

G.O., No. 970

DATED 30 Nov 1897

30/11/97

[Despatch Abstract.]

Native Passenger Ships Act, Govt of India letter stating ^{that} the ~~will~~ will be amended at an early opportunity to admit of the issue of a rule providing that the upper decks of Native Passenger Ships shall be made of wood or of iron sheathed with wood ~~that~~ ^{and suggesting} that in the meanwhile officers may be instructed to withhold the certificate in the case of ships which are not so fitted, Comd to the P.P. Officer with remarks.

30/11/97

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<i>Recd.</i>	} 1897.	<i>Enclosures</i>
<i>Regd.</i>		<i>Spare copies</i>

G.O., No. 970, 30th November 1897.

NOVEMBER.

Native Passenger Ships Act

Government of India letter stating that the — will be amended at an early opportunity to admit of the issue of a rule providing that the upper decks of native passenger ships shall be made of wood, or of iron sheathed with wood, and suggesting that, in the meanwhile, officers may be instructed to withhold the certificate in the case of ships which are not so fitted, communicated to the Presidency Port Officer, with remarks.

GOVERNMENT OF MADRAS.
MARINE DEPARTMENT.

Read—the following papers:—

From J. E. O'CONOR, Esq., Assistant Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Bengal, Marine Department, dated Simla, 8th November 1897, No. 4938 S.R.

I am directed to acknowledge the receipt of your letter, No. 1484, Marine, dated the 11th August 1897, recommending the issue of a rule under the Native Passenger Ships Act, 1887 (X of 1887), to provide that the upper decks of native passenger ships shall be made of wood, or of iron sheathed with wood.

2. I am to say that the Government of India agree with the Government of Bengal in considering that, as in the case of pilgrim and emigrant ships, native passenger ships should not be deemed fit for their purpose unless they are fitted with wooden decks, or with iron decks sheathed with wood.

3. In respect of pilgrim ships and emigrant ships, specific provision exists in the law under which a rule has been made requiring that the ships shall be fitted with such decks. No similar provision exists in the Native Passenger Ships Act, and the Governor-General in Council is advised that the terms of the law generally do not warrant the framing of such a rule. This defect will be remedied by the amendment of the Act at an early opportunity, and a rule will thereafter be framed and issued as suggested by the Government of Bengal.

4. Meanwhile, however, I am to observe that the issue of a rule is not necessary for the purpose in view. Under section 15, sub-section 2, of the Native Passenger Ships Act, it is in the discretion of the officer authorized to grant a certificate to grant or withhold it, and in the exercise of this discretion he is, by sub-section 3 of the same section, subject to the control of the local Government. The object of the Government of Bengal may, therefore, be secured by the issue of a direction to the officer to withhold the certificate in the case of ships which are not fitted with wooden decks, or with iron decks sheathed with wood.

5. I am to suggest the adoption of this course by the Government of Bengal, for it is clearly desirable that certificates should not be granted in such cases. The other local Governments will be invited to adopt the same course.

Ordered that copy, with copy of the letter to which it is a reply, be forwarded to the Governments of Madras, Bombay and Burma, with the suggestion that instructions may be issued as proposed in paragraph 4 of the letter to the Government of Bengal.

(Signed) J. E. O'CONOR,
Asst. Secy. to the Govt. of India.

ENCLOSURES.

From Colonel A. D. McARTHUR, R.E., Secretary to the Government of Bengal, Marine Department, to the Secretary to the Government of India, Finance and Commerce Department, dated Calcutta, 11th August 1897, No. 1484, Marine.

I am directed to submit the enclosed copy of a memo., No. 3337, dated the 28th ultimo, from the Port officer, Calcutta, enclosing a copy of a letter from the Engineer and Shipwright surveyor to this Government, in which it is suggested that orders may be issued requiring the upper decks of native passenger ships to be made of wood, or of iron sheathed with wood. In the interests of the passengers who make long journeys in these ships, the Lieutenant-Governor considers the proposal of the surveyor to be desirable; but, as there is nothing on the subject in the rules sanctioned by the Government of India from time to time under the Native Passenger Ships Act, 1887, the proposal cannot be carried into effect. Under rule 22 of the rule sanctioned by the Government of India under section 58 of the Pilgrim Ships Act, 1895, the upper deck of every pilgrim ship, when made of iron, must be sheathed with wood and a similar provision is made in schedule A of the appendix to the rules sanctioned under the Indian Emigration Act, 1883. The Lieutenant-Governor considers it necessary that a like provision should be inserted in the rules under the Native Passenger Ships Act, 1887, and I am directed to invite the attention of the Government of India to the subject.

From the Engineer and Shipwright Surveyor to the Government of Bengal, to the Secretary to the Government of Bengal, Marine Department (through the Port Officer of Calcutta), dated 27th July 1897, No. 153.

I have the honour to report, having been asked a few days ago by Messrs. Anderson, Wright & Co. whether a steamer having iron decks only would be considered fit as a native passenger ship to carry a full complement of between deck passengers from here to the east coast of Africa, such a vessel would come under the requirements of the Native Passenger Ships Act X of 1887; but as neither the Act nor the rules make any reference to iron decks, in consultation with the Port officer, I replied that the upper or weather deck over the intended passenger accommodation should be sheathed with wood.

2. My reasons for stating that the upper deck should be sheathed with wood were that in this climate such a provision is necessary and that the Indian Emigration Act XXI of 1883, the Pilgrim Ships Act, 1895, and the Board of Trade rules for deck passengers and crew spaces require it.

3. I trust my action may be approved, and if so, I would suggest that orders be issued so that the upper decks of all native passenger ships be either of wood, or of iron or steel sheathed with wood, properly laid and caulked water-tight.

No. 3337.

Forwarded. I approve of the Engineer and Shipwright Surveyor's suggestion that the upper decks of ships carrying passengers should be of wood, or iron or steel sheathed with wood, properly laid and caulked.

(Signed) B. P. CREAGH, Comdr., R.I.M.,
Port Officer of Calcutta.

ORDER—No. 970, Marine, dated 30th November 1897.

Communicated to the Presidency Port Officer.

2. The officers appointed to grant certificates under the Native Passenger Ships Act will be guided by the instructions contained in paragraph 4 of the letter of the Government of India.

(True Extract.)

Under Secretary to Government.

To the Presidency Port Officer.

Exd. T. K. Narayana Aiyangar.

Marine DEPARTMENT.

[500-14-10-97.]

Papers to be read in proceedings:—

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No. 1452

of 1897, dated 15th Novr., from the G. of India, S. & C. Dept.

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ORDER.

N. 970 Mar 9 30.11.97

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para 4 of the letter of the
Government of India.

LS. *[Signature]*

The Presidency Port Officer. D. 10/11/97

Marine (1897) Department.

CURRENT No. 1452

From The Govt. of India
Finance & Commerce
Sept.

Order

No. 4938 S.R.

Dated 8. 11. 97

Received 15. 11. 97

Enclosures 2

Spare copies

SUBJECT.

Ships not fitted with
wooden decks or with
iron decks sheathed with
wood.

Directing Officers & will
hold the certificates
in the case of—

Let
I have put up
the case with
amendment
of law

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12/11/97
acknowledged
JH

FURTHER PAPERS.

No. 1484 Mrs.
Government of Bengal
Marine Department.



From Colonel A. D. McArthur, R.E.
Secretary to the Government of Brazil,

To
The Secretary to the Government of India,
Finance and Commerce Department.
Dated Calcutta, the 11th August 1897

Sir, I am directed to submit the enclosed copy of a memo. (No 3337) dated the 28th ultimo, from the Port Officer, Calcutta, enclosing a copy of a letter from the Engineer and Shipwright Surveyor to His Government, in which it is suggested that orders may be issued requiring the upper decks of Native Passenger Ships to be made of wood or of iron sheathed with wood. In the interests of the passengers who make long journeys in these ships, the Lieutenant-Governor considers the proposal of the Surveyor to be desirable but

as

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as there is nothing on the subject in the rules sanctioned by the Government of India from time to time under the Native Passenger Ships Act, 1887, the proposal cannot be carried into effect. Under rule 22 of the rule sanctioned by the Government of India under section 58 of the Pilgrim Ships Act, 1895, the upper deck of every pilgrim ship when made of iron must be sheathed with wood and a similar provision is made

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in schedule A of the appendix to the rules sanctioned under the Indian Emigration Act, 1883. The Lieutenant-Governor considers it necessary that a like provision should be inserted in the rules under the Native Passenger Ships Act, 1887, and I am directed to invite the attention of the Government of India to the subject.

J. H. H. H.
(Sd) A. D. McArthur
Col. R.E.
Secretary.

Enclosure to Bengal Marine Department letter No. 1484, 27-11-8-97 ^{vj 88}

Copy of a letter No. 153, dated the 27th July 1897, from the Engineer and Shipwright Surveyor to the Government of Bengal, to the Secretary to the Government of Bengal, Marine Department.
(Through the Port Officer of Calcutta)

I have the honour to report having been asked a few days ago by Messrs Anderson Wright and Company whether a steamer having iron decks only would be considered fit as a native passenger ship to carry a full complement of between deck passengers from here to the East Coast of Africa, such a vessel would come under the requirements of the Native Passenger Ships Act ~~X~~ of 1887 but as neither the act nor the rules make any reference to iron decks, in consultation with the Port Officer, I replied that the upper or weather deck over the intended passenger accommodation should be sheathed with wood.

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1452/97

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Pilgrim Ships Act 1895 and the Board
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that orders be issued so that the upper
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either of wood or of iron or steel sheathed
with wood properly laid and caulked
water-tight.

No. 3337

Forwarded. I approve of the Engineer
and Shipwright Surveyor's suggestion
that the upper decks of ships carrying
passengers should be of wood or iron
or steel sheathed with wood properly
laid and caulked.

(Sd) B. V. Cragh
Comdr. R.N.

Port officer of Calcutta.

(True copy.)

Witness

Registrar

Finance and Commerce Department.

No. 4938 S.R.

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE DEPARTMENT.

Simla, the 8th Novr 1897.



To

The Secretary to the Government of Bengal,
Marine Department.

Sir,

I am directed to acknowledge the receipt of your letter No 1484 marine, dated the 11th August 1897, recommending the issue of a rule under the Native Passenger Ships Act, 1887 (x of 1887), to provide that the upper decks of Native Passenger Ships shall be made of wood or of iron sheathed with wood.

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they are fitted with wooden decks or with
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exists in the law under which a rule
has been made requiring that the
ships shall be fitted with such decks. No
similar provision exists in the Native
Passenger Ships Act, and the Governor
General in Council is advised that
the terms of the law generally do not
warrant the framing of such a rule.
This defect will be remedied by the
amendment of the Act at an early
opportunity, and a rule will thereafter
be framed and issued as suggested by
the Government of Bengal.

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that the issue of a rule is not necessary
for the purpose in ^{law}. Under section
15, subsection 2, of the Native Passenger
Ships Act it is in the discretion of

the officer authorised to grant a certificate
to grant or withhold it, and in the exer-
-cise of this discretion he is, by subsection
3 of the same Section, subject to the control
of the local Government. The object
of the Government of Bengal may therefore
be secured by the issue of a direction
to the officer to withhold the certificate
in the case of ships which are not
fitted with wooden decks or with
iron decks sheathed with wood.

5. I am to suggest the adoption of
this course by the Government of Bengal,
for it is clearly desirable that certificates
should not be granted in such
cases. The other local governments
will be invited to adopt the same
course.

I have the honour to be,
Sir,
Your most obedient servant,

(Sd) J. E. O'Connor

Assistant Secretary to the Govt. of India.
Ordered

Ordered, that copy with copy
of the letter to which it is a reply,
be forwarded to the Governments of
Madras, Bombay, and Burma, with
the suggestion that instructions
may be issued as proposed in
paragraph 4 of the letter to the
Government of Bengal.

W. C. C. C.
Assistant Secretary to the Govt of India