

GOVERNMENT OF KERALA

NOTIFICATION

R. Dis No 938/24/PW.

The following rules under section 5, 6, 7, 8, 9, 15, 16, 24, 66, 67, 68, 69, 70, 71 and 72 of the Public Canal and Public Ferries Act VI of 1096, are passed with the sanction of His Highness the Maharaja, under date the 27th July 1924/12th Karkatakam 1099.

(By order)

Huzur Cutcherry,
Trivandrum, 28th July 1921.

R. KRISHNA PILLAI,
Chief Secretary to Government

**REVISED RULES
UNDER THE TRAVANCORE PUBLIC CANALS
AND PUBLIC FERRIES ACT**

1. (a) These Rules may be called the Travancore Public Canals and Public Ferries Rules, 1100 M. E.

(b) They shall come into force on the 1st Chingam 1100 M. E.

(c) In these Rules, unless there is anything repugnant to the subject or context, the words and expressions have the meaning assigned to them in the Act.

General

2. These Rules shall apply to the following wharves and lines of navigation:

(a) WHARVES:

- (1) Kalpalakadavu, Trivandrum.
- (2) The whole Wharf at Chakay, Trivandrum.
- (3) Chilakur Wharf, Warkalai.
- (4) The Big Bridge Wharf, Quilon.
- (5) The Kurusumoodu Landing, Quilon.
- (6) The Cutcherry Landing, Quilon.

22/623/B

- (7) The Stone Bridge Wharf, Commercial Canal, Alleppey
 (8) The large landing ghat for steamers, Wadai Canal, Alleppey
 (9) Wharf in the West Junction Canal, Alleppey.
 (10) The Market Wharf, Changanacherry.
 (11) The Cutcherry Landing and Wharf, Kottayam.
 (12) The Market Landing at Kottayam.
 (13) The Kodimatha Landing at Kottayam
 (14) The Thevarkadavu Landing at Vaikom.
 (15) Chakrakadavu, Parur.
 (16) Cutcherry Kadavu, Parur
 (17) Market Landing, Karunagappally.
 (18) Salt Bankshell Landing, Kayamkulam.
 (19) Landing at Kozhithottam, 50th mile T. S. Canal.
 (20) Do. Maruthurkulangara
 (21) Do. Vallikavoo.
 (22) Do. Aiyrenthengoo.
 (23) Do. Thrikunnapuzha.
 (24) Do. Thottappalli.
 (25) Do. Karumadi
 (26) Do. Thanneermukkom.
 (27) Do. Sherthallai.
 (28) Do. Pannaikadavu.
 (29) Do. Athirampuzha.
 (30) Do. Thalavady.
 (31) Do. Pulikeel.
 (32) Do. Pulinkunnu.
 (33) Do. Varapuzha.
 (34) Do. Pattakadavu.
 (35) Do. Aravila.
 (36) Do. Ashtamudi.
 (37) Do. Koivila.
 (38) Do. Arinallur.
 (39) Poochakkal between Vaikom and Arukutty.
 (40) Landing at Chathankari on the Alleppey-Chathankari line via Pulinkunnu.
 (41) Prakulam on the Quilon Pattakkadavu line.
 (42) Kallikad on the Kayamkulam lake on the Quilon-Alleppey line.
 (43) Arur.
 (44) Farur Tha tugalikadavu.
 (45) Landing at Ambalapuzha.
 (46) Landing at Vechoor.
 (47) Jetty at Kumarakam.
 (48) Chavara Jetty.
 (49) Jetty at Sampranikodi.
 (50) Do. Mongam.
 (51) Do. Arattupuzha.
 (52) Do. Varanapalli.
 (53) Do. Ponmana Kannittaka
 (54) Do. Ponmana Ferry.
 (55) Do. Monkombu.
 (56) Do. Mangalam.
 (57) Do. Cheriazheekkal.
 (58) Do. Valiazheekal.
 (59) Do. Thayamkari.
 (60) Do. Thettikadom Puduval.
 (61) Jetty at Mammutil.
 (62) Do. Chavara South.
 (63) Do. Thurayil Kadavoo.
 (64) Do. Champakulam.
 (65) Do. Kanakakunnu.
 (66) Do. Keerikad North.
 (67) Do. Tharyil Kadavu
 (68) Do. Muthiraparampu.
 (69) Do. Alapad.
 (70) Do. Kadapuzha.
 (71) Do. Thrinayamkudam.
 (72) Do. Kanjiram.
 (73) Do. Kainakary Monastery.
 (74) Do. Paruthipally (Edathva).
 (75) Do. Pallam.
 (76) Do. Kaipuram Muhomma.
 (77) Do. Munambam (D. Dis. 4408/51/PWC/19-8-1952).
 (78) Do. Moothakunnom.

- (79) Jutty at Near Kannankara Church.
 (80) Do Munnattumukom (D. Dis. 8625/52/PWC/30-8-1952)
 (81) Do Padanuglom. (D. Dis. 8626/52/PWC/30-8-1952).
 (82) Do Kottayathukadavu (D. Dis. 13052/52/PWC/24-11-1952).
 (83) Do Chavara (T. M. C. No. 1).
 (84) Do Kayamkulam.
 (85) Do Near Cherupuzha Vijayam Monastery, Purakad,
 Thottappally.
 (86) Do Ramankari.
 (87) Do Vattadi.
 (88) Do Puthenvelikara.
 (89) Do Vettatnukavu.
 (90) Do do.
 (91) Do Vaduthala North.
 (92) Do do.
 (93) Do Arookutty
 (94) Do Pulikeezhu.
 (95) Do Panavalli
 (96) Do Mohamma.
 (97) Do Panikkarkadavu at the termination of Lalaji Road,
 Karunagappally.
 (98) Do Pallathuruthy Kannitta.
 (99) Do Powathu.
 (100) Do Pattel Jetty.
 (101) Do Pathilchira Jetty
 (102) Do Kareem Jambhagam Jetty.
 (103) Do Nedumudy Kottaram Jetty.

(b) LINES OF NAVIGATION:

The Trivandrum-Shornur canal from Thiruvellam to the northern limits of Travancore which shall include—

- (1) The Kadinamkolam lake with its branches to Kaniapuram and Chirayinkil.

1. 5045/P2/74/W&P dated 22-1-1976 and 7506/P2/76/W&P 30-4-1976
 2. 1564/P2/74/W&P dated 31-1-1976
 3. 11087/P2/76/W&P dated 23-6-1976.
 4. 1214/P2/77/W&P dated 15-3-1977.
 5. 14251/P2/77/W&P dated 23-12-1977.

- (2) The Anjengo lake with all its branches and arms.
 (3) The Edava and Paravoor lakes with all their branches.
 (4) The Ashtamudi lake with all its branches.
 (5) The Ponmana lake with all its branches including the one leading to Karunagappally.
 (6) The Kayamkulam lake and the canals branching therefrom.
 (7) The Karupuzha and D. napadical canals.
 (8) The Alleppey canals and their branches, including those leading to Ambalapuzha.
 (9) The Kottayam canal from the Vembanad lake to the District Cutcherry landing including the Kodur river and the canals to the market landing, Kottayam.
 (10) Alleppey to Changanacherry canal.
 (11) Vaikom canal from Vaikom to Kottayam.
 (12) The Vembanad lake with all its branches and arms within Travancore limits.
 (13) The Parur backwater and its branches.
 (14) The Parur canal and its branches.
 (15) Canal from the Parur Court landing to Manjali canal.
 (16) Manjali canal to Parur.
 (17) Varapuzha canal.
 (18) Cheriapally canal.
 (19) Ananadai canal.
 (20) Chakarakadvu canal.
 (21) Munambam lake and its branches.
 (22) Water route (branch river of the Pamba) from Manna (Pannai-kadavu) to Karumadi.
 (23) Alleppey to Pulikeel canal.
 (24) Athirampuzha canal.
 (25) Alleppey to Chathankari via Pulinkunnu.
 (26) Alleppey Thalavadi line.
 (27) Kallala river from Arinalloor to Muthiraparambu.
 (28) The Periyar lake.
 (29) Neyyar Dam Reservoir.

3. Officers and their powers.—For the purposes of these Rules:—
 (a) (i) The prescribed authority shall be the Chief Engineer.

NOTE:—For the purpose of these rules, Chief Engineer will include a 'Special Chief Engineer' also.

(a) (ii) In respect of vessels plying in the Cochin Port area the Deputy Conservator of Cochin Port is empowered to detain the vessels for infringement of Rules 41 (2), 91 (2) and 94 (c) and the Port Rules in force if, in his opinion it is dangerous to allow them to proceed further. In case such infringements are not of a serious nature the vessels will be permitted to proceed to destination only after withholding their licences. The licences so withheld will be forwarded by the Deputy Conservator, Cochin Port to the Executive Engineer, Irrigation Division, Ernakulam, together with his report and recommendation for punishment. A record showing licences withheld in this manner will be maintained by the Executive Engineer, Irrigation Division, Ernakulam. (662-44525/61/PW, dated 14th September 1961).

(a) (iii) In respect of accidents occurring within the Cochin Port limits the Deputy Conservator, Cochin Port is empowered to conduct enquiries and forward his findings to the Executive Engineer, Irrigation Division, Ernakulam, for further action.

(b) The Executive Engineer of the Irrigation Division within whose jurisdiction the public canal lies is empowered to exercise the powers under sections 9 and 15 of the Act and is hereby declared to be an Inspector for the purposes of sections 31 and 34 of the Act.

3 (c) The Chief Inspector of Boats and the Inspector of Boats shall be the Inspectors for the purpose of Chapter VII of the Act and they shall exercise the powers conferred by section 9 and 15 of the Act"

(d) Assistant Engineers, Junior Engineers, Overseers, Lock Superintendents, Canal Officer of the Irrigation Wing of the P.W.D. and the Junior Engineer, Kumili of the Buildings and Roads Wing shall be ex-officio canal officers of public canals within their respective jurisdiction. They are also empowered to exercise the powers under section 15 of the Act.

(e) All stipendiary Magistrates and Police Officers not below the rank of Inspectors are empowered to exercise the powers under clauses (a) and (c) of section 15 of the Act.

Licensing and Registration

4. *Licensing of vessels.*—(a) All vessels using a public canal shall, except those mentioned in Rule 6 or registered under Rule 5 or exempted under Rule 6, be licensed on application, in person or in writing either by the owner or agent to the Executive Engineer at his office or to any one of the Canal Officers at their offices in Trivandrum, Quilon, Kayamkulam, Alleppey, Vaikom, Parur or Sherthalai. On payment of the fees prescribed in Appendix A appended to these Rules the Executive Engineer or Canal Officer shall grant a license in Form A appended to these Rules giving permission to navigate the public canals for one year, subject to the condition that claims for compensation in consequence of the closure of all or any of the canals for repairs, insufficiency of water or any other impediment to navigation shall not be recognised. The applicant shall furnish all the

information necessary for the due filling in of the licence. The vessel shall be brought by their owners or agents to the stations where licences are issued for identification or measurement before the issue of licences. "The licence so granted shall be got renewed on or before the date of its expiry on payment of the fees prescribed in Appendix 'A';

NOTE:—1. If the owner of a vessel wishes not to ply the vessel for a particular financial year or quarter of the financial year he should intimate the licensing authority his intention previously, that is, before the expiry of the current licence, in which case the vessel will be exempted from the payment of licence fee for that particular period. If such an intimation is not made by the owner the vessel will be licensed subsequently only on payment of arrears of the licence fee for the period the vessel was not used "and the additional fee prescribed in Appendix 'A' for renewal of the licence;

NOTE:—2. If a vessel is destroyed or the owner of a vessel sells or destroys the vessel he shall intimate the fact to the Canal Officer who issued licence to the vessel on the last occasion, in default of which the vessel shall be deemed to be in his possession and in use and dealt with accordingly. (G.O. No. 1828/P2/69/W and P, dated 18th February 1970.)

(b) All steam vessels except those registered under Rule 5 or exempted under Rule 6 shall be licensed to use a public canal by the Executive Engineer or Canal Officer on payment of the fees prescribed in Appendix A and on production of the inspection certificate (in Form D) in token of their having been inspected and passed under Rule 79. Such licence shall be in force only for such periods as is specified in the inspection certificate or for the financial year in which it is granted, whichever ends earlier. Once the vessel is licensed in a particular financial year on payment of the prescribed fees the licence shall be endorsed without fees for further periods within that year covered by valid inspection certificates issued for the vessel. No steam vessel except those exempted from licensing shall be permitted to use a public canal without both the licence (in Form A) and the inspection certificate (in Form D).

NOTE:—4. (b) The licence fee in respect of steam vessels may be paid in quarterly equal instalments also, before the commencement of each quarter. In such cases, licence will be in force only for a quarter of the year even if the period of the validity of the inspection certificates exceeds that period. The licence shall again be endorsed for the subsequent quarters on payment of quarterly instalment. Failure to pay the instalment fees on or before the commencement of each quarter will entail the recovery of the arrears from the owner of the vessel in the manner provided for the recovery of the arrears of Land Revenue or otherwise as the Executive Engineer may deem fit.

1. Inserted by G.O. Rt. 468/72/W&P dated 15-12-1972.

"(c) Notwithstanding anything contained in rule 9 and rule 79 the Inspectors may extend the period of validity of any licence expiring on the last day of Makaram 1125 upto the 1st day of April 1950 without a fresh inspection on payment of the proportionate fee".

(d) The owners or persons in charge of rafts using a public canal shall pay the fees prescribed in Appendix A, and take out licences in Form (C) attached to these rules from any of the Canal Officers mentioned in rule 4(a) or the Lock Superintendent at Thottappalli. These licences shall be in force for six weeks from the date of issue after which a fresh licence shall be taken out on payment of the usual fee, for every subsequent six week or part of that period during which the rafts continues to remain in the canal.

"(e) Notwithstanding anything contained in the foregoing, it will be open to the licensing authority to refuse the grant of a fresh licence or the renewal of a licence already granted, to any vessel, plying or intended to ply in any waterway, if in the opinion of the licensing authority, such grant or renewal of licence will not be conducive to the development of such waterway or will interfere with the purpose which such waterway is intended to serve. Conditions of the vessel, sufficiency and competency of the crew, capacity of the licence-holder to keep the vessel in good repair and condition, the expedience, ability and financial stability of the licence-holder and the number of vessels already operating in such waterway shall be the general criterion for refusing licences or their renewal. However, three month's notice shall be given to the owner of a vessel already licensed to ply in such a waterway regarding the intention of the licensing authority not to renew the licence of the vessel beyond a certain date to be specified in such notice". (vide Notification No. 7824/P2/69/W&P dated 23-11-1972).

"5(a). Registration of vessels.—All vessels intended for the personal use of the owners and the Government of Kerala shall be registered at any of the registering stations on application by the owner of the vessel or his agent to the Executive Engineer at his office or any of the Canal Officers at their offices. Certificates of registration shall, on payment of fees prescribed in Appendix 'B' and on production of the inspection certificate in Form 'D' in token of their having been inspected and passed under rule 79, be issued in Form 'F' attached to these rules and they shall subject to cancellation or suspension in the meanwhile under law, remain in force for the financial year for which they are granted, provided however that the registration certificate shall be renewed only for the period for which the inspection certificate under rule 79 has been issued. Once the vessel is registered to a particular financial year on payment of the prescribed fee, the registration certificate shall be endorsed without fees for further periods within the financial year covered by valid inspection certificate issued for the vessel. Though these vessels are mainly intended for the personal use of the owner in whose name they are registered they will be allowed to be let out on hire occasionally for all ordinary needs excepting for regular passenger or ferry

¹ Inserted by 4696/P2/70-1/W&P dated 1-8-1974.

20 Registration fees. (vide Govt. Notifications 18481 (P2/68) LSPS 4.11.71) (G.O. Rt. 454/71/W&P dt. 4.11.71)

above rule shall be got renewed on or before the date of its expiry on payment of the fees prescribed in Appendix B. If the licence services, for that the owner of the boat shall apply in writing to the Canal Officer concerned and get special permits as and when required. If the owner of a registered vessel desires not to use his vessel for a particular year, he shall intimate the registering authority his intention before the expiry of the current registration certificate in which case the vessel shall be exempted from payment of renewal fees for that particular year. If such an intimation is not made by the owner, the registration certificate shall be renewed only on payment of the arrear renewal fees for the year the registration certificate was not renewed. On the change of ownership of vessel, the registration certificate granted shall be surrendered to the Canal Officer who granted it and fresh registration shall be taken by the new owner.

Note 1.—If a vessel is destroyed or the owner of a vessel sells or destroys the vessel, he shall intimate the fact to the Canal Officer who issued or renewed registration certificate to the vessel on the last occasion, in default of which the vessel shall be deemed to be in his possession and in use and dealt with accordingly.

Note 2.—Government boats both State and Central shall be exempted from payment of registration fee and inspection fee (vide 4696/P2/70/W&P dated 1-8-1974).

(b) Vessels registered under this rule shall be subject to the same rules as those for which licences are taken out under rule 4 above, so far as they are applicable.

EXEMPTIONS

6. (a) The following classes of vessels are exempted from the liability to licensing or registration in Travancore.

¹(1) [Deleted]

(2) All vessels less than one tone registered tonnage.

(3) All vessels duly registered or licensed under the Cochin Public Canals and Backwater Navigation Act I of 1092 as amended by Act X of 1095.

(4) All vessels duly registered or licensed under the Madras Act II of 1890 provided that the owners of such vessels reside in the Madras State or have their principal place of business in that State if they reside or have business in that State and also in the Travancore area of the State of Kerala subject to the condition that the vessel so registered or licensed do not for a continuous period of seven days or more either ply for service solely within Travancore limits or remain within such limits.

"(b) The fee for the licensing or registration under these rules of any vessel licensed or registered in Malabar under the Indian Ports Act, 1908, shall be reduced by the amount of the fee paid for the licensing or registration under the said Act, provided that the owner of the vessel resides or has his principal place of business in Malabar and the vessel is not intended to and does ply for service exclusively within Travancore limits."

¹ Deleted by 4696/P2/70-1/W&P dated 1-8-1974.

22/623/B

of registration granted under the above rule is not renewed on or before the date of its expiry an additional fee for the subsequent renewal will be levied as shown in App. B in addition to the usual fee

“(c) Fishing vessels which are licensed either by the Deputy Conservator, Port of Cochin or by the State Port Officer, Trivandrum, will be permitted to ply in the Travancore Canals and Backwaters without a fresh inspection certificate and navigation licence issued by the State Public Works Department, subject to the condition that the owners of such vessels should produce the certificate of inspection and licence obtained from the Deputy Conservator, Port of Cochin or the State Port Officer to the Junior Engineer, Canal Section, Alleppey or Quilon and the licences endorsed as having been checked. No fee will be charged for granting the endorsement or for the check exercised. It will be lawful for the Canal Officer, and the Jetty Superintendents stationed at different places to stop any fishing vessel and verify whether the above licences and the certificate of inspection issued by the State Port Officer or the Deputy Port Conservator are available in such vessels and whether the conditions stipulated in the certificate of inspection regarding the safety equipments, complement of crew, etc., are duly complied with. Any fishing vessel not complying with the above requirements can be detained by a Canal Officer until the above requirements are complied with, the responsibility for safeguarding the vessel and its contents during the period of detention resting with the owner or agent of the vessel and the same further procedure as under Rule 48 (b) being adopted as regards such detained fishing vessels.”

7. *Counterpart of licences.*—Every Executive Engineer and Canal Officer granting licences and registration certificates shall retain the counterpart of every licence or certificate granted by him and shall be responsible that it corresponds to the licence or certificate of which it is a counterpart, when an alteration is made in a licence or certificate, a corresponding alteration shall be made in the counterpart thereof. (G. O. Ms. 165/65/PW., dated 31st May 1965).

8. (i) If the ownership of a vessels is changed during the year for which the vessel is licensed or registered in the case of steam and motor vessels, the original owner shall report the fact to the Chief Inspector of Boats Ernakulam, who shall, upon receipt of written application of the original owner and the transferee, alter the ‘D’ form by substituting the name of the latter for that of the former, and to the Canal Officer, who has to issue ‘A’ form licence or ‘F’ form registration certificate for the vessel, on production of the ‘D’ form shall alter the ownership in the ‘A’ form or ‘F’ form, as the case may be, in accordance with the change of ownership noted in the ‘D’ form.”

(b) Sub-rule (ii) s be omitted.

(iii) (a) A licence or registration certificate granted for one vessel shall not be transferred to any other.

1. Inserted by 4696/P2/70-1/W & P dated 1-8-1974.

9. *Currency of licences.*—Every licence shall remain in force until the last day of March following the date of issue in any one year unless it is cancelled or suspended as hereinafter provided. In the case of steam vessels, however, the licences shall be in force only during such period as inspection certificates, issued under section 28 of the Act, remain valid.

NOTE :—The Government may however grant extensions of periods of currency of licences and postpone the date of compulsory licensing.

10. Registered tonnage of vessels other than steam or motor vessels shall be ascertained by multiplying its length, breadth and depth in feet and inches and dividing the product worked out in cft. and fraction thereof by 50. The length shall be measured at half the midship depth in a straight line from the inside of the outer planking at the side of the stem to the inner side of the outer planking at the side of the stem post and shall be hereinafter called the length for tonnage. The breadth for tonnage shall be one sixth of the sum of five widths taken at equal distance along and at right angles to the above length for tonnage measured from the rib on one side to the planking on other side. If the vessel has a fixed internal planking the said five widths shall be measured from the inner side of such planking on one side to the inner side thereof on the other. The depth of all vessels shall be measured in vertical line at the centre of the length for tonnage to the top side of the fixed internal planking if there is one or to the inner side of the outer bottom planking if there is no fixed internal planking. The net or registered tonnage upon which fees are leviable shall be the gross tonnage less 15 per cent. If the registered tonnage exceeds one ton fractions above half shall be taken as one ton and other fractions rejected.

11. Registered tonnage of steam or motor vessels. The net or registered tonnage of a steam or motor vessel upon which fees are leviable shall be ascertained as follows:

The extreme length, the extreme breadth and the depth shall be measured in feet and in inches and their product worked out in cft. and fractions thereof shall be divided by 100. This quotient shall be multiplied by 1.02 for vessels whose cubic capacity is 1000 cubic feet or less and by 1.05 for vessels above 1000 cubic feet capacity. The product so obtained shall be the net or registered tonnage of such vessels. The breadth shall be measured as nearly as possible at the centre of the extreme length. The depth shall be measured in a vertical line at the centre of the extreme length from an athwartship line as extended from the upper edge of the upper strake on both sides of the vessel, all vessels being considered to be open ones. If the vessel has a fixed inner planking throughout, the measurement for depth shall be to the top side of such planking. If a vessel has no such fixed planking the measurement for depth shall be to the inner side of the outer bottom planking. Any fraction of a ton above half shall be taken as one ton and other fractions shall be rejected.

NOTE:—"Inner planking" used in this rule means planking fixed to the inner side of the ribs following the contour of the shape of the vessel.

12. Whenever the tonnage of any vessel has been ascertained the same shall henceforth be deemed to be the tonnage thereof unless any alteration is made in the form or capacity of such vessels or unless it is discovered that the tonnage thereof has been erroneously computed, in either of which cases such vessel shall be remeasured and her tonnage determined according to the rule hereinbefore contained in that behalf.

NOTE:—Every time the licence of a vessel is renewed it shall be the duty of the Officer issuing such a licence to remeasure the vessel unless he himself was the Officer who licensed it previously.

13. *Enlarged or altered vessels.*—A vessel that has been enlarged or structurally altered as to affect the conditions upon which the licence or certificate was obtained shall not ply until it has been remeasured and a fresh licence or certificate as the case may be has been obtained, such application for remeasurement shall be lodged with the office from where original licence or certificate was obtained. The applicant for such fresh licence or certificate shall deliver up the old licence or certificate to the officer who issued it and pay the difference between the fee paid by him and the fee leviable upon the new registered tonnage.

14. *Number of passengers licensed to carry.*—Subject to test for stability in the case of steam vessels provided for in Rule 84 no vessel licensed to carry passengers shall carry a greater number of passengers than in the proportion of one adult, or two children under 12 years of age, for every $7\frac{1}{2}$ square feet of covered space, which shall be calculated by multiplying the length in feet over all covered space, by the mean of the three widths taken at equal distances. The number should be limited to that given under Rule 59.

NOTE:—Covered space shall be understood to mean clear covered space unencumbered by machinery deck houses and other fittings open holds, etc.

15. *Production of licence.*—A copy of the licence shall be exhibited publicly on the vessel and shall be shown on demand by a Canal Officer or Inspector under the Regulation, any Police Officer not below the rank of Inspector or a stipendiary Magistrate.

16. *Suspension of licences.*—(a) Any Officer competent to suspend the licences may, on account of the infringement of any of the provisions of the Act or any of the Rules passed under it, suspend the licence of a vessel for not more than (15) fifteen days for the first offence, (30) thirty days for a second offence in the year and 60 days for the third offence in the same year and for the remaining portion of the licence (*i. e.*, the remaining period of the Official year) for a fourth offence in the same year. In the event of the period of suspension being in excess of the unexpired portion of the annual

licence in a year no renewal of the licence shall be granted for the subsequent year until such period of suspension has expired and the vessel shall not ply in the canal during such period of suspension.

(b) In the case of steam vessels suspension of the licence shall relate also to the service on which it is engaged and the hour of its starting. No other steam vessel shall use the timings or ply for the service of the vessel whose licence is suspended.

(c) In the case of rafts, if the period of suspension be in excess of the unexpired portion of a six week's licence no renewal of the licence shall be granted until such period of suspension has expired and the raft shall not ply during such suspension.

17. *Complaint against crew or owner.*—In case of any negligence, incivility or delay or any other irregularity on the part of an owner or master of a passenger vessel, any Officer empowered to exercise the powers under section 9 of the Act may on a complaint in writing, and after due enquiry, and hearing the owner or master, cancel, suspend or otherwise deal with the license of a boat in connection with which the complaint has been lodged. No such complaint shall be entertained after 15 days have elapsed from the date of the negligence incivility, or delay, or other irregularity complained of.

18. *Provision in case of loss of certificate.*—If the original licence or certificate be lost, a duplicate thereof shall be issued by the Canal Officer on receipt of the fee prescribed in Appendix A. If the loss were incurred during the absence of the vessel from the station at which it was licensed or registered, the loss shall be reported to the nearest Canal Officer, who shall thereupon issue a pass in Form B attached to these Rules. Such pass shall hold good until the arrival of the vessel at the station at which the licence or certificate was issued. Immediately upon such arrival, the owner or his agent shall deliver up the said pass and pay the prescribed fee for a duplicate licence or certificate to the Canal Officer.

19. *Pass for vessels under suspension to proceed to their destination.*—(a) When the licence for a vessel carrying cargo or passengers or both is suspended, the Officer by whom the licence is suspended, shall grant a pass in Form E attached to these Rules, permitting the vessel to proceed to its destination for the purpose of landing cargo or passengers or a place where she can be repaired or where she is ordered to be detained and such pass shall be in duplicate, of which one part shall be retained in the issuing Office and the other part shall be delivered to the person in charge of the vessel. The fact and period of suspension shall be recorded by the Officer upon the licence and upon the counterpart but if the counterpart is not in his possession, he shall communicate the fact of suspension to the other Officer who issued the licence.

(b) In the case of suspension of a licence of a steam vessel because of the defective state of her hull, machinery or gear, the suspension shall continue until the owner obtains a certificate, from an Inspector that the

necessary repairs have been effected and that the vessel is again safe, sound and fit for navigation. Such certificate shall be endorsed on the original inspection certificate and the licence immediately under the order of suspension which suspension order shall thereupon cease to have effect. The order of suspension shall declare that it shall remain in force unless and until the amended licence shall have been passed and approved by the suspending Officer. When the licence of a vessel is suspended the vessel shall be detained at a wharf and shall not be removed without the consent or permission of the Canal Officer from such wharf or place. Passes shall, however, be issued by the Suspending Officer to take the vessel empty to destination for carrying out repairs.

20. *Penalty in lieu of suspension.*—In lieu of suspension or cancellation of a licence or certificate or of prosecution, should the owner or master elect to pay such penalty as the Officer competent to suspend may deem fit to inflict under section 9 of the Act, the Canal Officer may recover the same giving a receipt for such amount and endorsing the fact on the licence. Penalties in lieu of suspensions of the licences shall be imposed only if such penalty could meet the circumstances of the case without detriment to the safety and interest of the travelling public.

21. *Commutation of suspension of rafts.*—Owners or men in charge of rafts may, at their request and the discretion of the Canal Officer, have the period of suspension commuted into a compensation of Rs. 2 which should be paid before the raft can be allowed to proceed. If the amount is not paid within ten days, the Canal Officer may cause the raft to be removed from the canal.

Wharves, Landing Ghats and Jetties

22. *Construction of Wharves, Ghats etc.*—Wharves, landing ghats, jetties, piers, etc., shall be of three kinds i. e. Public, Private and Semi-private.

(1) Public wharves, jetties, landing ghats, etc., shall be constructed solely at the cost of Government.

(2) Private wharves, Jetties, landing ghats, etc., shall be constructed by any person at his own cost with the previous sanction of the prescribed authority and in accordance with the plan and estimate approved by the Executive Engineer. The construction of such private wharves, jetties, etc., may also be undertaken by the P. W. D. if the party so desires and deposits the amount of the estimated cost in advance with the Executive Engineer.

(3) Semi-private wharves, ghats, jetties, etc., shall be constructed under the same conditions as private wharves, landing ghats or jetties, except that half the cost of such construction shall be deposited with the Executive Engineer by the person or party concerned and that such semi-private wharf, landing ghat, jetty etc., shall be used mainly by the person or firm for whom it is constructed and shall at the same time be open to use by the general public. The Executive Engineer shall after deposit of half the cost in the case of semi-private wharves by the persons concerned and after the prescribed authority has sanctioned the same, arrange for constructing the work.

(4) Applications with an earnest money of Rs. 25 for the construction of any private or semi-private wharf, Jetty, or landing ghat, etc., shall be made to the Executive Engineer who unless such construction interfere with the Government or Public interests at the place shall furnish the applicant with an estimate of cost and plan of such wharf, jetty, landing stage or other structure as the case may be. The applicant shall thereupon return the plan and estimate duly countersigned in token of approval together with a deposit of the amount of cost as required by clauses 2 and 3 *supra* to the Executive Engineer who shall then move the prescribed authority for the necessary sanction.

(5) Should however the applicant consider the work, as no longer necessary and refuse to countersign the estimate, after it has been prepared and to deposit the full amount of the cost of the work, he shall forfeit to Government the earnest money of Rs. 25 given with his application.

(6) No wharves, ghats, jetties, etc., shall be built except through the agency or with the previous approval of the P. W. D. who shall determine the length, breadth and other dimensions and the manner of construction thereof, the decision of the Chief Engineer being final.

(a) (1) Private wharves, jetties landing ghats, etc., shall be allowed to be constructed as detailed in Rule 22 above and the owners of such wharves, jetties, landing ghats, etc., shall pay a reasonable licence fee to Government to be fixed in each case.

(2) At the end of a period of five years, it is open to Government to review the position and to decide to continue the arrangement on the same fee or altered fee or to acquire the wharf, jetty, landing ghat, etc., on reasonable compensation and throw them open as public wharf, jetty, landing ghat, etc.

(3) If the wharf, jetty, landing ghat, etc., are seen to interfere with the then existing traffic or other public or Government interests, it is open to Government to demand their removal at the cost of the owners or to acquire them on payment of compensation as the Government may decide.

(4) In the case of semi-private wharf, jetty, landing ghat, etc., the licence fee payable is half of that of private wharf, jetty, landing ghat, etc.

23. *Regulation of traffic at wharves and landing places.*—For the regulation of traffic at wharves—Public and semi-private—and landing places, the following rules shall be in force, and they shall be affixed to a notice board in a prominent place at each end of the wharves, landing places or ghats:—

(a) vessels shall be berthed at a wharf in accordance with the instructions of the Canal Officer.

(b) No vessel shall occupy a berth for a longer period than the Canal Officer may consider necessary for loading and discharging cargo or passengers.

(c) No vessel shall obstruct the approaches to or be moored in, the fair way to the wharf.

(d) Goods landed at a wharf shall be removed within 48 hours of discharge.

(e) The rates for wharfage and demurrage shall from time to time be fixed by Government.

(f) Where public wharves are provided, the landing or loading of goods elsewhere in the vicinity without the prior sanction of the Canal Officer is prohibited.

(g) All steam vessels are prohibited from approaching any wharf or landing ghats at a greater speed than two miles an hour i. e., they shall approach the wharves dead slow.

(h) Persons other than passengers or those engaged in the trade of a wharf are prohibited from loitering or congregating thereon. The presence of hawkers and mendicants is prohibited.

(i) Within the limits of the wharves and the lines of navigation specified in Rule 2 any Canal Officer shall have power to move on any vessel not actually engaged in loading or discharging passengers or cargo and he may, if thinks it necessary, allot to it a new berth or order its transfer to any other point within the same or adjoining canal or back-water.

(j) Vessels actually engaged in loading or discharging cargo or passengers may be allowed a reasonable period for the same, but in the event of unreasonable delay the Canal Officer may order their removal to some other berth where the congestion of traffic is less.

(k) Issue of licence to Jetty Porters—No Jetty Porters other than those licensed by the P.W.D. shall be allowed in canal jetty premises for the transport of cargo in passenger or cargo boats. They shall while on duty wear badges which shall be supplied by the Department. Licence to Jetty Porters shall be issued by the Canal Section Officer in Form "P" appended hereunder for a period of one year on application accompanied by

(a) Character and conduct certificate of the applicant issued by a Police Officer not below the rank of a Sub Inspector of Police.

(b) Age Certificate.

(c) Duplicate copies of applicants' photos of size 3" x 2".

The Canal Section Officer shall consult the Director, Water Transport Department, Alleppey before issuing fresh licences to additional porters. Licence under this rule shall not be issued to any person who is below 21 years of age and above 55. The fee for porters licence shall be Rs. 3 which shall be paid in advance to the Canal Section Officer and this amount shall not be refunded under any circumstances. The licence once issued may be renewed every year upon applications being made to the

Canal Section Officer with a renewal fee of Rs. 3. The application for renewal shall be lodged with the Canal Section Officer within 30 days from the date of expiry, failing which no renewal shall be allowed. The P.W.D. Jetty Superintendent stationed at each jetty shall maintain a register for marking the attendance of jetty porters who shall normally attend duty at least for 20 days in a calendar month. Absence from duty for a continuous period of 15 days shall be deemed as sufficient reason for the cancellation of the licence unless it is satisfactorily explained or permission taken in advance from the Canal Section Officer.

Boards indicating the names and number of porters and rates of portorage shall be exhibited at all jetties. Passengers shall be allowed to carry their own luggages, if they so wish, without any harrassment from porters.

In the event of any irregularity, misbehaviour, criminal offence or under attendance for less than 15 days in a month, the licence of the porters concerned shall be liable to suspension or cancellation by the Canal Section Officer, subject, however, to the previous approval of the concerned Irrigation Executive Engineer. The portorage charge shall be 10 paise for 30 kg. or part thereof and 5 paise for every 10 kg. or part thereof, above 30 kg. and up to 50 kg. and 20 paise per every 50 kg. or part thereof above 50 kg. The portorage charge in respect of parcel goods shall be 18 paise for every 50 k. grams. or part thereof. The Canal Section Officer having jurisdiction over the place shall have the authority to settle all disputes in regard to payment of portorage charges. The number of porters required for any station shall be fixed by the Chief Engineer from time to time.

PORTERS LICENCE FORM "P"

1. Name in full.
2. Address in full.
3. Name of father or guardian.
4. Date of birth.
5. Date of expiry of the licence.
6. Record of punishment, etc.

Canal Section Officer.

Station:

Date:

2623/B

24. *Warkalai Barrier Canal.*—No vessel shall be allowed to tie up or load or unload in the Warkalai Barrier Canal elsewhere than at the Public landing places.

25. *Commercial Canal, Alleppey.*—Vessels using the Commercial Canal, Alleppey shall not be allowed to lie empty in the Canal, but shall pass on as directed by the Canal Officer or the subordinate deputed by him for the purpose through the West Junction Canal to the boat basins of the Wadai Canal.

26. *Fee for use of cranes, etc.*—The fee for the use of Government cranes or other hoisting appliances shall for the present be fixed at one rupee per ton of goods loaded or discharged.

Navigation Rules

27. (a) *Dimensions of vessels.*—The limiting dimensions of vessels that may be allowed to navigate the public canals shall be as follows :

(i) South of the Nadayara lights or bridge—

VESSELS	
Length	-- 60 feet.
Breadth	-- 8 feet over all (including width taken up by top covering).
Draft	-- 2 feet 6 inches.

RAFTS	
Length	.. 50 feet.
Breadth	.. 7 feet.
Draft	.. 1 foot 6 inches.

(ii) From the Nadayara lights to the Quilon Big Bridge—

VESSELS	
Length	.. 60 feet.
Breadth	.. 8 feet.
Draft	.. 2 feet 6 inches.

RAFTS	
Length	.. 100 feet.
Breadth	.. 12 feet.
Draft	.. 1 foot 6 inches.

(iii) North of the Quilon Big Bridge—

VESSELS	
Length	.. 63 feet.
Breadth	.. 8 feet 6 inches.
Draft	-- 2 feet 9 inches
RAFTS	
Length	.. 150 feet.
Breadth	.. 12 feet.
Draft	.. 1 foot 6 inches.

(b) These limits shall not apply in open backwaters and to the steam vessels now plying. Other vessels exceeding these dimensions shall be allowed to enter the public canal specified only under a special licence or pass from the Executive Engineer. Each such special licence or pass shall hold good for one journey only. No projection shall be allowed beyond these limiting dimensions.

(c) Notwithstanding anything contained in sub-rule (a) & (b) it shall be lawful for the Chief Engineer to grant a special licence permitting any vessel larger in dimensions than those mentioned in sub-rule (a) to navigate any public canals subject to such conditions, if any, as may be imposed by the licence. Such licence shall be granted for such periods as deemed necessary not ordinarily exceeding three years at a time but they shall be liable to revocation at any time by the Chief Engineer or the Government and no reason need be assigned for the revocation.

(d) When passing through bridges between Alleppey and Quilon (north of the Iron Bridge) the limiting dimensions for the height of a vessel above maximum water-level shall not exceed 11 feet 3 inches and when passing through the Iron Bridge at Quilon and all the bridges between it and Travandrum including the Warkalai tunnels the limit shall not exceed 8 feet 6 inches above the M. F. L.

28. (a) *Freeboard for Steam vessels.*—The minimum freeboard for a steam vessel shall be regulated by the consideration that when the vessel is loaded with weights representing the full number of passengers and crew at 140 lb for each person and with the complete outfit and necessary supply of fuel on board, the clear height of side above water, at the lowest point shall not be less than that shown in the following scale :—

Length of vessel	Height of freeboard
20 feet and under	1 foot 3 inches
30 feet	1 foot 6 inches
40 feet	1 foot 10 inches
60 feet	2 feet
80 feet and upwards	2 feet 2 inches.