or; embarking or dis-embarking of passengers of the mechanically propelled inland vessel, or unnecessarily detain or delay her from proceeding on any voyage.

(*2*) The owner, operator, master and crew of the mechanically propelled inland vessel shall render the surveyor, all reasonable facilities for conducting survey, and all information with respect to such mechanically propelled inland vessel, and her machinery or any part thereof, and all equipment and articles on board, as he may require for the purposes of a survey.

12. Grant of certificate of survey and procedures.—(*1*) On completion of survey of a mechanically propelled inland vessel, the surveyor shall forthwith issue the applicant, a declaration of survey, valid for such period and in such form, as may be prescribed by the Central Government.

(*2*) The State Government shall, if satisfied that all the provisions of this Act have been complied with in respect of a declaration submitted under sub-section (*1*), and on receipt of payment of fee, as may be prescribed by the State Government, issue a certificate of survey to the applicant.

(*3*) A certificate of survey granted under this section shall be in such form as may be prescribed by the Central Government, and shall contain a statement to the effect that all the provisions of this Act with respect to the survey of the mechanically propelled inland vessel and the declaration of surveyor have been complied with, and shall set forth such particulars or such other terms and conditions, as may be prescribed by the Central Government.

(*4*) The State Government may, by notification in the Official Gazette, delegate all or any of the functions assigned to it by the Central Government under this section:

Provided that no delegation shall be made to authorise the grant of a certificate of survey by the surveyor, who made the declaration of survey under sub-section (*1*).

13. Provisional certificate of survey and its effect.—(*1*) On receipt of application and the fee from the owner or operator of any mechanically propelled inland vessel, the surveyor who conducted the survey, may grant a provisional certificate of survey extending the validity of the prevailing certificate of survey by endorsement, in such form and for such period, as may be prescribed by the Central Government.

(*2*) Any mechanically propelled inland vessel, which has been issued with a provisional certificate of survey or endorsement under sub-section (*1*), may proceed on voyage or use in service, temporarily, pending the issue of the certificate of survey, in such manner and subject to the conditions as may be prescribed by the State Government.

14. Mechanically propelled inland vessels not to proceed without certificate of survey, and requirement of Zone to be specified in such certificate.—(*1*) No mechanically propelled inland vessel shall be used nor proceed on voyage, without a valid certificate of survey that shall provide or indicate among others, the Zone intended for operation or applicable voyage or service of such vessel.

(*2*) The certificate of survey shall have effect throughout India, unless otherwise specified therein and subject to such other conditions as may be specified by the competent authority.

(*3*) The certificate of survey shall be valid for such period as may be specified by notification by the Central Government and shall not be in force—

(*a*) after the expiration of the period specified in the certificate of survey; or

(*b*) after notice has been issued to cancel or suspend such certificate.

(*4*) Nothing in this section shall prevent the State Government from excluding a mechanically propelled inland vessel from the requirement under sub-section (*1*), on an application made by the owner or master of the vessel for permission to proceed on a voyage; during the interval between the date on which the certificate of survey expires and the earliest possible date of renewal.

(*5*) After cessation of a certificate of survey, a valid certificate of survey shall be obtained only after a fresh survey of the mechanically propelled inland vessel has been conducted by any surveyor appointed under this Act.

15. Suspension and cancellation of certificate of survey.—(*1*) The State Government may suspend or cancel a certificate of survey, if it has reason to believe that—

(*a*) the declaration of the surveyor of the sufficiency and good condition of the hull, engines or other machinery or of any of the equipment of the mechanically propelled vessel has been fraudulently or erroneously made; or

(*b*) the certificate has otherwise been granted upon false or erroneous information; or

(*c*) since the making of the declaration, the hull, engine or other machinery, or any of the equipment of the mechanically propelled vessel have sustained any material damage, or have otherwise become insufficient.

(*2*) The State Government shall issue the notice of suspension of certificate of survey to the owner, operator, master or construction yard by stating the errors to be rectified and conditions that have to be complied with by the owner, operator, master or construction yard within three months from the date of issuance of such notice, in such manner as may be prescribed by that Government.

(*3*) In the event of non-compliance of the notice of suspension by the owner, operator, master or construction yard within the period specified therein, the State Government shall record such non-compliance and shall issue the notice of cancellation of certificate of survey, which shall come into force with immediate effect.

16. Delivery of expired, suspended or cancelled certificate of survey.—(*1*) The owner or master shall deliver the certificate of survey, which has expired or has been suspended or cancelled, to such officer as the State Government may, by notification in the Official Gazette, appoint in this behalf.

(*2*) The State Government shall record the details of the cancelled certificate in the book of registry maintained by the Registrar of Inland Vessels.

CHAPTER V

REGISTRATION

17. Registration.—(*1*) Any mechanically propelled inland vessel, which is wholly owned by—

(*a*) a citizen of India; or

(*b*) a co-operative society registered or deemed to be registered under the Co-operative Societies Act, 1912 (2 of 1912); or

(*c*) a body established under any Act relating to co-operative societies for the time being in force in any State; or

(*d*) a company registered under the Companies Act, 2013 (18 of 2013); or

(*e*) a partnership firm registered under the Limited Liability Partnership Act, 2008 (6 of 2009); or

(*f*) any other body including a partnership firm, trust or societies established by or under any Central or State enactment and which has its principal place of business in India;

(*g*) any legal business combination, otherwise allowed under the existing commercial law for the time being in force in India, within the permissible foreign direct investment limits in the sector and having its principal place of business in India,

shall be registered under the provisions of this Act.

(*2*) A foreign vessel, other than vessels registered or obligated to register under the Merchant Shipping Act, 1958 (44 of 1958), chartered on bareboat charter-cum-demise by an Indian charterer, for the purposes of plying exclusively within inland waters, shall be registered under the provisions of this Chapter.

(*3*) The inland vessels registered under this Act may also be registered under the Merchant Shipping Act, 1958 (44 of 1958).

Explanation.—For the purposes of sub-section (*2*), "Indian charterer" shall mean a person referred to in clauses (*a*) to (*g*) of sub-section (*1*), who has chartered a vessel on bareboat charter-cum-demise contract.

18. Requirement of certificate of registration.—(*1*) A mechanically propelled inland vessel required to be registered under this Chapter, shall not proceed on any voyage or be used for any service, unless it has a valid certificate of registration granted under this Act in respect thereof.

(*2*) Notwithstanding anything contained in sub-section (*1*), the authority appointed or authorised under this Chapter may—

(*a*) permit any mechanically propelled inland vessel, built at any place other than a port or place of registry, to make her first voyage through the inland waters to any such port or place for the purpose of registration; or

(*b*) permit the vessel registered under any law for the time being in force in India for which provisions have been made under this Act to conduct voyage within the inland waters; or

(*c*) permit any mechanically propelled vessel registered under such laws of countries other than India, which shall only be permitted to ply within the inland waters subject to compliance of such terms and conditions as may be prescribed by the Central Government.

19. Owner or master to carry certificate of registration.—(*1*) The owner or master of an inland vessel shall carry a valid certificate of registration issued under this Chapter and shall make available for inspection, when demanded by the officers appointed by the State Government.

(*2*) The State Government or such other officer appointed or authorised under this Chapter may detain any mechanically propelled inland vessel required to be registered under this Act, until the respective owner, operator or master of such vessel furnishes a valid certificate of registration.

20. Appointment of ports or places of registry and Registrars of Inland Vessels.—(*1*) For the purposes of this Chapter, the State Government may, by notification,—

(*a*) appoint ports or places of registry; and

(*b*) appoint Registrar of Inland Vessels at the said ports or places of registry, who shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

(*2*) A Registrar of Inland Vessels shall, in respect to the port or place of registry for which he is appointed, perform his functions as may be prescribed by the State Government.

21. Book of registry.—(*1*) The Registrar of Inland Vessels shall maintain and keep a book of registry, which shall have record of all particulars contained in the form of certificate of registration as may be prescribed by the Central Government.

(*2*) The Registrar of Inland Vessels shall report the details of the book of registry or entries made therein, to the State Government at regular intervals, in such manner and period as may be prescribed by the State Government.

(*3*) The State Government shall report and update the Central Government in respect of—

(*a*) the designated ports and places of registry;

(*b*) the details of officers appointed or authorised under this Chapter; and

(*c*) the details of registrations as entered in the book of registry,

to facilitate and administer the registration processes under this Chapter.

22. Central database of inland vessels.—The Central Government shall appoint officers to maintain a central data base for inland vessels, in such form and manner, and the functions of the officers so appointed shall be such, as may be prescribed by that Government.

23. Application and processes of registration of vessels.—(*1*) The owner or master, may make an application for registration of a mechanically propelled inland vessel, which has a valid certificate of survey issued under this Act, in such form, manner and along with such particulars, as may be prescribed by the Central Government.

(*2*) The list of documents to be submitted or adduced by the applicants for registration, in addition to the particulars referred to in sub-section (*1*), shall be such as may be prescribed by the Central Government.

(*3*) Every application for registration shall be made to the Registrar of Inland Vessels, within the jurisdiction of the respective State in which the owner of the mechanically propelled inland vessel—

(*a*) ordinarily resides; or

(*b*) has the principal place of business or the officially registered office.

(*4*) If the Registrar of Inland Vessels is satisfied that the vessel or the application submitted for registration is not in compliance with the provisions of this Act, he may refuse to register a mechanically propelled inland vessel for reasons to be recorded in writing and shall provide the applicant a note containing the reasons for such refusal.

24. Grant of certificate of registration and marking of vessel.—(*1*) Subject to the provisions of section 23, the Registrar of Inland Vessels shall, grant the certificate of registration to the applicant, who has paid such fee, as may be prescribed by the State Government, and assign the official number to such registered vessel.

(*2*) The certificate of registration shall be in such form and content, as may be prescribed by the Central Government, and shall contain the following particulars, namely:—

(*a*) registered address of the owner and other ownership details;

(*b*) details of mortgage, if any;

(*c*) official number;

(*d*) classification and category of vessel;

(*e*) any other particular, as may be prescribed by the State Government.

(*3*) The owner shall display the official number on a conspicuous part of the vessel, as may be prescribed by the State Government.

25. Effect of certificate of registration.—(*1*) The certificate of registration granted under section 24 shall be deemed to be valid in all States and Union territories, unless otherwise specified therein.

(*2*) The certificate of registration issued under this Chapter shall be conclusive proof of ownership and title, as declared by the applicant and as entered in the book of registry by the Registrar of Inland Vessels.

(*3*) Notwithstanding anything contained in this Act, any person who has beneficial interest of ownership in the mechanically propelled inland vessel or shares therein, shall have the same rights as that of the registered owner and shall be deemed as owner of such vessel for the purposes of this Act.

26. Duplicate certificate.—(*1*) If the certificate of registration issued under this Chapter is lost or destroyed, the registered owner shall apply for a duplicate certificate to the Registrar of Inland Vessels, who has issued such certificate of registration, in such form and manner as may be prescribed by the State Government.

(*2*) The Registrar of Inland Vessels shall, on receipt of application under sub-section (*1*) and such fees or additional fees, as may be prescribed by the State Government, issue the duplicate certificate of registration.

27. Provisional certificate of registration.—(*1*) The Registrar of Inland Vessels may, pending issuance of the certificate of registration, upon an application and on payment of fee, by the applicant,

issue a provisional certificate of registration valid for such period as may be prescribed under sub-section (*2*).

(*2*) The application, fee and the issuance of provisional certificate of registration referred to in sub-section (*1*) shall be in such form, rate and manner, as may be prescribed by the Central Government.

(*3*) During the period of validity of the provisional certificate of registration, the owner, operator, master or construction yard shall implement and comply with all necessary steps to be taken to have the vessel registered under this Chapter.

28. Registration of modifications or alterations.—(*1*) The owner, operator or master of any mechanically propelled inland vessel, shall make an application, in such form, manner and within such period as may be prescribed by the State Government, to effect any alteration or modification affecting the strength, stability or safety of such mechanically propelled inland vessel along with the respective certificate of survey, in which such alteration or modification have been approved, to the respective Registrar of Inland Vessels, who has issued the certificate of registration.

(*2*) The Registrar of Inland Vessels shall, on receipt of application and the certificate of survey and on receipt of such fee, as may be prescribed by the State Government, either cause the alteration or modification to be registered and entered in the certificate of registration, or direct that the vessel be registered anew:

Provided that, where the Registrar of Inland Vessels, directs that the vessel be registered anew, he shall grant a provisional certificate for a specific period describing the vessel as altered or endorse on the existing certificate about the particulars of the alteration.

(*3*) Any mechanically propelled inland vessel found plying without complying with sub-section (*1*) or sub-section (*2*) shall be detained by such authority or officer as the State Government may, by general or special order, appoint in this behalf.

29. Change of residence or place of business.—(*1*) If the owner of a mechanically propelled inland vessel ceases to reside or carry on business at the registered address recorded in the certificate of registration of the vessel, such person shall comply with the procedures prescribed under sub-section (*2*) by the Central Government.

(*2*) For the purposes of sub-section (*1*), the procedures to be complied with by the owner of any mechanically propelled inland vessel, who ceases to be the owner or applies for the requirement of transfer of registry or any such circumstances leading to change of the registered address, shall be such as may be prescribed by the Central Government.

30. Prohibition against transfer of ownership of registered vessel.—No mechanically propelled inland vessel registered with the registering authority of a State Government under this Chapter, shall be transferred to a person residing in any country other than India, without the prior approval of the Registrar of Inland Vessels, who has originally granted the certificate of registration and such a transfer shall be validated only if made in compliance with such procedures as may be prescribed by the Central Government.

31. Suspension of certificate of registration.—(*1*) The Registrar of Inland Vessels may at any time, require any mechanically propelled inland vessel within the local limits of his jurisdiction to be inspected by such authority as the State Government may, by general or special order, appoint in this behalf.

(*2*) As a result of such inspection, if the Registrar of Inland Vessels has reason to believe that after the granting of the certificate of registration, the mechanically propelled inland vessel became unfit to ply in inland waters, order suspension of the certificate of registration of the said vessel for such period as he may deem fit.

(*3*) The Registrar of Inland Vessels shall, before suspending a certificate of registration, provide to the owner, operator or master an opportunity of being heard, and record the reasons for such suspension.

(*4*) The Registrar of Inland Vessels who suspends the certificate of registration under sub-section (*2*), shall issue a notice of suspension to the registered owner stating the reasons for suspension and the

conditions to be complied within such period, as may be prescribed by the State Government, for withdrawal of such order of suspension.

(*5*) Where the registration of a mechanically propelled inland vessel is suspended under sub-section (*2*) by any Registrar of Inland Vessels, other than the Registrar of Inland Vessels who has originally issued the certificate of registration, the former shall intimate the latter, regarding such order of suspension or withdrawal of such order of suspension; and the latter shall enter such order in the book of registry in which the registration of the vessel is originally recorded.

(*6*) The Registrar of Inland Vessels suspending the certificate of registration, shall confiscate such certificate and return the certificate to the owner or master only upon withdrawal of the order of suspension.

32. Cancellation of registration.—(*1*) If any mechanically propelled inland vessel registered under this Act is declared missing, destroyed, lost, abandoned or has been rendered permanently unfit for service or destined for scrapping or dismantling or sold abroad; the owner of the vessel shall, within such time as may be prescribed by the Central Government, report the fact to the Registrar of Inland Vessels of the place where the vessel is registered and shall also forward to that authority, along with the report, the certificate of registration of the vessel and thereupon such Registrar of Inland Vessels shall have the certificate of registration cancelled.

(*2*) Any Registrar of Inland Vessels may at any time require that any mechanically propelled inland vessel within the local limits of his jurisdiction may be inspected by such designated authority as the State Government may, by general or special order, appoint in this behalf and, if as a result of such inspection, such Registrar of Inland Vessels is satisfied that the vessel is in such a condition that it is not fit to ply in any inland water, the Registrar of Inland Vessels may, after giving the owner of the vessel an opportunity of being heard, cancel the registration of the vessel and require the owner thereof to surrender forthwith to him, the certificate of registration in respect of that vessel, if it has not already been so surrendered.

33. Mortgage of mechanically propelled inland vessel or share therein.—(*1*) A registered mechanically propelled inland vessel or a share therein may be mortgaged as a security for a loan or other valuable consideration, and the instrument creating the security shall be in such form, as may be prescribed by the Central Government, and on the production of such instrument, the Registrar of Inland Vessels who granted the certificate of registration shall record it in the book of registry.

(*2*) The manner and the conditions, subject to which a mechanically propelled inland vessel or a share therein may be mortgaged, shall be such as may be prescribed by the Central Government.

CHAPTER VI

MANNING, QUALIFICATION, TRAINING, EXAMINATION AND CERTIFICATION

34. Training and minimum age for employment.—(*1*) The standards for qualification, training, training institutes, examination and grant of certificate of competency for the purposes of this Chapter shall be such as may be prescribed by the Central Government.

(*2*) No person under the age of eighteen years shall be employed on a mechanically propelled inland vessel registered under this Act.

35. Minimum manning scale and manning requirements.—The minimum manning scale applicable to different class or category of mechanically propelled inland vessels, categorised under this Act or such other laws for the time being in force in India, shall be such as may be prescribed by the Central Government.

36. Appointment and duties of examiners.—(*1*) The State Government may appoint examiners, in accordance with the criteria and qualifications, as may be prescribed by the Central Government, for the purpose of examining the qualifications of persons desirous of obtaining certificates under this Chapter to the effect that they are competent to undertake the responsibilities of and act as, masters, or as engineers or engine-drivers, or as such other persons, as the case may be, on the mechanically propelled inland vessels.

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(*2*) The examiners shall evaluate the persons who have undergone the training required for qualifying as masters, or as engineers or engine-drivers, or as such other persons, as the case may be, and shall report the list of successful candidates who possess the required qualifications to the Central Government or such other officer appointed or authorised by notification by the State Government.

37. Grant of certificate of competency.—(*1*) The State Government may evaluate the report provided by the examiners, and upon confirmation as to the correctness of such report; shall grant to every candidate; who is reported by the examiners to possess the required qualifications, with the certificate of competency, certifying that the candidate specified in the report is competent to serve, in such capacity as may be specified therein, on any class or category or whole of the mechanically propelled inland vessel as specified in the certificate.

(*2*) The State Government shall require for further examination or a re-examination of all or any of the candidates, if it is found that the report submitted by examiners is defective, or there exists reason to believe that such a report has been unduly made.

(*3*) The certificate of competency shall be in such form and manner as may be prescribed by the Central Government.

38. Certificate of service.—(*1*) The State Government may, on an application, without examination, grant a certificate of service to any person who has served as a master, or as an engineer, of a vessel of the Coast Guard, Indian Navy or regular Army for such period as may be prescribed in this behalf by the Central Government, to the effect that he is competent to act, as a first-class master, second-class master or serang, or as an engineer, first-class engine-driver or second-class engine-driver or in such capacity as may be specified therein, as the case may be, on board the mechanically propelled inland vessel.

(*2*) For the purposes of granting of certificate of service under sub-section (*1*), the State Government shall verify the certificate, certifying the competence of the applicant as issued by the Coast Guard, Indian Navy or regular Army, as submitted to it by such applicant along with his application.

(*3*) Notwithstanding anything contained herein, the State Government may by recording reasons thereof, refuse granting of certificate of service under sub-section (*1*).

(*4*) A certificate of service so granted under sub-section (*1*), shall be in such form and manner; and shall be subject to such conditions, as may be prescribed by the Central Government, and shall have the same effect as a certificate of competency granted under section 37.

39. Effect of certificate of competency or certificate of service.—Subject to the provisions of this Act and such conditions as may be prescribed by the Central Government, a certificate of competency or certificate of service shall be valid throughout India.

40. Suspension and cancellation of certificate.—(*1*) If the holder of any certificate issued under this Chapter is found to have acted in contravention to the provisions of this Act or the rules made thereunder; the said certificate shall be liable to be suspended or cancelled.

(*2*) The State Government or any officer appointed or authorised under this Chapter shall issue notice to the holder of certificate and shall provide him an opportunity of being heard before suspension or cancellation of certificates issued under this Chapter.

(*3*) Notwithstanding anything contained in sub-section (*2*), the State Government or any officer appointed or authorised under this Chapter, may suspend or cancel the certificate of competency or the certificate of service granted under this Chapter by recording reasons thereof.

(*4*) If a certificate issued under the provisions of this Chapter is suspended or cancelled, the holder of such certificate shall deliver it to the State Government or such officer, appointed or authorised by that Government by notification in Official Gazette under this Chapter.

41. Registry of certificate holders and central registry.—(*1*) The State Government shall maintain registers in electronic format to record, the details and data of the certificate, and the respective certificates, issued under this Chapter in such form and manner as may be prescribed by it.

(*2*) The State Government shall report and update the Central Government with the information on data and details of certificates issued, granted, cancelled or suspended or such other remarks, made by the respective authority in regular intervals, as may be prescribed by the Central Government.

(*3*) The Central Government shall update the central data base with the reports and information received from all the State Governments under this Chapter in electronic format.

CHAPTER VII

SPECIAL CATEGORY VESSELS

42. Special category vessels.—(*1*) For the purposes of this Chapter, the Central Government may, by rules to be made in this behalf, specify the criteria and standards to identify any class or category of mechanically propelled inland vessels as special category vessels based on their design, construction, use, purpose, area of plying, source of energy or fuelling, or any other criteria or standards.

(*2*) The requirements of construction, design, survey, registration, manning, qualification, competency, or the requirements in addition to those contained elsewhere in this Act shall be such, as may be prescribed by the Central Government.

(*3*) The State Governments shall identify the mechanically propelled inland vessels as special category vessels based on the criteria and standards prescribed by the Central Government under sub-section (*1*).

43. Appointment or authorisation of officers to implement provisions, grant certificate of fitness, etc.—(*1*) The State Government shall appoint or authorise such number of officers for the purpose of performing duties and implementing the provisions of this Chapter.

(*2*) On an application made by owner, operator or master of any mechanically propelled inland vessel in such form as may be prescribed by the State Government, any officer appointed or authorised under sub-section (*1*), on being satisfied that such vessel complies with the provisions of this Act and falls under the special category vessels as identified in this Chapter, and subject to such other conditions including validity as may be prescribed by the State Government, may grant a certificate of fitness, in such form and manner as may be prescribed by that Government.

(*3*) The officer appointed or authorised under sub-section (*1*) may, for reasons to be recorded in writing, refuse to grant the certificate of fitness in respect of an application made under sub-section (*2*).

44. Safety of passengers or service users.—(*1*) The safety features, gears and such other measures by which any mechanically propelled inland vessel, identified as special category vessel under this Chapter, shall comply with and be equipped in accordance with the categorisation of such vessel, shall be such as may be prescribed by the State Government.

(*2*) The maximum carrying capacity of the vessel identified as special category vessel by specifying the safety loadline or the limits of loadline to keep them afloat, or such other criteria and conditions, other than those mentioned elsewhere in this Act for the safe voyage of such inland vessel, shall be such as may be prescribed by the State Government.

45. Inspection of vessel.—(*1*) The surveyor may, other than for the purpose of survey, at any reasonable time, go on board any special category vessel, and inspect the respective vessel including the hull, equipment and machinery or any part or properties of such vessel.

(*2*) The owner, operator, agent, master and any such person in-charge of the special category vessel, shall make available all necessary facilities to the surveyor for inspection and survey, and all such information regarding the vessel and her machinery and equipment, or any part thereof, respectively, as the surveyor or such other officer may reasonably require.

46. Suspension or cancellation of certificate of fitness.—(*1*) If any special category vessel does not comply with the provisions of this Act or the rules made thereunder, the State Government may issue notice to the owner or operator or master or any person in-charge of such vessel, for rectifying the non-compliance within such time as may be specified therein.

(*2*) In case of continuance of non-compliance by the owner or operator or master or any person in-charge of the special category vessel even after receipt of the notice issued under sub-section (*1*), the State Government may, after providing an opportunity of being heard and for reasons to be recorded in writing, suspend or cancel the certificate of fitness issued to such vessel under this Chapter.

(*3*) If the certificate of fitness of a special category vessel has been suspended or cancelled under sub-section (*2*), then such vessel shall cease to operate till the suspension is revoked, or in the event of cancellation, shall cease to operate till a new certificate of fitness is granted.

CHAPTER VIII

NAVIGATION SAFETY AND SIGNALS

47. Navigation safety, lights and signals.—(*1*) The specifications and requirements of signals and equipment based on classification and categorisation of mechanically propelled vessels, to be complied with by such vessels shall be such as may be prescribed by the Central Government.

(*2*) The fog and distress signals to be carried and used, the steering and sailing rules to be complied with and the different protocols for exhibition and display of different standards of lights, shapes and signals, by any mechanically propelled vessel plying in inland waters shall be such, as may be prescribed by the Central Government.

(*3*) The owner or master of every mechanically propelled vessel, while in the inland water limit, shall comply with the rules made under sub-sections (*1*) and (*2*), and shall not carry or exhibit any lights or shapes or use any fog or distress signals, other than that required to be exhibited under this Chapter or the rules made thereunder.

48. Obligation to ensure safe navigation.—(*1*) Every mechanically propelled vessel shall adopt necessary measures to prevent collision and to ensure safe navigation through inland waters.

(*2*) If any damage to person or property arises in the inland water limit due to non-observance of any of the rules made under this Chapter by any mechanically propelled vessel, the damage shall be deemed to have been occasioned by the wilful default of the person in-charge of such vessel at that time, unless it is shown to the satisfaction of the court that the circumstances of the case demanded deviance from the applicable rules.

49. Distress signal.—The master of a mechanically propelled vessel, while in the inland water limit, on finding or encountering a dangerous derelict or any other hazard to navigation in the inland waterways, shall immediately send a signal to indicate the danger or distress, or any such information to other mechanically propelled vessels in the vicinity and to the concerned State Government:

Provided that no fees or charges shall be levied on any mechanically propelled vessel, in using any device for communicating any information under this section.

50. Assistance to vessels in distress and persons in distress.—(*1*) The master of any mechanically propelled vessel, while in the inland water limit, who has received any signal of distress from any vessel or aircraft within the inland water limit, shall proceed immediately to the assistance of the persons in distress by acknowledging the receipt of such signal to the vessel in distress.

(*2*) Notwithstanding anything contained in sub-section (*1*), the master of a mechanically propelled vessel shall be released from the obligation to render assistance as provided in the said sub-section, if he is unable to do so, or in the special circumstances of the case, considers it unreasonable to act as provided in the said sub-section, or if the requirement for assistance is being complied with by other vessels, or the assistance is no longer required.

(*3*) The master of any mechanically propelled vessel, while in the inland water limit, shall render assistance to every person found in danger of being lost in the inland waters.

(*4*) The master of any mechanically propelled inland vessel may abstain from complying with sub-section (*3*), if in his judgment, he is unable to or, in the special circumstances of the case, such assistance may not be rendered without serious danger to his vessel, or to the persons on board and, in such event shall inform the respective authorities regarding his inability of such non-compliance.

51. Life saving, fire safety and communication appliances.—(*1*) The Central Government shall, by rules made in this behalf, specify the class or category of mechanically propelled inland vessels to be equipped with navigation aids, life saving appliances, fire detection and extinguishing appliances and communication appliances.

(*2*) The owner, operator or master of all mechanically propelled inland vessels shall comply with the requirements of navigation aids, life saving appliances, fire detection and extinguishing appliances and communication appliances as specified in sub-section (*1*).

(*3*) The State Government may appoint or authorise such officers as surveyors to inspect and ensure that the mechanically propelled inland vessels comply with the applicable requirements specified in sub-section (*1*).

(*4*) If the surveyor, on inspection, finds that the mechanically propelled inland vessel is not so provided with life saving and fire appliances in conformity with the provisions of this Act and the rules made thereunder, he shall issue a notice to the master or owner or operator in writing pointing out the deficiency, and unless the master or owner or operator complies with the said notice and report such compliance to the surveyor, the said vessel shall not proceed to conduct any voyage.

CHAPTER IX

PREVENTION OF POLLUTION CAUSED BY INLAND VESSEL

52. Chemicals, etc., to be designated as pollutants.—(*1*) The Central Government shall, by notification, designate the list of chemicals, any ingredients or substance carried as bunker or as cargo, or any substance in any form discharged from any mechanically propelled inland vessel, as pollutants.

(*2*) The owner or master of any mechanically propelled inland vessel shall discharge or dispose of the sewage and garbage in accordance with such standards and manner as may be prescribed by the Central Government.

(*3*) No mechanically propelled inland vessel shall cause pollution by discharging or dumping of pollutants designated under sub-section (*1*):

Provided that nothing in this sub-section shall apply to the discharge dump or emission of such oil or oily mixture, hazardous chemical or obnoxious substance or any other pollutant, as the case may be, from a mechanically propelled inland vessel for the purpose of securing the safety of any mechanically propelled inland vessel, preventing damage to another mechanically propelled inland vessel, cargo or saving of life at inland waters.

53. Certificate of prevention of pollution.—(*1*) The Central Government shall, by rules made in this behalf, specify the standards of construction and equipment of the mechanically propelled inland vessels to ensure compliance with the requirements of this Chapter.

(*2*) The State Government shall appoint or authorise such officers to ensure construction, installation and maintenance of equipment of all mechanically propelled inland vessels and issue certificate of prevention of pollution, in compliance with the provisions of this Chapter.

(*3*) Every mechanically propelled inland vessel, which has been constructed and equipped in compliance with this Chapter shall be issued with a certificate of prevention of pollution in such form, validity and content as may be prescribed by the Central Government.

(*4*) Every mechanically propelled inland vessel shall carry on board a valid certificate of prevention of pollution and shall furnish the same on demand by concerned officers appointed or authorised under this Chapter.

54. Reception facilities and containment of pollution.—(*1*) The Central Government shall, by rules made in this behalf, specify the conditions for construction, use and maintenance of reception facilities for the containment of pollution and removal of pollutants arising from spillage or discharge arising from mechanically propelled inland vessels at all cargo terminals or passenger terminals.

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(*2*) The owner or operator of all cargo terminals or passenger terminals shall provide reception facilities to discharge oil, oily mixture, hazardous chemicals, sewage or obnoxious substances at such cargo or passenger terminal, as the case may be, in compliance of sub-section (*1*).

(*3*) The owner or operator of all cargo terminals or passenger terminals, providing reception facilities shall receive charges, at such rates as may be prescribed by the State Government.

(*4*) For the purposes of minimising the pollution already caused, or for preventing the imminent threat of pollution, the Central Government or such other officer appointed by the State Government may, by order in writing, direct the owner or operator of cargo or passenger terminal to provide or arrange for the provision of such pollution containment equipment and pollutant removing materials, at such cargo and passenger terminal, as may be specified in such order.

(*5*) The owner or operator of the passenger or cargo terminal shall submit a report of compliance to the Central Government or such other officer appointed under sub-section (*4*), in such form as may be prescribed by the State Government.

(*6*) The owner, operator or master of any mechanically propelled vessel used or plying within inland waters, shall discharge the pollutants at the port reception facilities in such manner as may be prescribed by the State Government.

55. Appointment of surveyor or officer to inspect.—(*1*) The State Government may appoint or authorise such officers as surveyors to inspect any cargo or passenger terminal lying within its respective jurisdiction.

(*2*) The surveyor authorised under sub-section (*1*) may, at any reasonable time, enter and inspect any cargo or passenger terminal to—

(*a*) ensure that the provisions of this Chapter are complied with;

(*b*) verify whether such cargo or passenger terminal is equipped for pollution containment and removal, in conformity with the order of the State Government or any of the rules made under this Chapter; and

(*c*) satisfy himself of the adequacy of the measures taken to prevent pollution.

(*3*) If the surveyor, on inspection, finds that the cargo or passenger terminal is not provided with the required pollution containment equipment and pollutant removing materials, he shall give a notice in writing pointing out the deficiencies and the recommended remedial measures to rectify such deficiency, that is identified during the inspection, to the owner or operator of such cargo or passenger terminal, as the case may be.

(*4*) No owner or operator of such cargo or passenger terminal, as the case may be, served with the notice under sub-section (*3*), shall proceed with any work at such cargo or passenger terminal, until he obtains a certificate signed by the surveyor to the effect that the cargo or passenger terminal, is properly provided with the required pollution containment equipment and pollutant removing materials in conformity with the rules made under this Chapter.

56. Investigation into incidents of pollution.—(*1*) The State Government shall direct any designated authority or such other authorised officer appointed under Chapter XIII to conduct investigation into incidents of pollution.

(*2*) The State Government shall update the Central Government with such information or report of the court, if so directed by such court concerned, on incidents of pollution that occurs within its jurisdiction.

CHAPTER X

WRECK AND SALVAGE

57. Prohibition against intentionally causing wreck.—The owner, operator, master or person in-charge of a vessel plying in inland waters shall not intentionally abandon, desert, dump, throw overboard or jettison the vessel or property or parts or cargo, so as to cause wreck.

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58. Receivers of wreck.—(*1*) The State Government may, by notification, appoint or authorise any officer to act as receiver of wreck within the respective jurisdiction.

(*2*) The owner, operator, master or person in-charge of vessel, property or cargo, which is wrecked, stranded or in distress or who has found any vessel, property or cargo wrecked, stranded or in distress in the inland waters, shall immediately inform, by all means of communication to the receiver of wreck in whose jurisdiction the vessel, property or cargo is found to be wrecked, stranded or in distress.

(*3*) The owner of the wreck, whose property or cargo, is wrecked or stranded or is in distress in the inland waters shall inform the receiver of wreck in writing of the finding thereof and of the marks by which such wreck can be distinguished, and in cases, where the wreck is in possession of any person other than the owner, operator, master or person in-charge of vessel, property or cargo, such person shall deliver such wreck to the receiver of wreck.

Explanation.—For the purposes of this Chapter, the word "person" shall have the meaning assigned to it in clause (*42*) of section 3 of the General Clauses Act, 1897 (10 of 1897).

59. Powers of Central Government to make rules for Chapter X.—For the purposes of this Chapter, the—

(*a*) powers and functions of the receiver of wreck;

(*b*) responsibilities and obligations of the owner, operator, master or person in-charge of vessel, property or cargo with respect to the wreck;

(*c*) measures adopted for the removal of obstruction to navigation;

(*d*) disposal of wreck, including its sale and proceeds of unsold property;

(*e*) measures to be adopted for protection of wreck, fouling of government moorings;

(*f*) rights and duties of salvors and performance of salvage operations or resolution of disputes pertaining to amount payable to salvors; and

(*g*) such other matter, which the Central Government may deem necessary for the efficient administration and removal of wrecks,

shall be such as may be prescribed by the Central Government.

CHAPTER XI

LIABILITY AND LIMITATION OF LIABILITY

60. Liability under Act.—(*1*) The owner, operator, master, a member of crew or an insurer shall be liable for the offences and contraventions of the provisions of this Act or the rules made thereunder.

(*2*) Where any person is beneficially interested otherwise than by way of mortgage or in the share in any mechanically propelled inland vessel registered in the name of some other person as owner, the person so interested, and the registered owner, shall be liable to all the pecuniary penalties imposed by this or any other Act on the owners of mechanically propelled inland vessels or shares therein.

61. Apportionment of loss.—(*1*) Whenever by the fault of two or more mechanically propelled inland vessels, damage or loss is caused to one or more of them or to the cargo of one or more of them or to any property on board one or more of them, the liability to make good the damage or loss shall be in proportion to the degree in which each of such vessel was at fault:

Provided that—

(*a*) if, having regard to all the circumstances of the case, it is not possible to establish different degrees of fault, the liability shall be apportioned equally;

(*b*) nothing in this section shall operate so as to render any vessel liable for any loss or damage to which such vessel has not contributed;

(*c*) nothing in this section shall affect the liability of any person under any contract, or shall be construed as imposing any liability upon any person from which he is exempted by any contract or by

the provisions of any law for the time being in force, or as affecting the right of any person to limit his liability in the manner provided by such law.

(*2*) For the purposes of this Chapter, reference to damage or loss caused by the fault of a mechanically propelled inland vessel shall be construed as including reference to any salvage or other expenses, consequent upon that fault, recoverable under the provisions of any law for the time being in force by way of damages.

(*3*) The person who has suffered damage or injured or his representative may apply to any court having appropriate jurisdiction on the claim, for the detention or attachment of the vessel.

62. Liability for personal injury, loss of life or pollution to environment.—(*1*) Where, loss of life or personal injuries is suffered, damage to property or pollution is caused by any person on any mechanically propelled inland vessel or any other vessel, owing to the fault of that vessel and of any other vessel or vessels, the liability of the owners of such vessels concerned shall be joint and several.

(*2*) No liability for any claim other than loss of life, personal injury or pollution, shall attach to the owner, operator, master, or a member of crew or insurer under this Chapter, if he proves that the cause for claim—

(*a*) was a result of an act of war, hostility, civil war, insurrection or a natural phenomenon of an exceptional, inevitable and irresistible character; or

(*b*) was wholly caused by an act or omission with intent to cause such damage by any other person; or

(*c*) was wholly caused by the negligence or other wrongful act of a State Government or other authority responsible for the maintenance of lights or other navigational aids in exercise of its functions in that behalf.

63. Detention of mechanically propelled inland vessel.—The State Government may appoint or authorise any officer under this Chapter, for the purpose of detaining any mechanically propelled inland vessel in connection with a claim, [1][or an offence or a contravention under this Chapter], and the procedure thereof shall be such as may be prescribed by that Government.

64. Limitation of liability.— (*1*) The owner, operator, master or any person in-charge of a vessel or member of crew of any mechanically propelled vessel may limit the extent of his liability for—

(*a*) claims in respect of loss of life or personal injury, or loss of, or damage to, property including damage to jetties, wharfs, harbour basins and waterways and aids to navigation, occurring on board or in direct connection with the operation of such vessels or with salvage operations, and consequential loss resulting therefrom;

(*b*) claims arising out of loss resulting from delay in the carriage of cargo and passengers or their luggage by inland waters;

(*c*) claims arising out of other loss resulting from infringement of rights other than contractual rights, occurring in direct connection with the operation of such vessel or salvage operations;

(*d*) claims in respect of the raising, removal, destruction or rendering harmless of a vessel or the cargo which is sunk, wrecked, stranded or abandoned;

(*e*) claims of a person, other than the person liable, in respect of measures taken by such person in order to avert or minimise loss and for further loss caused by such measure;

(*f*) claims for the loss of life or personal injury to passengers of such vessel brought by or on behalf of any person—

(*i*) under the contract of passenger carriage; or

(*ii*) who, with the consent of the carrier, is accompanying a vessel for live animals which are covered by a contract for the carriage of goods, carried in such vessel.

1. Subs. by Act 8 of 2026, s. 2 and Sch., for "or an offence under this Chapter" (w.e.f. 30.06.2026).

(*2*) Notwithstanding anything contained in this section, no person shall be entitled to limit his liability for—

(*a*) claims for salvage; or

(*b*) claims stipulated as exempted from the application of limitation of liability under any other law for the time being in force in India.

(*3*) Notwithstanding anything contained in this section, the act of invoking limitation of liability shall not be construed as constituting an admission of liability by any person who takes the defence.

(*4*) For the purposes of this Chapter, the liability of the owner or operator of a mechanically propelled inland vessel shall include the liability in an action brought against such vessels.

(*5*) The limits of liability and the criteria in determining compensation for any claim as provided under sub-section (*1*) shall be such as may be prescribed by the Central Government.

(*6*) The person entitled to limit liability under sub-section (*1*) may apply to the High Court of respective jurisdiction for constituting a limitation fund for the consolidated rate as provided for under this Chapter.

(*7*) Where a vessel or other property is detained in connection with a claim, covered under this Chapter, the High Court may order release of such vessel or other property, upon an application made by the person, who is entitled to limit their liability and by—

(*a*) ensuring that such person, who is entitled to constitute the limitation fund has submitted his availability in person to the jurisdiction of the High Court; or

(*b*) depositing sufficient fund or financial guarantee as determined by the High Court as security; or

(*c*) constituting the limitation fund,

as the case may be.

65. Non-applicability of limitation.— No person shall be entitled to limit the liability against any claim, if such claim has arisen due to intentional act or negligence of the person or his employee, who otherwise would have been entitled to limit his liability under this Chapter.

CHAPTER XII

INSURANCE OF MECHANICALLY PROPELLED VESSELS PLYING IN INLAND WATERS

66. Insurance to cover.—No mechanically propelled vessel shall be used for voyage in inland waters, unless there is in force—

(*a*) a policy of insurance which shall cover liability that may be incurred by the insured—

(*i*) in respect of the death of or bodily injury to any person or damage to any property caused by or arising out of the use of the mechanically propelled vessel;

(*ii*) in respect of liability of operational pollution and accidental pollution of inland waters;

(*b*) a policy of insurance in compliance of the Public Liability Insurance Act, 1991 (6 of 1991), if the mechanically propelled inland vessel is carrying or meant to carry, dangerous or hazardous goods;

(*c*) a policy of insurance covering the mechanically propelled vessel to—

(*i*) a value not less than the liability incurred; or

(*ii*) entitle it to be covered under limitation of liability as provided under this Act, a value not less than the specified and applicable limitation amount:

Provided that any policy of insurance issued with a value not less than the limitation of liability in force, immediately before the commencement of this Act, shall continue to be effective for a period of twelve months after such commencement or till the date of expiry of such policy, whichever is earlier.

67. Contractual liability not to cover.—Notwithstanding anything contained in this Chapter, a policy shall not be required to cover any contractual liability of the insured that arises due to any performance or non-performance of a contract or of agreement in the capacity of a service provider.

68. Issuance and terms of insurance policy.—(*1*) For the purposes of section 66, the policy of insurance issued shall be a policy, which—

(*a*) is issued by an authorised insurer;

(*b*) insures the mechanically propelled inland vessel, any person or any classes of persons specified in the policy to the extent specified in section 66; and

(*c*) is a certificate of insurance issued by the insurer to the insured in such form and content, and subject to such conditions as may be prescribed by the Central Government.

(*2*) The terms and conditions to be incorporated in the contract of insurance entered between insurer and insured to cover the risks as provided in section 66 shall be such as may be prescribed by the Central Government.

69. Duty to indemnify and direct action against insurer.—(*1*) Notwithstanding anything contained in any law for the time being in force, an insurer issuing a policy of insurance under this section shall be liable to indemnify the insured or any person, as specified in the policy in respect of any liability which the policy purports to cover in the case of the insured or that person.

(*2*) Any claim for compensation against the loss or damage under this Act and covered by the insurance may be brought directly against the insurer in respect of the liability incurred by the registered owner.

70. Effect of death on certain causes of action.—Notwithstanding anything contained in section 306 of the Indian Succession Act, 1925 (39 of 1925), the death of a person in whose favour a certificate of insurance had been issued, if it occurs after the happening of an event which has given rise to a claim under the provisions of this Chapter, shall not be a bar to the survival of any cause of action arising out of the said event against his estate or against the insurer.

71. Effect of certificate of insurance.—When an insurer has issued a certificate of insurance in respect of a contract of insurance between the insurer and the insured person, then,—

(*a*) if and so long as the policy described in the certificate has not been issued by the insurer to the insured, the insurer shall, as between himself and any other person except the insured, be deemed to have issued to the insured person a policy of insurance conforming in all respects with the description and particulars stated in such certificate; and

(*b*) if the insurer has issued to the insured the policy described in the certificate, but the actual terms of the policy are less favourable to the person claiming under or by virtue of the policy against the insurer either directly or through the insured than the particulars of the policy as stated in the certificate, the policy shall, as between the insurer and any other person except the insured, be deemed to be in terms conforming in all respects with the particulars stated in the said certificate.

72. Transfer of certificate of insurance.—Where a person in whose favour the certificate of insurance has been issued in accordance with the provisions of this Chapter transfers to another person, the ownership of the mechanically propelled vessel covered under this Chapter, in respect of which such insurance was taken together with the policy of insurance relating thereto, the certificate of insurance and the policy described in the certificate shall be deemed to have been transferred in favour of the person to whom the mechanically propelled inland vessel is transferred with effect from the date of its transfer.

Explanation.—For the removal of doubts, it is hereby clarified that such deemed transfer shall include transfer of rights and liabilities covered under the said certificate of insurance and the policy of insurance.

73. Powers of Central Government to make rules for Chapter XII.—The Central Government shall, by rules made in this behalf, specify the terms, conditions and procedures to be complied with by the insurers and insured including—

(*a*) cover note of insurance and its validity;

(*b*) rights and duties of the insured;

(*c*) procedures and processes involved in processing of claims;

(*d*) duties and obligations of the insurers to satisfy the judgments and awards;

(*e*) rights of claimants, liability of the insured and the insurers in special circumstances such as the insured becomes insolvent and the procedures to be followed;

(*f*) procedures, processes and minimum terms of conditions for the settlement between the insurers and insured persons;

(*g*) procedures to be followed in the transfer of certificate of insurance; and

(*h*) such other matters directly or indirectly related to insurance of mechanically propelled vessels, for the purposes of effective implementation and administration of this Chapter.

CHAPTER XIII

INQUIRY INTO CASUALITY, ACCIDENT OR WRECK

74. Reporting of casualty, accident, wreck, etc.—(*1*) The State Government, may by notification, appoint any designated authority for the purposes of this Chapter.

(*2*) The owner, operator or master of a mechanically propelled inland vessel, shall give information of any wreck, abandonment, damage, casualty, accident, explosion or loss occurred to or on board such a vessel while in the inland waters, to the officer in-charge of the nearest police station and to the designated authority appointed under sub-section (*1*), in such form and manner as may be prescribed by the State Government.

(*3*) The designated authority shall at once report the contents of the information referred to in sub-section (*2*) to the District Magistrate.

(*4*) The officer in-charge of the police station shall, on receipt of information referred to in sub-section (*2*), investigate into the matter and submit a report to the jurisdictional Judicial Magistrate in accordance with the provisions of Chapter XII of the Code of Criminal Procedure, 1973 (2 of 1974).

(*5*) The Judicial Magistrate may, on receiving the report referred to in sub-section (*4*), take action as he may deem fit in accordance with the provisions of Chapter XVI.

75. Preliminary enquiry by designated authority and inquiry by District Magistrate.—(*1*) The designated authority may, in pursuance of the information referred to in sub-section (*2*) of section 74, conduct a preliminary enquiry and submit a report thereof to the District Magistrate, who shall transmit the same to the concerned State Government.

(*2*) The State Government may, on receipt of the report referred to in sub-section (*1*), if deemed necessary, direct the District Magistrate to submit an additional report to it and send a copy thereof to the Judicial Magistrate of the first class referred to in sub-section (*4*) of section 74 through the jurisdictional police.

(*3*) The powers of the District Magistrate referred to in sub-section (*2*) and the procedures to be followed by him in holding the inquiry for submission of additional report shall be such as may be prescribed by the State Government.

76. Assessors.—(*1*) For the purposes of this Chapter, the State Government may appoint and maintain a list of assessors, which may be revised from time to time.

(*2*) The State Government shall, by rules made in this behalf, specify the qualifications, criteria and consideration, fees or charges for the assessors, who are conversant with the maritime affairs and have

experience in the merchant service or in the navigation of the mechanically propelled inland vessels and willing to act as an assessor.

(*3*) The District Magistrate may, for the purposes of assisting in the inquiry under this Chapter, appoint any number of assessors, from the list of assessors provided to him by the State Government.

(*4*) In every inquiry, other than the one specified in sub-section (*3*), the District Magistrate may, if he thinks fit, appoint an assessor, for the purposes of such inquiry, any person.

(*5*) Every person appointed as an assessor under this section shall assist the District Magistrate in the inquiry and deliver his opinion as may be sought for, which shall be recorded in the proceedings.

77. Report of District Magistrate to be notified by State Government.—(*1*) The District Magistrate shall, in the case of every inquiry under this Chapter, make a full report of the conclusions at which he has arrived, together with the evidence recorded and the written opinion of any assessor.

(*2*) The State Government shall, on receipt of the report referred to in sub-section (*1*) from the District Magistrate, cause it to be published by notification in its Official Gazette.

78. Powers of District Magistrate subsequent to inquiry.—(*1*) The District Magistrate may, after inquiry, recommend in his report for cancellation or suspension or confiscation of a certificate of competency or a certificate of service granted to a master, crew or engineer by the State Government under Chapter VI, if such District Magistrate finds that—

(*a*) the accident or casualty, including loss, stranding or abandonment of, or damage to, any mechanically propelled inland vessel, or loss of life, has been caused by the wrongful act or default of such master or engineer;

(*b*) such master or engineer is incompetent or has been guilty of any gross act of drunkenness, tyranny or other misconduct, or in a case of collision, has failed to render such assistance or give such information or notice as may be required under this Act.

(*2*) At the conclusion of the inquiry, or as soon thereafter as possible, the District Magistrate shall state in open sitting, the decision arrived at by him with respect to the cancellation or suspension or confiscation of any certificate of competency or a certificate of service and, if suspension is ordered, the period for which the certificate is suspended.

(*3*) Without prejudice to the provisions of this section, the District Magistrate may also make such order and require such security in respect of the costs of the matter as he may deem fit and necessary in the circumstances of the case.

79. Power of State Government to suspend, cancel and confiscate certificate.—(*1*) The State Government, in whose jurisdiction the certificate of competency or a certificate of service was granted under Chapter VI, may cancel or suspend any such certificate or, in the event of the vessel being found in the jurisdiction of another State Government, such State Government may confiscate the certificate, if,—

(*a*) on any inquiry made under this Chapter, the District Magistrate reports for cancellation or suspension or confiscation of that certificate under section 78; or

(*b*) the holder of such certificate is proved to have been convicted of any non-bailable offence; or

(*c*) the holder of such certificate is proved to have deserted his vessel or has absented himself without leave and without sufficient reason, from his vessel or from his duty; or

(*d*) in the case of a person holding any designation as provided by the certificate of competency or certificate of service, is or has become, in the opinion of the State Government, unfit to act in such designation, as the case may be.

(*2*) Every person whose certificate of competency or a certificate of service is suspended or cancelled under this Chapter shall deliver it to such person as the State Government, which suspended or cancelled it, may direct.

(*3*) If any State Government cancels, suspends or confiscates the certificate of competency or a certificate of service granted under Chapter VI, the proceedings and the fact of confiscation and recommendation for suspension or cancellation, shall be reported to the State Government which has originally issued, granted or endorsed such certificates.

(*4*) The State Government may, at any time, revoke any order of suspension or cancellation or confiscation which it may have made under this Chapter, or grant a certificate anew, for reasons to be recorded in writing, to any person whose certificate it has so cancelled and such certificate granted anew, shall have the same effect as a certificate of competency granted under this Act after examination.

CHAPTER XIV

REGULATION OF TRADE PRACTICES

80. Powers of Central Government to protect interests of service providers and service users.— The Central Government may, prescribe the minimum standards, terms and conditions to protect the interests of service providers and service users and to ensure safety of such persons.

81. Prohibited goods and dangerous goods.—The Central Government shall, by notification, declare the list of dangerous goods that may be carried subject to such conditions, as may be prescribed by it, and prohibited goods that are prohibited from being carried on any class or category of mechanically propelled inland vessels, while plying in the inland waters.

82. Trade permission and endorsement of certificates of foreign vessels.—(*1*) No vessel registered in any country other than India shall be permitted to be used or employed for the purposes of, carriage of goods, transportation of passengers, storage units, accommodation, floating units or for such other purposes within the inland waters, unless such vessel has secured prior permission from the Central Government for its use or employment for such purposes and subject to such terms and conditions as may be prescribed by the Central Government:

Provided that, where the Central Government has entered or in the event of that Government entering into bilateral or multilateral treaties pertaining to the inland navigation, whereby the permission is provided to the vessels belonging to foreign countries to ply within inland waters of India, the Central Government or the State Government, as the case may be, shall impose or apply such vessels belonging to the foreign countries, with the same conditions to the service providers in India.

(*2*) For the purposes of sub-section (*1*), any certificate granted by any other foreign country in accordance with the provisions of any law for the time being in force in that country corresponding to the provisions as provided in Chapters IV, V and VI under this Act may, on payment of such fees as may be prescribed by the Central Government, for the grant of a similar certificate or licence under this Act, be endorsed by—

(*a*) any State Government in India; or

(*b*) with the general or special sanction and subject to such other terms and conditions of such State Government, by any authority competent to grant a similar certificate under this Act.

(*3*) Upon endorsement of any such certificate as provided in sub-section (*2*), it shall have effect for such period and to such extent as may be prescribed by the Central Government and shall be treated as if it had been granted under this Act.

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CHAPTER XV

PILOTAGE, VESSEL DETENTION AND DEVELOPMENT FUND

83. Pilotage.— (*1*) The Central Government may, by notification, specify the requirement of pilotage in whole or part of inland waterways declared as national waterways.

(*2*) The State Government may, by notification, specify the requirement of pilotage in whole or part or any stretch of designated inland waterways or such passages that lie within the respective territory of such State Governments and in respect of which the Central Government has not specified under sub-section (*1*).

84. Certified master to be deemed pilot under Act 15 of 1908.—Subject to the provisions of section 83, every master of any mechanically propelled inland vessel, who possesses a master's certificate granted under this Act and in force, shall, in ports to which section 31 of the Indian Ports Act, 1908 has been extended, be deemed, for the purposes of that section, to be the pilot of the mechanically propelled inland vessel of which he is in-charge.

85. Vessel detention and forfeiture.—(*1*) The State Government or any officer authorised under this Act may, detain, forfeit or remove from the inland waters, any mechanically propelled inland vessel, which is required to be registered under the provisions of this Act, if found—

(*a*) plying or being used in inland waters without a valid certificate of registration;

(*b*) plying without a valid certificate of survey;

(*c*) plying with passengers beyond the permitted carrying capacity;

(*d*) to have not affixed the registration number assigned to such vessels as provided under this Act;

(*e*) not complying with the manning requirements under Chapter VI;

(*f*) not complying with the provisions of Chapter VIII;

(*g*) to act in contravention to the provisions of Chapter X;

(*h*) not in compliance with the provisions of Chapter XII;

(*i*) to carry dangerous goods or prohibited goods in contravention to the provisions of section 81 or the rules made thereunder.

(*2*) The owner, operator or any such person recognised as responsible for the vessel under detention, shall pay the respective and applicable fees and charges for the safe custody and maintenance of the detained or forfeited vessel, which shall be pre-condition for release of the vessel and which if unpaid, shall create a lien over such vessel to comply with the provisions of this Act.

(*3*) Upon compliance with the provisions of this Act and the rules made thereunder, and after rectifying the mistakes that lead to detention, the State Government shall, without any unreasonable delay, release the vessel and her custody to the owner, operator or any such person recognised as responsible for the vessel under this Act.

(*4*) Unless specifically provided elsewhere in this Act, the procedures for detention, formality, fees and conditions to be followed and observed by the concerned officer or authority or court, appointed or authorised or constituted under this Act, for the purpose of detaining a vessel, shall be such as may be prescribed by the State Government.

(*5*) An officer so authorised to enter any vessel may, for the purpose of enforcing the order of detention or forfeiture, call to his aid, any police officer or any other person authorised under this Act or such other laws in force in India.

86. Constitution of Development Fund.—(*1*) There shall be a Fund constituted by the State Government to be called the Development Fund, to be utilised for—

(*a*) meeting emergency preparedness;

(*b*) meeting containment of pollution caused by discharge of oil, mixtures, obnoxious substances, chemicals and other noxious and harmful substances, to preserve and protect inland waters;

(*c*) supporting, part or whole of expenses of owners or economically backward sector involved in activities of trade and living depending solely on inland waters;

(*d*) removal of unidentified wreck or obstruction affecting and impeding navigation; and

(*e*) boosting up development works of inland water navigation with respect to safety and convenience of conveyance.

(*2*) For the purposes of constitution of the Development Fund under sub-section (*1*), endeavour shall be made to design schemes of contribution from—

(*a*) the State Government;

(*b*) stake holders;

(*c*) the amount collected from sale of wreck or cargo or remains thereof after deducting the expenses incurred;

(*d*) excess fund out of judicial sale of vessels or any property or cargo after meeting the expenses incurred or set-off against the court to meet damages or functioning of the court or administrative machinery; and

(*e*) part or proportionate disbursement of fees collected by the respective State Government as provided in this Chapter.

CHAPTER XVI

OFFENCES AND [1][PUNISHMENTS]

[2][87. Offences and Punishments.—(*1*) Whoever, contravenes any of the provisions of this Act, shall be liable to punishment or penalty as specified in the Table under sub-sections (*2*) and (*3*).

(*2*) The offences mentioned in column (3) of the Table below, shall be punishable to the extent mentioned in column (4) of the said Table :—

Sl. No.	Section	Offence	Punishment
(*1*)	(*2*)	(*3*)	(4)
1.	14(1)	Owner, operator or master of any mechanically propelled inland vessel, using such vessel, without a valid certificate of survey has acted in contravention of sub-section (*1*) of section 14.	Fine which may extend to ten thousand rupees for the first offence and twenty-five thousand rupees for subsequent offences.
2.	18(*1*)	Owner, operator or master of any mechanically propelled inland vessel	Fine which may extend to ten thousand rupees for the first

1. Subs. by Act 8 of 2026, s. 2 and Sch., for "PENALTIES" (w.e.f. 30.06.2026).
2. Subs. by s. 2 and Sch., *ibid*., for s. 87 (w.e.f. 30.06.2026).

		proceeding on any voyage or use a mechanically propelled inland vessel required to be registered, for any service, without a valid certificate of registration and in contravention of sub-section (*1*) of section 18.	offence and fifty thousand rupees for subsequent offences.
3.	30	Owner of any mechanically propelled inland vessel, has acted in contravention of section 30.	Fine which may extend to ten thousand rupees per day or imprisonment which may extend to one year, or with both.
4.	34(*2*)	Owner or operator on whose vessel, persons under the age of eighteen years are employed, has acted in contravention of sub-section (*2*) of section 34.	Fine which may extend to five thousand rupees for every day of non-compliance or imprisonment not exceeding six months, or with both.
5.	44	Owner or operator or any person responsible for the operation of special category vessel, which does not comply with the provisions of Chapter VII.	Fine which may extend to ten thousand rupees for every day of non-compliance or imprisonment extending up to six months, or with both.
6.	49 and 50(*1*)	Owner, operator or master of any mechanically propelled vessel plying in inland waters abstaining from proceeding to render assistance after answering to the distress signal.	Fine which may extend to ten thousand rupees.
7.	51(*2*)	The owner, operator or master of any mechanically propelled inland vessel proceeding to conduct any voyage without complying with the requirements of navigation aids, life-saving appliances, fire detection and extinguishing appliances and communication appliances as specified under sub-section (*2*) of section 51.	Fine which may extend up to fifty thousand rupees.
8.	52(*2*) and (*3*)	The owner, operator or master of any mechanically propelled vessel causing pollution by discharging or dumping of pollutants in inland waters.	Fine which may extend to fifty thousand rupees.
9.	53(*4*)	The owner, operator or master of any mechanically propelled vessel, who are required under this Act to possess a valid prevention of pollution certificate, plying or using the vessel without the said valid certificate.	Fine which may extend to twenty-five thousand rupees.
10.	57	Any owner, operator or any person who intentionally cause wreck within inland waters.	Fine amounting to fifty thousand rupees and imprisonment which may extend

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			to three years.
11.	82	Master or operator of any foreign vessels acting in contravention of sub-section (*1*) of section 82.	Fine which may extend to fifty thousand rupees or imprisonment which may extend to one year, or with both.
12.	83	Owner, operator or master of mechanically propelled inland vessel, who does not comply with the requirement of pilotage in contravention of section 83.	Fine which may extend to fifty thousand rupees or imprisonment which may extend to three years, or with both.

(*3*) The contravention specified in column (3) of the Table below shall be liable to penalties specified in column (4) of the said Table:—

Table

Sl. No.	Section to which contravention is referred	Contravention	Penalty
(*1*)	(*2*)	(*3*)	(*4*)
1.	8	Any owner, operator or construction yard, found guilty of construction, alteration or modification of mechanically propelled inland vessel in contravention of section 8.	Penalty which may extend to ten thousand rupees for every non-compliance found.
2.	19(*1*)	Owner or master who does not carry a valid certificate of registration or not making the same available for inspection, has acted in contravention of sub-section (*1*) of section 19.	Penalty which may extend to ten thousand rupees for every noncompliance found.
3.	24(*3*)	Owner not displaying the official number on the conspicuous part of a vessel has acted in contravention of sub-section (*3*) of section 24.	Penalty which may extend to ten thousand rupees.
4.	27	Owner, operator or any person responsible for the operation of the vessel, has acted in contravention of section 27.	Penalty which may extend to ten thousand rupees for the first contravention and twenty-five thousand rupees for subsequent contraventions.
5.	28(*2*)	Owner, operator or master of any mechanically propelled inland vessel not registering the details of alterations that are mandated to be registered as specified in sub-section (*2*) of section 28.	Penalty which may extend to ten thousand rupees for the first contravention and twenty-five thousand rupees for subsequent contraventions.

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6.	29	Owner or operator of any mechanically propelled inland vessel, who does not comply with the requirements or has acted in contravention of section 29.	Penalty which may extend to five hundred rupees for every day of noncompliance.
7.	32(*1*)	Owner of any mechanically propelled inland vessel, has acted in contravention of sub-section (*1*) of section 32.	Penalty which may extend to five thousand rupees for every day of noncompliance.
8.	35	Owner or operator of any mechanically propelled inland vessel without complying with the specified minimum manning scale has acted in contravention to section 35.	Penalty which may extend to ten thousand rupees for the first contravention and twenty-five thousand rupees for subsequent contraventions.
9.	40(*1*) and (*4*)	The holders of certificate of competency, has acted in contravention to the provisions of this Act or not surrendered the suspended, cancelled or varied certificate issued under non-submission of suspended or cancelled certificates.	Penalty which may extend to five thousand rupees per day.
10.	47	Owner, operator or master of any mechanically propelled vessel registered, recognised or identified under this Act, for not equipping the vessels or exhibiting the lights and signals specified under Chapter VIII.	Penalty which may extend to ten thousand rupees for the first contravention and twenty-five thousand rupees for subsequent contraventions.
11.	48	Owner, operator or master not ensuring safe navigation or causing damage due to non observance of regulations.	Penalty which may extend to twenty-five thousand rupees.
12.	54(*2*) and (*5*)	The owner or operator of any reception facility who does not comply with the standards and obligations stipulated.	Penalty which may extend to fifty thousand rupees.
13.	55(*4*)	The owner or operator of the terminal who operates without complying with the notice issued under sub-section (*4*) of section 55.	Penalty which may extend to fifty thousand rupees.
14.	58(*2*)	Any person who is guilty of offence committed by contravention of sub-section (*2*) of section 58.	Penalty which may extend to ten thousand rupees.
15.	66	Any owner or master plying any mechanically propelled inland	Penalty which may extend to ten thousand rupees and

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		vessel without a valid insurance as provided under section 66.	detention of the vessel till certificate of insurance is procured.
16.	74(*2*)	The owner, operator or master of any mechanically propelled inland vessel not complying with sub-section (*2*) of section 74.	Penalty which may extend to ten thousand rupees.
17.	79(*2*)	Any person who holds a certificate issued under Chapter VI and fails to surrender suspended or cancelled certificates.	Penalty which may extend to ten thousand rupees for every day of non-submission.
18.	80	Any person, in the capacity of a service provider or a service user, who acts in contravention of section 80.	Penalty which may extend to fifty thousand rupees.
19.	97	Any person employed on inland vessel for neglect or refusal to join or desertion of vessel in violation of his obligation as provided under section 97.	Forfeiture of a sum not exceeding two days' pay, and in addition for every twenty-four hours of absence, either a sum not exceeding six days' pay or any expenses properly incurred in hiring a substitute, from his wages.
20.	102	Any person found guilty of causing obstruction or has acted in contravention of section 102.	Penalty which may extend to fifty thousand rupees.

(*4*) Where the owner or master of any mechanically propelled inland vessel is convicted of an offence under this Act or any rule made thereunder, committed on board, or in relation to that mechanically propelled vessel, and is sentenced to pay a fine, the Magistrate who passes the sentence may direct the amount of the fine to be levied by distress and sale of the mechanically propelled vessel, or its appurtenance so much thereof as is necessary.

(*5*) Where an inland vessel has been used in contravention of the provisions of this Act or the rules made thereunder, the details of the offence or contravention, the offender or person liable and the vessel shall be recorded in such form and manner, as may be specified by the Central Government by notification.

(*6*) The State Government shall appoint courts not inferior to that of a Magistrate of the first class, for the purpose of conducting trial of any person who is charged of any offence as provided under this Act or the rules made thereunder.]

[1][**87A. Adjudication of penalties**.—(*1*) For the purpose of adjudicating penalties under section 87, the State Government shall appoint an officer not below the rank of Under Secretary to the Government of India or an officer of an equivalent rank in the State Government as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that the State Government may appoint as many adjudicating officers as may be required:

1. Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 30.06.2026).

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer at least one rank higher than the adjudicating officer appointed by the State Government as an appellate authority, in such form and manner as may be prescribed.

(*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.]

88. Offences by company, limited liability partnership firm or any such arrangement.—(*1*) Where an offence under this Act has been committed by a company or a limited liability partnership firm or any such arrangement, every person who, at the time the offence was committed was in-charge of, and was responsible to the company or the limited liability partnership firm or any such arrangement, for the conduct of the business, and the company or the limited liability partnership firm or any such arrangement, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where an offence under this Act has been committed by a company or a limited liability partnership firm or any such arrangement and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or partner or other officer of the company or the limited liability partnership firm or any such arrangement, as the case may be, such director, manager, secretary or partner or other officer, as the case may be; shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

89. Fees, additional fee, payment and collection.—(*1*) Unless otherwise specified, the State Government shall collect, the fees and additional fees for the services provided under this Act and any other charges or payment made to it against payments towards penalties, at such rates and intervals, as may be prescribed by the State Government.

(*2*) The State Government shall appoint or authorise such officers, or constitute such offices within its jurisdictions, by notification, to act as single point collection offices within the districts or ports, considering proximity and convenience of remittance.

(*3*) The procedures, forms and format of receipts, maintenance of accounts and any other matter that is necessary for the purpose of the remittance, collection, accounts and accountability of collected fees, additional fees, charges or payment against penalties of pecuniary nature shall be such as may be prescribed by the State Government.

(*4*) The owner, operators or their representatives, as the case may be, shall remit the fees or additional fees in such manner and at such rates as may be prescribed by the State Government.

(*5*) All fees payable under this Act may be recovered as fine under this Act.

90. Cognizance of offence.—No court shall take cognizance of any offence under this Act, except on a complaint in writing made by the Central Government or any officer authorised by the State Government, as the case may be, for this purpose.

CHAPTER XVII

NON-MECHANICALLY PROPELLED INLAND VESSEL

91. Local self-governance.—(*1*) The State Government may authorise any of its department (herein in this Chapter referred to as the authorised department) to administer and implement the provisions of this Chapter.

(*2*) The office of the authorised department shall be located at such places which are accessible to owners, operators of non-mechanically propelled inland vessel and service users of such vessels.

(*3*) The offices of the authorised department shall in the order of hierarchy of power, be at district, taluk and panchayat or village level, or any other hierarchy as may be prescribed by the State Government, and shall exercise the powers and functions as may be prescribed by that Government, which shall include the powers and functions to—

(*a*) enrol the non-mechanically propelled inland vessel under this Chapter;

(*b*) collate data with regard to the non-mechanically propelled inland vessel enrolled under this Act and report it to the higher authority in the hierarchy of power;

(*c*) administer the welfare fund constituted under this Chapter in accordance with such authority and obligation;

(*d*) advise and conduct awareness programmes for assisting the owners, operators or service users of non-mechanically propelled inland vessel enrolled under this Act; and

(*e*) perform such other functions as may be assigned under this Act or the rules made thereunder.

92. Obligation to enrol.—(*1*) The owner or operator may enrol, by submitting the details of the ownership of non-mechanically propelled inland vessel, undertaking that the vessel is put into motion by solely employing human labour and such other details as may be prescribed by the State Government, at the office of the authorised department, which is located nearest to the place of residence of the owner or area of plying of the non-mechanically propelled inland vessel, in such form and manner as may be prescribed by the State Government.

(*2*) The form prescribed by the State Government under sub-section (*1*) shall be published in the respective vernacular language, apart from Hindi or English, as the case may be.

(*3*) For the purposes of identification and categorisation of non-mechanically propelled inland vessels, to be enrolled in accordance with the provisions of sub-section (*1*), the State Government shall publish such criteria for categorisation which may include the size, purpose of employment, age, construction, design or such other criteria of the vessels.

(*4*) The enrolment of non-mechanically propelled inland vessels shall be a prerequisite for such vessels to be entitled for the benefits and preferential treatment accorded under this Chapter.

(*5*) The details of the enrolled vessels shall be recorded in the registry of enrolment and be reported by the offices of lowest order in the hierarchy of power to the highest hierarchy and the collated list of enrolled vessels shall be maintained by the office of District Magistrate or such officer appointed or authorised under this Chapter, for the said purpose.

(*6*) The State Government shall maintain a central data base to record the details of the non-mechanically propelled inland vessel enrolled within the respective jurisdiction, in such form and manner as may be prescribed by it.

(*7*) The lowest ranking officer of the office of the authorised department shall report of any change to the registry of enrolment maintained by him and bring to the notice of the authority higher in the hierarchical order, and the changes shall be brought out accordingly, in every such register maintained by

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the respective authorities including the central data base maintained by the Principal Secretary or Secretary of the State Government.

93. Certificate of enrolment and marking of vessel.—(*1*) The officer of the authorised department appointed or authorised to maintain the registry under this Chapter, shall issue a certificate of enrolment to the non-mechanically propelled inland vessels that have enrolled in the registry of enrolment.

(*2*) The certificate of enrolment shall be issued, in such form and manner as may be prescribed by the respective State Government, and details to be specified in such certificate shall include—

(*a*) name, permanent address as given in the Unique Identification Document issued by Unique Identification Authority of India, electoral identification document or such other document of the owner, as may be prescribed by the State Government;

(*b*) details such as year of construction, laying of keel or such other information;

(*c*) details of design, if identified or categorised under this Chapter;

(*d*) details of officer issuing or granting the certificate; and

(*e*) number given to the vessels enrolled by the issuing authority.

(*3*) The authorised department in every State shall issue a number to the non-mechanically propelled inland vessel enrolled within the respective jurisdiction, which shall be unique for the purpose of identification of enrolment with the authorised department of the respective State.

(*4*) The number so issued under sub-section (*3*) shall be exhibited on a conspicuous part of the non-mechanically propelled inland vessel in such form and manner as may be prescribed by the respective State Government.

94. Standards of construction and safety.—(*1*) The basic minimum standards that may be reasonably observed during the construction of any non-mechanically propelled inland vessel, shall be such as may be prescribed by the State Government.

(*2*) Notwithstanding anything contained in sub-section (*1*), the State Government shall specify, the standards of construction, which any class or category of non-mechanically propelled inland vessel shall comply with, in such manner as may be prescribed by it:

Provided that the standards prescribed by the State Government shall be in harmony with the traditional knowledge and practices passed on as customary or ancestral means that are applied by skilled and talented persons involved in the designing and construction of non-mechanically propelled inland vessel.

(*3*) The State Government may specify the minimum safety gears and equipment by notification in the Official Gazette with which the non-mechanically propelled inland vessel shall be equipped with for the purpose of ensuring safety of such vessels.

(*4*) The State Government may provide for standards of overhauling, modifying, altering or refitting the non-mechanically propelled inland vessel for the purpose of ensuring safe navigation.

(*5*) The non-mechanically propelled inland vessels enrolled under this Act, shall comply with the safety standards as stipulated under this Chapter or the rules made in this regard.

(*6*) For the purposes of ensuring safe navigation of non-mechanically propelled inland vessels, the State Government may, by notification, specify the routes, areas or stretch of inland waters that are prohibited from being used or subject to such terms and conditions, for the navigation of non-mechanically propelled inland vessel.

95. Power of State Government to make rules to regulate non-mechanically propelled inland vessels.— (*1*) The State Government may, by rules made in this behalf, specify the measures to regulate non-mechanically propelled inland vessels.

(*2*) For the purposes of sub-section (*1*), the State Government may make rules for the following, namely:—

(*a*) for prevention and minimising pollution caused by the non-mechanically propelled inland vessels;

(*b*) for removal of obstructions to safe navigation;

(*c*) measures that may be adopted to avert accidents and casualty; and

(*d*) any other measure which the State Government may deem fit in implementing the provisions of this Chapter.

96. Constitution of welfare fund.—(*1*) Every State Government shall, by notification, constitute a welfare fund at district level, for allocation of such fund to assist the non-mechanically propelled inland vessels enrolled under this Chapter.

(*2*) Any officer appointed or authorised under this Chapter to be in-charge of the fund for the non-mechanically propelled inland vessel shall, with the previous approval in writing of the respective State Government or such other authority appointed for the said purpose, utilise the fund to—

(*a*) create awareness and conduct knowledge dissemination sessions for educating the owner, operator and service user on improvements required for safe navigation;

(*b*) provide equipment and devices of safety and navigation at a subsidised rate;

(*c*) provide support or relief during casualties, accidents or such emergencies; and

(*d*) for such other purposes as it may deem fit.

CHAPTER XVIII

MISCELLANEOUS

97. Desertion and absence without leave.—No person employed or engaged in any capacity on board a mechanically propelled vessel shall—

(*a*) neglect or refuse, without reasonable cause, to join his mechanically propelled vessel or to proceed on any voyage in his vessel;

(*b*) cause to be absent from his vessel or from his duty at any time without leave and without sufficient cause;

(*c*) desert from his mechanically propelled vessel;

(*d*) fail to act or behave with discipline befitting his duty and mandate.

98. General powers of Central Government to make rules.—(*1*) The Central Government may make rules for—

(*a*) implementation of standards for the use of special category of vessels within inland waterways;

(*b*) providing the requirements and standards of—

(*i*) river information services;

(*ii*) vessel traffic and transport management, safety and information services;

(*iii*) vessel tracing and tracking information;

(*iv*) to tackle calamities and furtherance of emergency preparedness;

(*v*) to quarantine the vessels and to adopt such other measures to effectively control any epidemic or disease of contagious nature;

(*c*) enforcing standards to avoid and tackle pollution arising in inland waterways;

(*d*) exemption, inclusion or extension of the application of any or all the provisions of this Act to any vessel registered, recognised or identified and intended to ply, or plying in the inland waters;

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(*e*) any other matter as it may deem fit and necessary in the proper implementation of this Act for the purposes of ensuring safe navigation, safety of life and prevention of pollution caused by inland vessel.

(*2*) For the purposes of administration of the notifications mentioned in sub-section (*1*), the Central Government or the State Government, as the case may be, shall authorise or appoint officers by notification.

99. Emergency preparedness.—(*1*) Every State Government may, appoint or authorise the advisory committee or officers, by notification, to take adequate measures, as may be prescribed by the State Government, to minimise or counter emergency.

(*2*) The owner, operator, master, crew or any other person connected with inland vessel plying in inland waters shall upon finding or apprehending a situation of crisis, which could adversely affect or is adversely affecting the safety of navigation, safety of human life or preservation of inland waters, inform or report the advisory committee or such other officers, appointed under sub-section (*1*) having respective jurisdiction or jurisdictions over such crisis that is found or is anticipated to affect adversely.

(*3*) The advisory committee or officers, who are appointed or authorised under sub-section (*1*), on receipt of information under sub-section (*2*), or as directed by the Central Government or the State Government or on their own initiative, may record the crisis as emergency and, shall adopt such measures as prescribed under sub-section (*1*), and such other measures which are feasible and in best of the judgment necessary to minimise or counter such emergency.

(*4*) The advisory committee or officers, appointed or authorised under sub-section (*1*) may request the navy, coast guard, any other emergency force, or any inland vessel available for such assistance as necessary.

(*5*) No mechanically propelled inland vessel directed or acting voluntarily in rendering assistance as mentioned in sub-section (*4*) shall be bound by the provisions of this Act or the rules made thereunder.

(*6*) Any mechanically propelled inland vessel acting voluntarily, for the purpose of saving life or vessel or providing basic amenities, shall report to the advisory committee or officers appointed or authorised under sub-section (*1*) regarding the presence and reasons for the acts in writing, at the earliest possible.

(*7*) The advisory committee or officers appointed or authorised under sub-section (*1*) shall disburse all basic amenities necessary and essential as it may deem fit, to the persons or vessels affected by such emergency.

(*8*) The advisory committee or officers appointed or authorised under sub-section (*1*) shall report to the Central Government or the State Government, the complete description of the events, consequences and such measures adopted under sub-section (*3*) and the effectiveness of such measures in countering the emergency.

100. Removal of lawful obstruction.—(*1*) If any obstruction or impediment to the navigation of any inland water has been lawfully made or has become lawful by reason of the long continuance of such obstruction or impediment or otherwise, the authorised officer shall report the same for the information of the State Government and shall, with the sanction of the State Government, cause the same to be removed or altered, making reasonable compensation to the person suffering damage by such removal or alteration.

(*2*) Any dispute arising out of or concerning such compensation shall be determined according to the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013).

101. Validity of certificates issued under laws other than this Act.—(*1*) Every certificate issued in respect of any person or vessel, under any other enactment in force in India, by the Central Government, shall be valid and effective as a certificate issued under this Act and the relevant provisions of this Act shall apply in relation to such persons or vessel as they apply to, any person who has been issued with a certificate under Chapter VI or any mechanically propelled inland vessel registered, recognised or identified under this Act.

(*2*) Notwithstanding anything contained herein, the State Government may impose additional conditions and requirements for the purpose of recognition of certificates as provided under sub-section (*1*).

102. Obstruction to officer appointed or authorised.—No person shall wilfully cause obstruction or attempt to obstruct any authority or officer appointed under this Act in exercise of the respective functions and powers conferred upon such authority or officer, or in the discharge of any duty imposed by or under this Act; by abstinence, failure to facilitate inspection, or restraining or physically objecting the entry or movement or non-production of books or records as and when demanded by such authority or authorised officers.

103. Place of trial.—Whoever contravenes any of the provisions of this Act or the rules made thereunder, shall be triable for the offence in any place where he may be found or at the place of occurrence or at the place in the State where the offence has been committed or a place which the Central Government or the State Government, as the case may be, by notification, specify in this behalf, or any other place in which he might be tried under any other enactment for the time being in force.

104. Composition of offences.—(*1*) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), any offence punishable under this Act, not being an offence punishable with imprisonment only, or with imprisonment and also with fine, may, on an application of the accused person, either before or after the institution of any prosecution, be compounded by competent authority or in the event of the matter being referred to the court of competent jurisdiction, such offence may be compounded by the competent authority with the permission of such court.

(*2*) The competent authority referred to in sub-section (*1*) shall exercise the powers to compound an offence, subject to the direction, control and supervision of the appropriate Government.

(*3*) Every application for the compounding of an offence shall be made in such manner as may be prescribed.

(*4*) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.

(*5*) Where the composition of any offence is made after the institution of any prosecution, such composition shall be brought by the competent authority referred to in sub-section (*1*) in writing, to the notice of the court in which the prosecution is pending and on such notice of the composition of the offence being given, the person against whom the offence is so compounded shall be discharged.

(*6*) Any person who fails to comply with an order made by the competent authority referred to in sub-section (*1*), shall be liable to pay a sum equivalent to twenty per cent. of the maximum fine provided for the offence, in addition to such fine.

(*7*) No offence punishable under the provisions of this Act shall be compounded except under and in accordance with the provisions of this section.

105. Appeal.— (*1*) Unless otherwise provided in this Act, any person aggrieved by an order made by the officers or authorities under this Act, may appeal to the State Government against refusal, suspension, cancellation, detention, removal or such other order, issued under this Act, within thirty days from the date of receipt of such order.

(*2*) The State Government shall cause notice of every such appeal to be given to concerned officers or authorities whose order is made the subject matter of the appeal, and after giving an opportunity to the appellant; shall pass appropriate order by recording reasons thereof, which shall be final.

106. Power of Central Government to make rules.—(*1*) For the purposes of effective implementation of the provisions of this Act, the Central Government shall, subject to the condition of previous publication, make rules for carrying out the provisions of this Act.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the centralised record to be maintained in e-portal, for recording the data and details of vessel, vessel registration, crew, manning, certificates issued, reception facilities and such other data to be recorded under clause (*f*) of section 3;

(*b*) the requirements for compliance to be specified in a cover note for the purpose of issuance of certificate of insurance under clause (*g*) of section 3;

(*c*) the procedure to be laid down and rates to be specified so as to calculate the rate of extent of liability within which the owner or such other persons entitled under this Act, may limit the liability or be permitted to limit or cap the liability arising out of claims under clause (*t*) of section 3;

(*d*) the standard and number of persons required for safe manning and navigation of vessels under clause (*z*) of section 3;

(*e*) the classification, criteria for such classification and standards of design, construction, fitness and crew accommodation to classify or categorise any mechanically propelled inland vessel under sub-section (*1*) of section 7;

(*f*) the manner of carrying out construction and any alteration or modification of mechanically propelled inland vessels with the prior approval of design from the designated authority under section 8;

(*g*) the standards for type and periodicity of surveys for all mechanically propelled inland vessels, which are newly constructed and already in service under sub-section (*1*) and the form and content of request for survey to be submitted by the applicant under sub-section (*2*) of section 9;

(*h*) the minimum criteria and qualifications for the appointment of surveyors, which the State Governments shall adopt in the appointment of surveyors under section 10;

(*i*) the form of application for conducting survey to be submitted by owners, masters or construction yard under sub-section (*1*) of section 11;

(*j*) the form and contents of the declaration of survey of a mechanically propelled inland vessel and the time period for which such certificate shall be valid, under sub-section (*1*) of section 12;

(*k*) the form of the certificate of survey including any particulars or terms and conditions under sub-section (*3*) of section 12;

(*l*) the form of provisional certificate of survey and the period of validity provided under sub-section (*1*) of section 13;

(*m*) the terms and conditions to be complied with for permitting any mechanically propelled vessels registered under such laws of countries other than India; which shall only be permitted to ply within the inland waters under clause (*c*) of sub-section (*2*) of section 18;

(*n*) the form, contents or particulars of the book of registry as provided under sub-section (*1*) of section 21;

(*o*) the form and manner for maintenance of central data base for inland vessels by the officers appointed by the Central Government under section 22;

(*p*) the functions to be performed by the officers appointed by the Central Government under section 22;

(*q*) the form and manner of making application for registration of a mechanically propelled inland vessel and the particulars along with which such application is to be made under sub-section (*1*) of section 23;

(*r*) the list of documents to be submitted or adduced by the applicants for registration under sub-section (*2*) of section 23;

(*s*) the form and content of certificate of registration under sub-section (*2*) of section 24;

(*t*) the form of application, fee and the manner of issuance of provisional certificate of registration under sub-section (*2*) of section 27;

(*u*) the procedures to be complied with by the owner of any mechanically propelled inland vessel who ceases to be the owner or applies for the requirement of transfer of registry or any such circumstances leading to change of the registered address under sub-section (*2*) of section 29;

(*v*) the procedures for validating the transfer of mechanically propelled inland vessel from India to outside India under section 30;

(*w*) the time within which the owner of the mechanically propelled inland vessel shall report to the Registrar of Inland Vessels of the place where such vessel is registered, if that vessel is declared missing, destroyed, lost, abandoned or has been rendered permanently unfit for service or destined for scrapping or dismantling or sold abroad;

(*x*) the form of instrument creating the security for a mortgage for a loan or other valuable consideration under sub-section (*1*) of section 33;

(*y*) the manner and conditions governing mortgage and its procedures under sub-section (*2*) of section 33;

(*z*) the standards for qualification, training, training institute, examination and grant of competency certificates under sub-section (*1*) of section 34;

(*za*) the minimum manning scale applicable to different class or category of mechanically propelled inland vessels, categorised under this Act or such other laws for the time being in force in India, under section 35;

(*zb*) the criteria and qualifications for appointment of examiners under sub-section (*1*) of section 36;

(*zc*) the form, contents and particulars of certificate of competency specified under sub-section (*3*) of section 37;

(*zd*) the period of validity of certificate of service issued under sub-section (*1*) of section 38;

(*ze*) the form of certificate of service and the conditions subject to which such certificate is issued under sub-section (*4*) of section 38;

(*zf*) the conditions subject to which the certificate of competency shall be valid throughout India under section 39;

(*zg*) the intervals and manner in which the State Government shall report and update the Central Government with the information on data and details of certificates issued, granted, cancelled or suspended or such other remarks, made by the respective authority under sub-section (*2*) of section 41;

(*zh*) the criteria and standards to identify any class or category of mechanically propelled inland vessels as special category vessels based on their design, construction, use, purpose, area of plying, source of energy or fuelling or any other criteria under sub-section (*1*) of section 42;

(*zi*) the requirements of construction, design, survey, registration, manning, qualification, competency, or the requirements in addition to those contained elsewhere in this Act under sub-section (*2*) of section 42;

(*zj*) the specifications and requirements of signals and equipment based on classification and categorisation of mechanically propelled vessels, to be complied with by such vessels under sub-section (*1*) of section 47;

(*zk*) the fog and distress signals to be carried and used, the steering and sailing rules to be complied with and the different protocols for exhibition and display of different standards of lights, shapes and signals, by any mechanically propelled vessel plying in inland waters under sub-section (*2*) of section 47;

(*zl*) the class or category of mechanically propelled inland vessels to be equipped with navigation aids, life saving appliances, fire detection and extinguishing appliances and communication appliances under sub-section (*1*) of section 51;

(*zm*) the standards to be followed by the owner or master of any mechanically propelled inland vessel and the manner for discharge or dispose of sewage and garbage under sub-section (*2*) of section 52;

(*zn*) the standards of construction and equipment of the mechanically propelled inland vessels to ensure compliance with the requirements of the provisions of Chapter IX under sub-section (*1*) of section 53;

(*zo*) the form, validity and content of prevention of pollution certificate under sub-section (*3*) of section 53;

(*zp*) the conditions for construction, use and maintenance of reception facilities for the containment of pollution and removal of pollutants arising from spillage or discharge arising from mechanically propelled inland vessels at all cargo terminals or passenger terminals under sub-section (*1*) of section 54;

(*zq*) the purposes for Chapter X as specified in clauses (*a*) to (*g*) of section 59;

(*zr*) the limits of liability and the criteria in determining compensation for any claim specified in sub-section (*5*) of section 64;

(*zs*) the form, content, and the conditions subject to which a certificate of insurance is issued by the insurer to the insured under clause (*c*) of sub-section (*1*) of section 68;

(*zt*) the terms and conditions to be incorporated in the contract of insurance entered between insurer and insured to cover the risks, as provided in section 66, under sub-section (*2*) of section 68;

(*zu*) the terms, conditions and procedures to be complied with by insurers and insured including those specified in clauses (*a*) to (*h*) therein, under section 73;

(*zv*) minimum standards, terms and conditions to protect the interests and to ensure safety of service providers and service users under section 80;

(*zw*) the conditions for carrying the list of dangerous goods under section 81;

(*zx*) the terms and conditions subject to which permission of the Central Government is granted for use or employment of a vessel, registered in any country other than India, for the purposes of, carriage of goods, transportation of passengers, storage units, accommodation, floating units or for such other purposes within the inland waters under sub-section (*1*) of section 82;

(*zy*) the fees for grant of a certificate or licence under this Act similar to any certificate granted by any other foreign country in accordance with the provisions of any law for the time being in force in that country under sub-section (*2*) of section 82;

(*zz*) the period and extent of validity of certificate granted under sub-section (*2*) of section 82, as specified in sub-section (*3*) of the said section;

(*zza*) any other matter which is required to be, or may be, prescribed under the provisions of this Act for the purpose of implementation and administration of such provisions.

107. Power of State Government to make rules.—(*1*) The State Government may, after previous publication, make rules for the provisions specified to be administered by it under this Act or as delegated to it by the Central Government for the purposes of effective implementation of the provisions of this Act.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the requirements for the appointment of qualified persons as pilots under clause (*zk*) of section 3;

(*b*) the fee for issuance of certificate of survey under sub-section (*2*) of section 12;

(*c*) the manner and conditions subject to which any mechanically propelled inland vessel, which has been issued with a provisional certificate of survey or endorsement may proceed on voyage or use in service, temporarily, pending the issue of certificate of survey under sub-section (*2*) of section 13;

(*d*) the manner of issue the notice of suspension of certificate of survey to the owner, operator, master, or construction yard under sub-section (*2*) of section 15;

(*e*) the functions to be performed by the Registrar of Inland Vessels in respect to the port or place of registry for which he is appointed under sub-section (*2*) of section 20;

(*f*) the manner and period in which the Registrar of Inland Vessels shall report the details of the book of registry or entries made therein, to the State Government at regular intervals, under sub-section (*2*) of section 21;

(*g*) the fee for granting the certificate of registration to the applicant under sub-section (*1*) of section 24;

(*h*) other particulars to be contained in the certificate of registration under clause (*e*) of sub-section (*2*) of section 24;

(*i*) the conspicuous part of the vessel where the owner shall display the official number under sub-section (*3*) of section 24;

(*j*) the form and manner in which the registered owner shall apply for a duplicate certificate to the Registrar of Inland Vessels under sub-section (*1*) of section 26;

(*k*) the fees or additional fees for applying for a duplicate certificate to the Registrar of Inland Vessels under sub-section (*2*) of section 26;

(*l*) the form, manner and period within which the owner, operator or master of the mechanically propelled inland vessel shall make an application, for entry of alterations or modifications made, in the certificate of registration, under sub-section (*1*) of section 28;

(*m*) the fee for applying to the Registrar of Inland Vessels for registration of alterations under sub-section (*2*) of section 28;

(*n*) the conditions to be complied with and the period for such compliance to be stated in the notice of suspension issued by the Registrar of Inland Vessels under sub-section (*4*) of section 31;

(*o*) the form and manner for maintenance of registers to record, the details and data of the certificate, and the certificates specified therein, under sub-section (*1*) of section 41;

(*p*) the form of application, form of certificate of fitness and such other conditions including validity, subject to which and the manner of granting the certificate of fitness under sub-section (*2*) of section 43;

(*q*) the safety features, gears and such other measures by which any mechanically propelled inland vessel, identified as special category vessel, shall comply with and be equipped in accordance with the categorisation of such vessel, under sub-section (*1*) of section 44;

(*r*) the maximum carrying capacity of the vessel identified as special category vessel by specifying the safety waterline or the limits of load water line to keep them afloat, or such other criteria and conditions, for the safe voyage of such inland vessel under sub-section (*2*) of section 44;

(*s*) the rates of charges to be received by the owner or operator of all cargo terminals or passenger terminals, providing reception facilities shall receive charges under sub-section (*3*) of section 54;

(*t*) the form of report of compliance to be submitted by the owner or operator of the passenger or cargo terminal under sub-section (*5*) of section 54;

(*u*) the manner in which the owner, operator or master of any mechanically propelled vessel used or plying within inland waters, shall discharge the pollutants at the port reception facilities under sub-section (*6*) of section 54;

(*v*) the procedure for detaining any mechanically propelled inland vessel in connection with a claim, or an offence under section 63;

(*w*) the form and manner of giving information of any wreck, abandonment, damage, casualty, accident, explosion or loss occurred to or on board such a vessel while in the inland waters, to the

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officer in-charge of the nearest police station and to the designated authority appointed under sub-section (*2*) of section 74;

(*x*) the powers of the District Magistrate and the procedures to be followed in holding inquiry under sub-section (*3*) of section 75;

(*y*) the qualifications, criteria and consideration, fees or charges for the assessors, who have experience in the merchant service or in the navigation of the mechanically propelled inland vessels under sub-section (*2*) of section 76;

(*z*) the procedures for detention, formality, fees and conditions, if not specified in this Act, to be followed and observed by the concerned officer or authority or court, appointed or authorised or constituted under this Act, for the purpose of detaining a vessel, under sub-section (*4*) of section 85;

[1][(*zz*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 87A;

(*zzz*) the form and manner of preferring an appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 87A;]

(*za*) the rates of fees and additional fees to be charged for the services provided under this Act, and any other charges or payment made to it against penalties of pecuniary nature to be collected by the State Government, and the intervals at which such fees, charges or penalties shall be collected, under sub-section (*1*) of section 89;

(*zb*) the procedures, forms and format of receipts, maintenance of accounts and any other matter that is necessary for the purpose of the remittance, collection, accounts and accountability of collected fees, additional fees, charges or payment against penalties of pecuniary nature under sub-section (*3*) of section 89;

(*zc*) the manner and rates of fees or additional fees, the owner, operators or their representatives, as the case may be, shall remit under sub-section (*4*) of section 89;

(*zd*) the hierarchy of the offices of the authorised department and the powers and functions to be exercised by such offices under sub-section (*3*) of section 91;

(*ze*) the authority and obligation to administer the welfare fund constituted for the purposes of Chapter XVII under clause (*c*) of sub-section (*3*) of section 91;

(*zf*) such other details to be submitted by the owner or operator of non-mechanically propelled inland vessel at the office of the authorised department and the form and manner of making such submission, under sub-section (*1*) of section 92;

(*zg*) the form and manner of central data base to record the details of non-mechanically propelled inland vessels under sub-section (*6*) of section 92;

(*zh*) the form and manner of issuance of certificate of enrolment and such other document containing details of the owner, to be specified in the said certificate, under sub-section (*2*) of section 93;

(*zi*) the form and manner of exhibiting a number issued to a non-mechanically propelled inland vessel under sub-section (*4*) of section 93;

(*zj*) the basic minimum standards that may be reasonably observed during the construction of any non-mechanically propelled inland vessel under sub-section (*1*) of section 94;

(*zk*) the manner of complying with the standards of construction specified by the State Government, by any class or category of non-mechanically propelled inland vessel under sub-section (2) of section 94;

(*zl*) the measures to regulate the non-mechanically propelled inland vessel under section 95;

1. Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 30.06.2026).

(*zm*) the measures to be taken by the advisory committee or officers authorised in this behalf to minimise or counter emergency under sub-section (*1*) of section 99;

(*zn*) for the purposes of implementation and administration of Chapter XVII of this Act, pertaining to non-mechanically propelled inland vessels;

(*zo*) any other matter which is required to be, or may be, prescribed under the provisions of this Act.

108. Power of Central Government to give directions.—The Central Government may, for carrying into execution of this Act in the State, give directions to the State Government, and the State Government shall abide by such directions.

109. Protection of action taken in good faith.—(*1*) No suit, prosecution or other legal proceeding shall lie against any person or officer appointed or authorised under this Act, in respect of anything done or intended to be done in good faith under this Act.

(*2*) For the purpose of claiming immunity under sub-section (*1*), the officers appointed or authorised under this Act, shall perform and carry out the respective functions and responsibilities, with utmost care and due diligence.

110. Power to remove difficulties.—(*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of three years, from the commencement of this Act.

(*2*) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

111. Consistency with other laws.—(*1*) The provisions of this Act shall be in addition to, and not be construed in derogation of the provisions of any other law, and shall be construed as consistent with such law, for the time being in force.

(*2*) In the event of any conflict between a provision of this Act and a provision of any other law for the time being in force in the whole of India or restricted to the application within the territory of any State, the provision of this Act shall prevail to the extent of such conflict.

112. Suspension or alteration of application and operation of Act.—(*1*) The Central Government may, by notification, declare that all or any of the provisions, under this Act or the rules made thereunder—

(*a*) other than that provided for safety, manning and prevention of pollution, shall not apply to any specified class or category of the mechanically propelled inland vessels; or

(*b*) shall apply to any specified class or category of the mechanically propelled inland vessels with such modifications, as may be specified in the notification.

(*2*) Notwithstanding anything contained in this section, the Central Government may, by notification, suspend or relax to a specified extent, either indefinitely or for such period as may be specified in that notification, the operation of all or any of the provisions of this Act.

113. Laying of rules and notifications.—(*1*) Every rule made or notification issued under this Act, by the Central Government shall be laid, as soon as may be after it is made or issued, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification, or both Houses agree that the rule or notification should not be made, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

(*2*) Every rule made or notification issued under this Act by the State Government shall, as soon as after it is made or issued, be laid before the State Legislature.

114. Repeal and savings.—(*1*) The Inland Vessels Act, 1917 (1 of 1917) is hereby repealed.

(*2*) Notwithstanding the repeal of the enactment referred to in sub-section (*1*),—

(*a*) any notification, rule, regulation, bye-law, order or exemption issued, made or granted under the enactment hereby repealed shall, if it is not inconsistent with the provisions of this Act, continue to be in force unless and until revoked, and shall have effect as if it had been issued, made or granted under the corresponding provision of this Act;

(*b*) any officer appointed and anybody elected or constituted under any enactment hereby repealed shall continue and shall be deemed to have been appointed, elected or constituted unless specifically removed or replaced by appointment of officer or offices, as the case may be, under this Act;

(*c*) any document referring to the enactment hereby repealed shall be constructed as referring to this Act or to the corresponding provision of this Act;

(*d*) any fine levied or penalty imposed under the enactment hereby repealed may be recovered as if it had been levied under this Act;

(*e*) any offence committed under the enactment hereby repealed may be prosecuted and punished as if it had been committed under this Act;

(*f*) sailing vessels or sailing boats registered under the enactment hereby repealed shall be deemed to have been registered under the Act;

(*g*) mortgages of any mechanically propelled inland vessels recorded in any register book maintained at any port in India under the enactment hereby repealed shall be deemed to have been recorded in the register book under the corresponding provision of this Act;

(*h*) any licence, certificate of competency or service, certificate of survey, licenses or any other certificate or document issued, made or granted under the enactment hereby repealed and in force at the commencement of this Act shall be deemed to have been issued, made or granted under this Act and shall, unless cancelled under this Act, continue in force until the date shown in the certificate or document, as the case may be.

(*3*) The matters specifically provided in this section, shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 (X of 1897).

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STATEMENT OF OBJECTS AND REASONS

The Inland Vessels Act, 1917 was enacted to consolidate the enactments which then existed relating to inland vessels. It governs the navigation of inland mechanically propelled vessels plying within the inland waters of India. The said Act was last amended in the year 2007. Since then, several major developments have taken place in the inland water transport sector. One of the important developments is the declaration of one hundred and eleven national waterways under the provisions of the National Waterways Act, 2016. Systematic utilisation of the said declared national waterways and tapping the potential of inland water transportation will lead to the increase in the usage of mechanically propelled inland vessels.

2. The existing Inland Vessels Act, 1917, *inter alia*, empowered the State Governments to frame rules on their own. However, the rules made by various State Governments are not uniform across the country. The requirement of no objection certificate or endorsement to ply beyond the State jurisdiction, lack of uniformity of applicable norms and standards prescribed by various State Governments, lack of flexibility in its provisions, and the like, are shortfalls in the said Act. Hence, a comprehensive review of its provisions was necessitated to overcome such shortfalls and to cope up with the present needs and foreseeing developments in the near future. Thus, it is expedient to enact a new legislation to replace the century old archaic Inland Vessels Act, 1917.

3. The proposed new legislation intends to bring in uniformity in the provisions in respect of States, so as to promote economic and safe transportation and trade across inland waters and protect the interest and needs of stake holders. Further, the State Governments are being entrusted with the power and responsibility to implement the provisions of the proposed legislation, in accordance with the standard and measures as may be provided by rules by the Central Government.

4. The proposed legislation is different from the lnland Vessels Act, 1917 in terms of its intent, content and implementation, and will—

(*i*) promote economical, safe transportation and trade through inland waters;

(*ii*) bring uniformity in application of law relating to inland waterways and navigation within the country;

(*iii*) provide for safety of navigation and protection of life and cargo;

(*iv*) provide for prevention of pollution that may be caused by the use or navigation of inland vessels;

(*v*) ensure transparency and accountability of administration of inland water transportation; and

(*vi*) strengthen the procedures governing the inland vessels, their construction, survey, registration, manning, navigation and other related matters.

5. The salient features of the proposed Inland Vessels Bill, 2021, *inter alia*, are—

(*i*) to empower the Central Government to provide uniformly the applicable standards for seamless and safe navigation of inland vessels by rules;

(*ii*) to empower the State Governments to declare by notification any inland water area into Zones depending on the maximum significant wave height criteria;

(*iii*) to empower the Central Government to provide the standards to classify and categorise mechanically propelled inland vessels, standards and processes involved in registration of vessels, standards for identification and categorisation of special category vessels, issuance of certificate of registry, training and minimum manning scales by rules;

(*iv*) to enable the State Governments to implement the provisions in compliance with the standards and measures as may be provided by rules by the Central Government;

(*v*) to provide for a central data base, e-portal for registration and crew data base;

(*vi*) to provide for new requirements of life safety, fire safety, navigational aids and communication appliances by rules to be made by the Central Government;

(*vii*) to empower the Central Government to provide the permissible limits of discharge of certain pollutants, such as sewage and to provide for issue of prevention of pollution certificate as a compliance requirement by rules;

(*viii*) to provide for wreck and salvage and to empower the State Governments to appoint Receiver of Wreck;

(*ix*) to introduce provisions regarding principles of liability and limitation of liability, which improvises and expands the concept of insurance to ensure secure trade and trade practices;

(*x*) to introduce improvised provisions pertaining to casualties and investigation and also to provide for preliminary inquiry and formal investigation;

(*xi*) to provide for revised penalties and punishments so as to ensure deterrence of wrong doers and compliance with the provisions;

(*xii*) to introduce a new Chapter to make provisions for regulation and governance of the unregulated sector of non-mechanically propelled inland vessels, and to empower the State Governments to provide for the minimum regulations on such non-mechanically propelled inland vessels;

(*xiii*) to provide for composition of offences punishable with fine only;

(*xiv*) to repeal the Inland Vessels Act, 1917.

6. The notes on clauses explain in detail the various provisions of the Bill.

7. The Bill seeks to achieve the above objectives.

SARBANANDA SONOWAL.

NEW DELHI;
The 9*th July*, 2021.

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