

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

MINISTRY OF SURFACE TRANSPORT
(SHIPPING WING)

New Delhi, the 12th September 1988

NOTIFICATION

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

1. Short title and commencement and application :-

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

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

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

2. Definitions: -

In these rules, unless the context otherwise requires, -

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

3. Application for certificate of inspection: -

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

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

4. Inspection of Indian fishing boats :-

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

5. Preparation for inspection :-

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

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

6. Inspection :-

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

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

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

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

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

7. Defects:-

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

8. Issue of certificate:-

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

9. Delivery of expired certificates:-

Where a certificate issued under these rules in respect of an Indian fishing boat has expired or such vessel has undergone material alteration or met with accident or where the certificate of inspection has been cancelled under sub-section (1) of section 435 L of the Act, the owner, agent or skipper of such vessel shall surrender the certificate to the Registrar of the first port of call.

10. Issue of duplicate certificates :-

(1) In the event of an original certificate being destroyed, lost, mislaid, mutilated, or defaced, the Registrar may, on an application made to him stating the full facts and upon being satisfied of the genuineness of the case, grant a duplicate certificate.

(2) Every such application shall be accompanied by a fee as laid down in Part B of Schedule I.

(3) If the original certificate stated to be mislaid, lost or destroyed, shall at any time after the issue of a duplicate thereof be found, it shall forthwith be delivered to the issuing authority.

11. Returns :-

Every Registrar shall submit to the Director General of Shipping on or before 15th January and 15th of July of each year a return showing the particulars of certificates issued during the previous half year in from FBIC IV.

12. Production of certificate: -

The owner, agent or skipper of every Indian Fishing boat shall produce the certificate on demand by a Surveyor, any officer of the Customs, or of the Mercantile Marine Department.

----- SCHEDULE - I

A.	Fees for inspections	
1.	Fishing boats not exceeding 20 Metres Registered length	Rs. 150/-
2.	Fishing boats exceeding 20 metres Registered length	Rs. 150/- + Rs. 30/- for each metre length or part thereof in excess of 20 metres
B.	For issue of a duplicate copy of Certificate of inspection	Rs. 20/-

**SCHEDULE - II
FORMS**

FORMS NO. FBIC- I

APPLICATION FOR INSPECTION OF A FISHING BOAT

See rule 3(1)

To

The registrar at the port of

Sir,

I hereby apply for the inspection of the fishing boat described below. The necessary inspection fee of Rs.is enclosed.

Dated thisday of20 .

Yours faithfully,

[Owner or skipper]

PARTICULARS OF VESSEL

Name & number of fishing boat	Description	Tonnage		When and where built	Length
		Gross	Net		

Name & address of owner	Nature of inspection	Date of proposed inspection	Place of Inspection
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FROM NO. FBIC - II

**DEFECT LIST
(See rule 7)**

**Issued by the
Govt. of India**

To

The Owners/Skipper of Fishing boat

No.of the port of

Sir,

I have inspected the above fishing boat in accordance with the M.S. (Indian fishing boats Inspection) Rules 1988 and following repairs are required to make good the defects :-

Hull :
.....

Equipments :.....
.....

Engine :
.....

Yours Faithfully,

[SURVEYOR]

Dated at

FORM NO. FBIC - III

CERTIFICATE OF INSPECTION OF A FISHING BOAT
[See Rule 8(1)]

**Issued by the
Govt. of India**

Name & description of fishing boat	Port of Registry & Number	Tonnage		Name and address of Owner
		Gross	Net	

THIS TO CERTIFY -

I. That the above mentioned fishing boat has been duly inspected in accordance with the provisions of the M. S. (Indian fishing boat Inspection) Rules 1988.

II. That the life saving appliance are provided for a total number of persons **viz :-**

..... **life-boats/ boats/ rescue boats**
capable of accommodating persons ;

..... **Inflatable life-rafts**
capable of supporting persons;

..... **lifejackets;**

..... **lifebuoys;**

III. That the inspection showed that the fishing boat's hull, machinery, rigging, life saving appliances, fire appliances and other equipments are in good condition and that it is provided with navigation lights and shapes, and means of making sound signals and distress signals in accordance with the provisions of the Regulations for the Prevention of Collisions at Sea.

FORM NO. FBIC- IV

**HALF-YEARLY RETURN OF CERTIFICATES OF INSPECTION OF FISHING
BOATS**

Ports of
(SEE RULE 11)

Issued by the
Govt. of India

Name of Fishing boat	Port of Registry and Number	Tonnage		Type	length	Date of Inspection of dry-dock/ Yard	Date of issue of Certificate of insp.	Date of expiry of Certificate of insp.
		Gross	Net					
1	2	3	4	5	6	7	8	9

Date

To
The Director General Shipping
Mumbai

.....
Registrar of Indian Fishing boats

[No. SR 11013 /1/ 86 MA]
RAM SANEHI, Under Secy.