



Uttarakhand Tourism Development Board

Pt. Deendayal Upadhyay Paryatan Bhawan,

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No. /2-7-526/2014-17

Dehradun, Dated: , 2017

Notification

In exercise of the powers conferred by Clause (a) and (b) of sub-section (2) of section 8 of the Uttarakhand Tourism Development Board Act, 2001 (Uttarakhand Act No. 12, Year 2001), to make the following rules, to regulate Inland Water ways activities; licensing; accreditation; and for determination of charges and other conditions for similar works in Uttarakhand-

Uttarakhand Inland Water Vessel Rules 2017

Chapter-1

Preliminary

Short Title, Extent and Commencement

1. (1) These rules may be called the “ *Uttarakhand Inland Water Vessel Rules 2017*”
- (2) It shall extend to the whole of Uttarakhand
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Definitions

2. (1) In these rules, unless the context otherwise requires—
 - (a) “*Act*” means Uttarakhand Tourism Development Board Act, 2001, as amended from time-to-time
 - (b) “*Government*” means the State Government of Uttarakhand
 - (c) “*Board*” means the Uttarakhand Tourism Development Board
 - (d) “*Gazette*” means the Gazette of the State of Uttarakhand
 - (e) “*Non Powered Vessels*” means any floating object propelled without any machine such as jetty, pontoon, floating huts, house boats, Zorbing, sailing or rowing, canoeing, yachting, wind surfing and dingy sailing etc.
 - (f) “*Powered Vessels*” means any floating object propelled with machine such as marina, barge, boat, river/lake cruise/yachting, boating, water skiing, para sailing, jet skiing, scuba diving and fun rides using power boats etc.
 - (g) “*Competent Authority*” means Chief Executive Officer, Uttarakhand Tourism Development Board
 - (h) “*Appellate Authority*” means the Additional Chief Executive Officer, Uttarakhand Tourism Development Board
 - (i) “*Registering Authority*” means the Authority Notified/ Nominated for the purpose by the Board
 - (j) “*Local Authority*” means the Development Authority/ Special Area Development Authority, Nagar Nigam or Nagar Palika or Cantonment Board or Zila Panchayat or Nagar Panchayat or Gram Panchayat
 - (k) “*Operator*” means the owner/manager of the water sports related units
 - (l) “*Driver*” means who drives the powered vessel.
 - (m) “*Misconduct*” means fraud, misrepresentation, obstructing tourist facilities, taking more than the prescribed rent or charging extra, not displaying the rent charges, not giving cash memo/receipt, not providing committed facilities/services, providing lower grade equipments or not making available experts/ technical personnel
 - (n) “*Marine Architect*” means qualified Marine Engineers from recognized Institution/University
 - (o) “*Certification Agency*” means any competent authorized agency for certification of design and certification such as India Register of Shipping (IRS).
- (2) Words and expressions used herein and not defined in these rules, shall have the meanings, respectively, as assigned to them in the Uttarakhand Tourism Development Board Act, 2001

the Board for operation/ maintenance of units from time-to-time.

- (d) the name of the Inland Water Vessel unit has been removed from the register under the provisions contain in rule 8 (c), (d), (e) and (g) and if a period of 3 months has not elapsed from the date of such removal from the register.
- (e) the premises of the Inland Water Vessel unit is not in accordance with the prescribed norms.
- (f) the operator or the guide or the operator of Inland Water Vessel does not possess any of the qualification against the prescribed ones.
- (g) the operator of the Inland Water Vessel fails to produce a proof that the composition of Inland Water Vessel Unit is in accordance with the prevailing rules and provisions made there under and the same has been established in accordance with the local byelaws for construction of building.
- (h) in the opinion of the Registering Authority there are sufficient reasons in writing to refuse the grant of registration.

Removal of the name of the Inland Water Vessel Unit from Register and notice thereof

8.

- (2) The application made for registration will not been refused unless the applicant has been given an opportunity of being heard.
- (1) The Registering Authority may, based on any of the following provisions, remove from the register by a written order the name of the Inland Water Vessel Unit or as the case may be, and may cancel the Registration Certificate issued under Rule 5.
 - (a) If the Inland Water Vessel Unit itself opts for closing down the unit or if the unit fails to carry out Trade for more than a year;
 - (b) If the unit has been convicted under any of the provisions of the Indian Penal Code;
 - (c) If the unit has been declared insolvent by a competent court;
 - (d) If the unit fails to comply with any of the provisions of these rules;
 - (e) If there is any complaint of misconduct against the unit and the same has been confirmed;
 - (f) If the operator of the unit makes changes in the composition/layout of the unit without the permission of any local body;
 - (g) If the unit has obtained Registration Certificate by unfair means.

Right to Inspect Inland Water Vessel Unit

9.

- (2) However, before removing the name of the operator from the register, the Registering Authority will issue a notice to the operator of the unit explaining the reasons for removal of the name of the unit form the register, thus providing him/her the last opportunity of being heard.
- (1) In the event of non-compliance of any of the provisions of these rules or complaint(s) made relating thereto; the Registering Authority or the authorized authority with the consent of the operator shall have the right to enter the premises of the unit and shall have the right to inspect.
- (2) In case of non-cooperation/non-compliance, the Registering Authority shall have the right to suspend or cancel the registration of the unit.

Chapter – 3

Duties and Responsibilities

Duties and Responsibilities of the Operator

10.

- (1) The Inland Water Vessel unit operators and its employees shall at all times strictly follow these rules and provisions made therein.
- (2) All Inland Water Vessel unit operators will have to submit the information related to facilities and services offered by them and the rates for the same that will be charged from tourists/customers, to the Registering Authority, as also the brochures, etc. for the same will also need to be published. In case the existing charges are changed, the same will have to be intimated to the Registering Authority within one week and the same will also need to be displayed at the reception/office room
- (3) All operators will have to keep a complaints /suggestion book in their

reception of their office

- (4) All operators will make available statistics regarding Indian and foreign tourists reporting in the unit to the Registering Authority by 7th of every month, as also get it uploaded on the website of the Uttarakhand Tourism Development Board by providing a link.
- (5) In pursuance of the orders given by the Government from time-to-time, all Inland Water Vessel unit operators will have to provide employment to the local people of Uttarakhand in their firms
- (6) All Inland Water Vessel unit operators will have to make available details of the employees and the unit operator will be responsible for the activities of the employees and shall have to submit an undertaking for the same with an application to the local Police Station if any foreigner is involved.
- (7) No Inland Water Vessel unit operator will charge extra rates, against any agreed upon contract.
- (8) The operator of the Unit will furnish item-wise detailed bill to the persons/tourists/customers having sought services in the unit and will issue an original receipt for the money realized and shall keep the duplicate copy thereof safe in the receipt book.
- (9) In case of any accident/unpleasant incident, the unit operator will inform same to the local district administration, police station and registration authority by using fast communication mode.
- (10) All Inland Water Vessel unit operators will have to display the Registration Certificate provided to them by the Board at a prominent and visible place at their reception or office room.
- (11) As per the provisions of Sub-section (2) and the agreed upon rates, the tourism unit operators or any person employed by them, will not ask for any tips/subsidy/gifts/commission from the tourists/service seekers.
- (12) At least 70% of workers should be domicile / permanent resident of Uttarakhand.

Qualification of Operator/Staff/Driver

11. The entire staff of the watersport center who are directly involved with the operations must have LST certification from National Institute of Watersports (NIWS) or similar recognized institution. It is desirable that personnel indirectly connected with watersport center like waiters, receptionists, sweepers etc. also qualify in the First Aid and CPR modules of the LST course so that they can render help in an emergency.

Powerboat Handling Certification (PBH)

12. All powerboat/ water scooter/ jet ski drivers must hold PBH certification from NIWS or its equivalent international certification from agencies like Royal Yachting Association (RYA)

Chapter-4

Safety Norms

Safety Norms for the Operator

13. (1) All Inland Water Vessel unit operators will have to adhere to the minimum safety standards as regard to infrastructure equipment/accessories, operators qualifications and guidelines for watersports operations as defined by NIWS and equivalent agency.
- (2) The operators must have valid certification from NIWS or any corresponding institution recognized by the Government of India, for the activities that his employees are involved with.
- (3) New equipment of all Inland Water Vessel unit operators must have certification for design as well as manufacture from a certification agency such as India Register of Shipping (IRS). Existing equipment should have a similar certification from a Marine Architect for serviceability and seaworthiness.

Insurance Cover	(4)	Operator must get insured each and every vessel, floating structures and related equipments such as boat, jetty, lifejackets, lifebuoys, etc. utilized in Inland Water Vessel activities as well as the tourist as per that fixed by the State Government or Board from time to time.
Infrastructure	(5)	A Centre/Club should have Embarkation/disembarkation arrangement for customers in the form of a jetty or pontoon. Shelter for customers with facilities for drinking water and toilet. Storage space for watersports equipment to protect it from deterioration from exposure to direct sunlight. Fuel should be Stored in separate “Inflammable” store in a well ventilated area and provided with appropriate fire fighting facilities. Maintenance area for defect rectification and preventive maintenance.
Equipment and Accessories:	(6)	<p>(a) The carrying capacity of the boats must be clearly displayed so that it can be seen by the passengers as well as regulatory agencies.</p> <p>(b) The buoyancy aids must be available in sufficient numbers to Cater for the deployment of all the water sports equipment simultaneously.</p> <p>(c) They must be available in different sizes so that they will fit customers of all sizes and age groups.</p> <p>(d) A first-aid box with standard supplies must be available on shore at an easily accessible location.</p> <p>(e) Rescue tube, specifically developed for on-water rescue, should be carried on the rescue boat as well as on passenger boats used for rides.</p> <p>(f) The existing lifebuoys should be phased out and replaced by the rescue tubes.</p>
Area of Operation	(7)	<p>(a) Area for operation of mechanized craft (water-scooter/ boat/ Jet Ski etc.) should be away from the area of manually operated crafts like paddle boating, rowing, kayaking etc. It should be clearly marked with flags & floats.</p> <p>(b) On the river bed, swim zone should be marked with floats.</p> <p>(c) Boats involved in leisure rides or in parasailing shall not go beyond the visual range of the rescue boat driver/ lookout.</p>
Rescue	(8)	<p>(a) A rescue boat must be available by the operator in full readiness during the entire period of watersport operation.</p> <p>(b) Boat must be powered by OBM of minimum 10 HP.</p> <p>(c) Lookout-cum-boat driver must be standby near the boat. The boat as well as the Lookout should not be involved with any other activity while on rescue duty.</p>
Period of operation	(9)	Boating should be restricted to day light hours only.
Driver’s qualification	(10)	Driver should hold a valid power boat handling (PBH) as well as life saving techniques (LST) certification.
Operating instructions	(11)	<p>(a) He shall be fully responsible to ensure that every rider wearing of buoyancy aids of appropriate size must fit snugly and all the fasteners should be secured during the entire period of ride.</p> <p>(b) Weight of the passengers must be evenly distributed and they should remain seated throughout the boat ride.</p>
Norms for Parasailing	(12)	<p>(a) The boat driver must have a remote control powerboat handling [PBH- R (LEVEL 3)] certification from NIWS or its equivalent certification agencies.</p> <p>(b) The boat driver must have a minimum of 30 supervised launches before handling operations independently.</p>
Boat and OBM for Parasailing	(13)	<p>(a) The boat used for parasailing must have adequate engine power.</p> <p>(b) It is ideal to have a winch-boat but use of a remote controlled boat with minimum of 90 HP.</p> <p>(c) The boat must have a strong anchor/point specially built for attachment of parasail.</p>

Equipment and Accessories	(14)	(a) Parasail must be made of material suitable for use over water. (b) The parasailing center must have a windsock or a hand –held wind speed meter to determine the wind velocity.
Operating Instructions	(15)	(a) Parasailing operation must be carried out from specially marked area of the beach to avoid injury or disturbance to other beach users. (b) A stretch of 200 feet shall be clearly marked on the beach/stretch with a notice board warning other beach users to keep clear during takeoff and landing. (c) The parasailing operation must be stopped whenever the wind speed exceeds 15 miles per hour at sea level. (d) The boat driver, must carry one assistant to serve as a “Lookout”. (e) The boat driver must keep a sharp lookout for swimming in water to take quick evasive action. (f) The parasailing equipment shall be inspected and certified by NIWS or specialist on its behalf/ National governing body of paragliding.
Water skiing & Fun Rides Using Powerboat Driver’s Qualification	(16)	(a) Driver must hold PBH and LST certification. (b) He should have conducted water-skiing operations under controlled supervision on at least five occasions. (c) He should be thoroughly conversant with standard hand signals used between driver and skier.
Equipment and Accessories	(17)	(a) The powerboat used for skiing must have adequate power (minimum 40HP) with remote control. (b) The skier must wear specially designed buoyancy aid for water skiing and should have additional padding on the chest and collar.
Operating Instructions	(18)	(a) The ski boat must carry a Lookout who will keep an eye on the skier and advice the boat driver accordingly. (b) The ski boat is to be operated outside the swimming area of the beach/ water body. (c) For fun-rides, customers must wear buoyancy aids of correct size with all fasteners secured snugly. (d) Children shall not be allowed to take the fun rides unless buoyancy aid to their size is available.
Jet Ski/ Personal Watercraft (PWC) Operator’s qualification	(19)	(a) Must hold PBH and LST certifications from NIWS or its equivalent. In addition to this basic seamanship qualification. (b) He should also undergo Jet Ski conversion course conducted by NIWS.
Operating Instructions	(20)	(a) Jet Ski should be operated in a well defined area beyond normal swimming and watersports area. (b) It is very important keep in mind that even the wake generated by a Jet Ski would pose danger to kayaks and paddle boats.
Forbidden Maneuvers:	(21)	(a) Riding too close to other boats, jumping wake of boat or waves and fast approaching to the jetty is forbidden. (b) During emergency turning, the driver would lose control of Jet Ski if the throttle is released abruptly. Therefore, power should be reduced after turning action is complete
Rides by Jet Ski driver	(22)	Normally Jet Ski should be used at a Watersport centre and designated place. The rides should be manned by a qualified driver and he has to ensure that the passengers wear snugly fitting buoyancy aids throughout the ride.

- Jet Ski Rides by Customers Accompanied by a Boat Driver** (23) Watersport center may allow customers to driver a jet ski provided:-
 (a) A qualified boat driver seats behind during the ride.
 (b) Customer is thoroughly briefed on the controls of the Jet Ski, the rules of the road and basic seamanship during Jet Ski handling.
 (c) Jet Ski drivers sitting behind on such a ride shall ensure that speed limit and the safety instructions are followed by the rider so as to avoid accident and injury to others.
 (d) If the customer disobeys the instructions, the driver shall immediately take over the control.
- Jet Ski Ride by Customers Independently** (24) (a) Watersport centre can allow independent riding of jet ski by its customers but same is permitted only after an experienced instructor, holding jet ski certification from NIWS, conducted a short familiarization lesson as per “jet ski” familiarization check list issued by NIWS.
 (b) Successful completion of familiarization should be recorded on the indemnity bond.
 (c) Children below 16 years of age should not be allowed for independent Jet Ski ride.
- Windsurfing & Dinghy Sailing Operator Qualification** (25) (a) The watersport Centre should have at least one staff member holding certification from NIWS or from the national governing body of the respective Watersport with adequate proficiency.
 (b) Proof of participation in national/ Sailing regattas can also be considered equivalent to a proficiency certificate.
- Equipment and Accessories** (26) (a) The windsurfing/ sailing Incharge must inspect the equipment, accessories and fitting before commencement of the season (and thereafter every month) and certify its serviceability in the log book.
 (b) The equipment must be manufactured under IRS certification or imported from a reputed manufacturer.
- Operating Instruction** (27) (a) There should be a rescue boat with a driver stand-by for the entire duration of sailing.
 (b) The area of operation shall be clearly marked and be within the visual range of the rescue boat driver.
 (c) The helper must be stand-by whenever the customer approaches the disembarkation pontoon/ jetty or the beach.
 (d) The boat crew/ windsurfer must wear a buoyancy aid with all fasteners snugly secured throughout the sailing period.
 (e) Passenger carrying capacity of the sailing boat should not be exceeded.
- Kayaking and Canoeing Operator Qualification** (28) (a) The watersports centre should have at least one staff member holding certification from NIWS or from a national governing body of the respective Watersport with adequate proficiency.
 (b) Proof of participation in National/ regattas can also be considered equivalent to a proficiency certificate.
- Equipment and Accessories** (29) (a) The kayaks and canoes must be manufactured under IRS certification for design & manufacture.
 (b) The existing Kayaks should be certified by a marine architect for strength, buoyancy and ease of entry and exit from cockpit.

Operating Instruction	(30)	<p>(a) The watersports center/operator is responsible for imparting adequate training to customers before handing over the kayaks for independent operation.</p> <p>(b) The watersport center/operator conducts a familiarization training program for this purpose.</p> <p>(c) The kayaker must wear a properly fitting buoyancy aid while on water.</p> <p>(d) There should be a rescue boat with a driver stand-by throughout the duration for which the kayaks/ canoes are in water.</p> <p>(e) The area of operation should be clearly defined and be within the visual range of the rescue boat operator.</p>
Scuba Diving Operator Qualification / Dive Instructor	(31)	The dive center should employ at least one “Dive Instructor” certified by internationally recognized agencies viz. E.G. PADI, CMAS, NAUI, BSAC and SSI.
Dive Boat Driver	(32)	<p>(a) The boat driver must hold PBH and LST certifications from NIWS (or its equivalent).</p> <p>(b) The dive boat also must carry a person who holds a valid life saving techniques (LST) certificate from NIWS or with valid “Medic First Aid” certification.</p>
Dive Equipment and Accessories	(33)	<p>(a) The dive center should have a minimum of 06 diving sets that include tank, regulator with pressure gauge, depth meter and dive watch or deco-computer, mask, snorkel, fins, buoyancy compensating jacket, quick release weight belt and alternate air source.</p> <p>(b) The dive boat must carry the items such as required number of dive flags, oars, flares, first aid kit, walkie-talkie & medical oxygen set.</p>
Pressure Testing	(34)	<p>(a) The Dive Center must possess a certificate of pressure testing from an authorized testing Agency, which is valid for 3 years.</p> <p>(b) It should be renewed on 3-year intervals or as per rules of the Government of India regarding operating high pressure cylinders.</p> <p>(c) The details of inspection are to be entered in a maintenance book along with cylinder number. Pit / Tanks are not allowed to be used after 12 years of the date of manufacturing.</p>
Air compressor:	(35)	<p>(a) It is strictly advised to the use of specified compressor oil only.</p> <p>(b) Air purifying filters in the compressor are to be changed as per guidelines of compressor manufacturer and the same be entered in compressor log book along with number of cylinders filled accordingly.</p> <p>(c) The Center must also obtain a certificate from an authorized Agency stating the quality of output of air compressors every 6 months.</p>
Operating Instructions	(36)	<p>(a) Emergency Action Plan (EAP) must be drawn up specifying actions to be initiated by the members of the dive team and the support staff in event of emergencies of different nature.</p> <p>(b) At least one Safety staff must be available at the base station throughout when sea-dives are conducted.</p> <p>(c) The dive center must diligently abide the guidelines for safe operation and protection of marine/aqua environment that will be issued by NIWS or any recognized corresponding Institution.</p>
Lifeguard	14.	<p>(1) (a) Lifeguarding are applicable at Swimming Pool, Water Park and Lakefront.</p> <p>(b) The lifeguard must ensure that the people/ participants enjoy swimming/ water-borne activities and are free from fear of safety and security.</p>

Qualification:	(2)	(a) The person must be in possession of a valid Lifesaving Technique (LST) certification from NIWS or equivalent certification from agencies like National Pool and Water Park Association and National Safety council. (b) Validity of the certification is 2 years after which, a Lifeguard has to undergo a two-day re- validation course to conform that he meets the stipulated physical fitness and rescue standards.
Swimming Ability Norms	(3)	To swim 100 mtrs. in 2 minutes without resting, by way of crawl or breast stroke. To dive 08 inch deep and bring up a 5 Kg. weight to the poolside/ bank. Tread without moving the legs for minimum 01 minute.
Rescue Equipment	15.	(1) Reach-out pole, elevated observation platform consisting of chair with sunshade, rescue tube, pocket mask for mouth to mouth resuscitation, Ambuse bag, back board for spinal injuries, Stretcher, first aid box and whistles with lanyard.
Personal items for lifeguard	(2)	Uniform, cap, sun glasses and sun protection creams.
Life Guarding Instructions	(3)	(a) Duties of lifeguard should not exceed 4 hours at a time. (b) Area under observation should not exceed 50 meters. (c) More than one observation post must be provided for longer//bigger swimming pools/water parks/ reservoir. (d) Lifeguard on active duty should not be distracted while on duty. (e) No other job shall be assigned to while they are on pool duty. (f) Lifeguard should be familiar with standard communication signals. (g) An Emergency Action Plan (EAP) should be drawn up covering all types of emergencies.

Chapter-5

Appeal and Review

Appeal	16.	(1) Subject to provisions made under sub-rule-2, an appeal can be made to the Appellate Authority against the orders of the Registering Authority under these rules. (2) Every such appeal shall be made within 90 days from the date of the order. Provided that the Appellate Authority may entertain the appeal even after expiry of 90 days if he/she is satisfied that the appellant was prevented for sufficient cause from making such appeal. (3) The appellant shall have the right to get him/herself represented through an advocate or through a properly appointed agent and the Competent Authority may be represented by such an officer or person as may be appointed by the Registering Authority. (4) On receipt of appeal and after giving reasonable opportunity of being heard to the appellant and after making such an enquiry as he/she may deem appropriate, the Appellate Authority, for reasons to be recorded in writing, may pass such an order as he/she considers appropriate .
Review	17.	The Competent officer, on his/her own or on an application by the aggrieved party, shall be empowered to call for all records pertaining to the case including the order passed relating thereto by the Appellate Authority with the objective of making his/her own assessment about the validity correctness and reasonableness of the order so passed and thereafter may pass such order as he/she may consider appropriate and the order so passed shall be deemed final. Provided that an application for review shall not be entertain-able on expiry of a period of 3 months from the date of the order passed by the Appellate Authority.

Provided further that the Competent Authority of his own officer may call for the records of the cases pending before him or those decided by any authority and pass such an order as he/she may deem fit.

Provided further that any order adversely affecting any person under this section shall not be passed unless the person himself, or a person duly authorized by him/her, or his/her advocate has been given reasonable opportunity of being heard.

Chapter-6

Misconduct and Penalty

Sanction for Violation of Established Orders in regard to Registration Sanctioned for Mis-statement	18.	Under these rules, any person found engaged in Inland Water Vessel related activity without proper registration shall be punishable with an amount which may extend up to Rupees Ten Thousand; and in case of continuing contravention with a Rupees One Thousand per day so long as the contravention continues, by the Registering Authority.
	19.	Under these rules, if any person required to make a statement, knowingly makes a false statement or hides any substantial fact to delude the Registering Authority, she/he shall be punishable by Rs. Ten Thousand by the Registering Authority.
Transfer of Registration Certificate without consent	20.	Any person, who transfers or hands over or lends the Registration Certificate granted under these rules without consent of the Registering Authority, shall be punishable with Rs. Ten Thousand by the Registering Authority.
Showing Registration Certificate On Demand	21.	(1) A person registered under these rules shall show his/her Registration Certificate to any of the following persons on demand— (a) Registering Authority or any person duly authorized by him, or (b) Any person authorized by the Government or Competent Authority (c) Actual Client/Tourist/Guest (2) Any person who refuses to show or allow to read his Registration Certificate on demand by the persons so authorized, shall be punishable by an amount of Rs. Five Thousand.
Punishment for misconduct	22.	Any person who commits any misconduct or contravenes any of the other provisions for which sanction has not been provided under these rules, he/she will be punishable by an amount of Rs. Ten Thousand. Subsequent violation may lead to suspension or cancellation of the registration.
Creating hindrances to the authority valid in law	23.	Any person who knowingly creates hindrances or shows resistance to the Prescribed Authority or to any person duly authorized by him under these rules to exercise the power delegated, or in carrying out their duty, shall be punishable by an amount of Rs. One Thousand.
Recovery of penalty	24	If penalties as imposed under section 18 to 23 of these rules are not paid than the recovery will be made as per the provisions of Land Revenue Act.
Initiating Prosecution	25.	No person shall be prosecuted for any offence committed by him under these rules except for the complaints made by the Registering Authority or any person duly authorized by him, or any person authorized by the State Government in this behalf.

Chapter – 7

Standards relating to Environmental Safety

Standards for Environmental Safety	26.	Every operator / permit holder shall ensure compliance of the following standards :- (1) Collect all solid wastes generated within the vessel for discharge on shore at specified locations. (2) Treat sewage by providing scientifically designed septic tanks. (3) Collect and store all waste water and dispose properly. (4) Use of paper bags, cloth bags instead of polythene bags. (5) Bio-chemical toilets may also be used. (6) Arrangements of a system of separating recyclable from non-recyclable garbage. (7) Organizing the disposal of non-biodegradable garbage in such a manner so as not to harm the local environment. (8) Any vessel using outboard engines should obtain pollution control certificate every six month from competent authority . (9) There should not be any leakage of oil/ fuel/ grease etc. into the waterbody from vessel. (10) Fuel tank should not be situated near the kitchen. (11) Signage of not littering should be posted at such a locations that it is visible to every passenger/ rider.
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Chapter – 8

Miscellaneous

Notification of Changes	27.	(1) If any change occurs in the succession of the unit for which a certificate of registration has been obtained, then such a person shall notify this fact in writing to the Registering Authority within 30 days of such change. (2) The Competent Authority shall make requisite changes in the Registration Certificate and in the register prescribed for the purpose. (3) Notwithstanding anything contained in sub-rules(2), if the said successor is not eligible to be registered under these rules, the Registering Authority shall be empowered to remove the name of the person from the register in whose name the certificate of registration was originally granted.
	28.	Under these rules when a certificate of registration is cancelled, the person holding the certificate shall return the same to the Registering Authority within 7 days of service of the cancellation letter in a manner prescribed.
	29.	If the certificate granted under these rules gets lost or destroyed, then the Registering Authority may issue a duplicate certificate to the holder of such certificate on his written request on payment of such fees as may be prescribed in this behalf.
Return of Registration Certificate	28.	Under these rules when a certificate of registration is cancelled, the person holding the certificate shall return the same to the Registering Authority within 7 days of service of the cancellation letter in a manner prescribed.
Duplicate Certificate	29.	If the certificate granted under these rules gets lost or destroyed, then the Registering Authority may issue a duplicate certificate to the holder of such certificate on his written request on payment of such fees as may be prescribed in this behalf.
Protection	30.	For any action taken or proposed to be taken in good faith under these rules, there shall be no legal action against the Government, or any person of the Government/ Board.
Power of the Board to Apply these Rules	31.	The Board shall be empowered to apply these rules or all or any of the sub-rules including such exceptions, adaptations and modifications as

to Other Persons

may be deemed necessary in Uttarakhand State and to those renting or operating vessels such as house boats, boats, or to such other persons who may be covered through notifications and the Registering Authority shall be empowered to fix the rates to be charged from such person or persons.

Power to Make Rules

- 32.** (1) The Board shall be competent to implement the provisions of these rules vide the powers delegated to make rules under Sub-section 2 of Section-8 of the Act.
- (2) Especially and without making any adverse impact on the prevalence of the earlier powers, provisions may be made for the following in such rules—
- (a) Maintenance of registers, books and formats for trade by the Inland Water Vessel operators of tourism units.
 - (b) Format for application and Registration Certificate.
 - (c) Fees for registration, renewal and issue of duplicate certificate
 - (d) Procedure of serving notice under these rules.
 - (e) Eligibility for various activities conducted by the operators of Inland Water Vessel related units in their various forms.
 - (f) Safety measures and standards thereof and the facilities that are provided in the organization of adventure water sports.
 - (g) Norms for maintenance of health, cleanliness, waste disposal and minimum facilities at different types of Inland Water Vessel units.
 - (h) Procedure for publishing the name of the operators whose name is struck off from the register.
 - (i) The procedure through which fixed reasonable rates will be displayed, type of tickets and the receipts that are issued, maintenance and submission of accounts and the details relating thereto, registration fee, renewal fee and collection of other outstanding dues and mode of depositing the receipts.
 - (j) The place where the Competent Authority may conduct enquiry under these rules and all matters whether express or otherwise to be ordained in these rules.
 - (k) The information regarding registered units will be submitted to the District Magistrates of the concerned districts.

By Order

(Shailesh Bagauli)
Chief Executive Officer

FORM I.

Application for Registration

To

The Registering Authority, Uttarakhand.
I, of being the Owner / manager /
driver of an Inland Water Vessel hereby request that the said vessel be
registered at the I agree to pay such fees as may be
liable under the Rules.

Particulars in respect of the said vessel are as under:-

1. Owner's / Manager name and address in full:
2. Name of Driver and his Certificate No.:
3. Name of Registry and No. (if previously registered):
4. Kind of vessels- viz.,
 - i.) powered vessels (motor, name and address of engine makers with horse power, speed and the year of make):
 - ii) non-powered vessels
5. Name and address of builders with place and year of build:
6. Details of Insurance Certificate:

Declaration

I / we.....hereby declare that:-

- (1) I/We have carefully read the Uttarakhand Inland Water Vessels Rules 2016 and hereby agree to abide by the provisions laid down in these rules.
- (2) In case of any dispute, the decision of Competent Authority shall be final and binding.
- (3) I/We hereby declare that above information are true to the best of my knowledge. If the above information is found to be incorrect or fraudulent, I/We will have no objection to reject my/our application form.

Enclosures:-.....

Place:.....

Date:.....

Signature of the Operator of the vessel

Name

Address

Mobile/Tele No

FORM II.

Certificate of Registration

Registration No..... **Date and Place**

This is to certify that (Owner / M/s)..... the of (kind of vessel) called (Name of vessel).....and that the said vessel was built at by of in the year 20..... had been duly registered under the Uttarakhand Inland Water Vessels Rules, 2016. Certified under my hand this dayof20

Powered Vessels

Description of Engines:

Name and address of makers:

When made:

No. of sets of Engines:

No. of shafts:

Total Brake Horse Power:

Estimated speed of Inland Vessel:

Non-powered Vessels

Description of Wind or Manual provisions:

Name and address of makers:

When made:

Estimated speed of Inland Vessel:

Particulars of Vessels of Tonnage

Powered Vessels

Extreme length:

Length:

Breadth:

Depth:

Gross Registered Tonnage:

Net Registered Tonnage:

No. of Decks:

No. of Bulkheads:

Build and material:

Non-powered Vessels

Length:

Breadth:

Depth:

Weight:

No. of Decks:

No. of Bulkheads:

Build and material:

Description of Wind or Manual provisions (Sails, Oars, Tillers, etc):

Houseboat

Length:

Breadth:

Depth:

Weight:

No. of Decks, Bulkheads:

Build and material:

Details of facilities (accommodation):

Details of waste & sewerage disposal system:

Use of alternate source of energy:

Details of Outboard engine (if any): HP

Competent Authority

Note. - This Certificate of Registration shall be produced for inspection on demand by any authority authorized by the State Government.

- 1) This certificate shall be surrendered to the Competent Authority if so required by him.
- 2) While the certificate is in force, the vessel's name and registration mark as painted or otherwise marked in position approved by the Government of Uttarakhand shall not be removed or defaced.
- 3) In case of any accident occasioning loss of life, or any material damage affecting the river worthiness or efficiency of the vessel, either in the hull or in any part of the machinery, a report by letter, signed by the owner or master of the vessel shall be forwarded to the Competent Authority within 24 hours after the happening of the accident, or as soon thereafter as possible.

FORM III

Particulars to be furnished for Survey of Vessel

1. Name of vessel:
2. Owner's name and address:
3. Length, breadth and depth of vessel:
4. Type of Vessel:
5. Passenger, Cargo, or both:
6. Particulars of hull
 - a) Year of built:
 - b) Builders name and address:
 - c) Builders certificate:
 - d) Material of the hull:
 - e) Number of Bulk heads, their placement and thickness:
 - f) Hull plating material and thickness:
7. Particulars of propulsion of Engines
 - (a) Number of sets fitted:
 - (b) Manufacturer's name and brand:
 - (c) Model Number:
 - (d) Year of built :
 - (e) Type of Engine with HP of each:
 - (f) Diameter of propulsion shaft and material:
 - (g) Type and Number of gears:
 - (h) Test certificate:
8. Particulars of equipments
 - (j) Anchor-Port, Starboard (weight & material of each):
 - (k) Anchor-Spare (weight & material of each equipment):
 - (l) Chain: size type and length and test certificate (Port):
 - (m) Chain: size type and length and test certificate (Starboard):
 - (n) Ropes- size, material and number of ropes:
 - (o) Search Lights, number, size and power:
 - (p) Life buoys, buoyant apparatus with Self Ignited lights, Number with buoyant lanyard:
 - (q) Navigation Lights giving particulars and certificate, main mast, auxiliary mast, port, Starboard, Stem, and Anchor not under command:
 - (r) Shapes for anchor not under command etc.:
 - (s) Sound signals: Mechanical or Electrical:
9. Particulars of fire appliance
 - (f) Number, size and capacity of fire pumps:
 - (g) Fire mains, diameter, material and number of hydrants:
 - (h) Number of hose:
 - (i) Nozzles:
 - (i) Jet type
 - (ii) Spray type
 - (iii) Jet/Spray type
 - (j) Any other equipment
10. Number of portable fire extinguisher with particulars and name of manufactures
 - (e) Soda Acid:
 - (f) Foam:
 - (g) Dry Powder:
 - (h) Any other types:
11. Particulars of communication equipments:
12. Particulars of navigation equipments:
13. Particulars of pollution control devices:
 - (f) Sewage treatment and disposal

**Signature of Surveyor
Name & Address**