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Government of Madras.

MARINE DEPARTMENT.

G.O., No. 248, 3rd August 1910.

INDEXED.

N P

Certificates of survey and docking.

Recording letter from the Government of India, on the subject of the acceptance in India of certificates of partial survey or of docking certificates granted by the Board of Trade or British Colonial Governments.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

NUMBER OF COPIES {
Order.
Letter.

Government of Madras.

MARINE DEPARTMENT.

Recd.

Regd.

} 1910.

Enclosures

Spare copies

G.O., No. 248, 3rd August 1910.

N P

ORIGINAL.

Certificates of survey and docking.

Recording letter from the Government of India, on the subject of the acceptance in India of certificates of partial survey or of docking certificates granted by the Board of Trade or British Colonial Governments.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following papers:—

I

G.O., No. 93, Marine, dated 19th March 1908.

ABSTRACT.—Recording letter from the Government of India relating to the disadvantages inflicted on British shipowners by the operation of the Indian Steamships Act, 1884.

II

Letter—from A. C. McWATERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry (Merchant Shipping).

To—the Chief Secretary to the Government of Madras.

Dated—Simla, the 16th July 1910.

No.—5133-5136-29.

I am directed to forward a copy of the correspondence noted on the margin on

(1) Letter from the Government of Bombay, No. 385, dated the 20th June 1910, and enclosures. the subject of the acceptance in India of certificates of partial survey or docking

(2) Letter to the Government of Bombay, No. 5132-39, dated the 16th July 1910, and enclosure. certificates granted by the Board of Trade or British Colonial Governments.

2. I am to request that, with the permission of His Excellency the Governor in Council, arrangements may now be made in accordance with the instructions contained in paragraph 3 of my letter to the Government of Bombay No. 5132-39, dated the 16th July 1910.

ENCLOSURES.

(1)

Letter—from L. ROBERTSON, Esq., I.C.S., Secretary to the Government of Bombay, Marine Department.

To—the Secretary to the Government of India, Department of Commerce and Industry (Merchant Shipping).

Dated—Bombay Castle, the 20th June 1910.

No.—385 of 1910.

I am directed to forward herewith copy of a letter No. 338-S., dated 19th May 1910, and accompaniment, from the Port Officer, Bombay, relating to an enquiry made by the Agents, British India Steam Navigation Company, Bombay, whether in future a docking certificate issued by the Board of Trade will be acceptable by the Indian Government.

2. In paragraph 3 of his letter the Port Officer states that the acceptance of docking certificates has not been arranged as yet at Calcutta. I am to enquire whether such is the case and also whether the Board of Trade intend to amend their regulations which are referred to in paragraph 3 of the Port Officer's letter.

(2)

Letter—from Commander E. J. BEAUMONT, R.I.M., Port Officer, Bombay.

To—the Secretary to Government, Marine Department, Bombay.

Dated—the 19th May 1910.

No.—338/S. of 1910.

I have the honour to forward for orders of Government, the accompanying copy of a letter No. 2224, dated the 13th instant, from the Agents, British India Steam Navigation Company enquiring whether in future a docking certificate issued by the Board of Trade will be accepted by the Indian Government.

2. In connection with this enquiry, I would invite a reference to the correspondence noted in the margin. The reply from this office to Government Resolution No. 90, dated the 12th November 1908, regarding the Bill to amend the Indian Steamships Act, 1884, was sent during my absence on leave and the Acting Port Officer must have overlooked the past correspondence which was in effect against the provisions of the Bill so far as docking certificates issued by the Board of Trade were concerned.

3. As the law now stands, the Local Government may, if it thinks fit, accept docking certificates granted by the Board of Trade or any British Colonial Government. But it is impossible to reconcile the provision of the Indian Act with respect to acceptance of docking certificates issued by the Board of Trade with the minatory terms of paragraphs 2 and 3 of their own letter No. 6604-M., dated the 12th April 1902, and until that letter is withdrawn or cancelled, the Government Surveyors at this port, whose duties are regulated by the Board of Trade Regulations and suggestions as to the survey of the hull, equipments and machinery of steamships carrying passengers, cannot accept docking certificates granted by the Board of Trade, because of the possibility that the general efficiency and fitness of any vessel may undergo a serious deterioration between the time of a survey in the United Kingdom and that of a further survey in India. I am informed that in Calcutta the acceptance of such certificates has not been arranged as yet.

Section 4 of Act I of 1909.

4. I would request that, in communicating the orders of Government on the question raised by the Agents, British India Steam Navigation Company, I may be furnished with a copy of the opinion given by the Board of Trade with reference to paragraph 4 of the Government of India's letter printed in the preamble to Government Resolution No. 24, dated the 24th March 1908.

(3)

Letter—from Messrs. MACKINNON MACKENZIE & Co., Agents, British India Steam Navigation Company.

To—the Port Officer, Bombay.

Dated—Bombay, the 13th May 1910.

No.—2224.

In connection with the non-recognition in India of docking certificates issued by the Board of Trade in the United Kingdom, we have been informed that it is the case that in future a Board of Trade docking certificate will be accepted by the Indian Government.

We have the honour to request you to be good enough to inform us if our information is correct.

(4)

Letter—from A. C. McWATERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry (Merchant Shipping).

To—the Secretary to the Government of Bombay, Marine department.

Dated—Simla, the 16th July 1910.

No.—5132-29.

I am directed to acknowledge the receipt of your letter No. 385, dated the 20th June 1910, on the subject of the acceptance in India of docking certificates granted by the Board of Trade.

2. In reply, I am to invite attention to paragraph 4 of Mr. Gubbay's letter No. 2377-2381-44, dated the 6th March 1908, and to explain that before entering upon the legislation contained in sub-section (3) of section 23 of the Indian Steamships Act, 1884 (VII of 1884), the Government of India enquired from the Secretary of State for India whether, in view of the opinion expressed by the Board of Trade in their letter No. 6604 M., dated the 12th April 1902, and of the directions given in Regulation 4 of their regulations and suggestions as to surveys, the Board considered it right to accept in India any docking certificate, by whatever authority given, as evidence of partial survey. In their reply, No. M. 8901, dated the 24th April 1908, a copy of which is enclosed the Board suggested that the Indian Steam Ships Act, 1884, should be amended so as to put vessels partially surveyed at British ports on an equality with those surveyed at foreign ports. They pointed out that they were precluded by the provisions of the Merchant Shipping Acts from accepting docking certificates granted in India, but as no foreign docking certificates were accepted in the United Kingdom, the same practical reasons for amending the law did not exist there as in India.

3. It will be observed that the views expressed by the Board of Trade in their letter of the 12th April 1902 have been, in effect, withdrawn in their letter of the 24th April 1908, inasmuch as they specifically suggested in the latter communication the amendment of the

[8. 1]
12,000-28-03.

(also.)

Marine DEPARTMENT.

READ

Recording correspondence letter from the
G. of S. on the subject of the acceptance
in India of ^{certificates} ~~certificates~~ of partial survey
or docking certificates granted by the
Board of Trade or British Colonial Govts.

I

G.O. No. 93 mar. 7 19. 3. 08 (K) attached

II

[C.N. 859] From the G. of S., C.S. Dept., No. 5133-5136-19 of 16. 7. 10
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ORDER No 248, dated 3. 8. 1900.

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G.O., No. 93, Marine, dated 19th March 1908.

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Letter—from A. C. McWATERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry (Merchant Shipping).

To—the Chief Secretary to the Government of Madras.

Dated—Simla, the 16th July 1910.

No.—5133-5136-29.

I am directed to forward a copy of the correspondence noted on the margin on

(1) Letter from the Government of Bombay, No. 385, dated the 20th June 1910, and enclosures.	the subject of the acceptance in India of certificates of partial survey or docking certificates granted by the Board of Trade or British Colonial Governments.
(2) Letter to the Government of Bombay, No. 5132-39, dated the 16th July 1910 and enclosure.	

2. I am to request that, with the permission of His Excellency the Governor in Council, arrangements may now be made in accordance with the instructions contained in paragraph 3 of my letter to the Government of Bombay No. 5132-39, dated the 16th July 1910.

Enclosures:

(1

Letter—from L. ROBERTSON, Esq., I.C.S., Secretary to the Government of Bombay,
Marine Department.

To—the Secretary to the Government of India, Department of Commerce and Industry (Merchant Shipping).

Dated—Bombay Castle, the 20th June 1910.

No.—385 of 1910.

No.—389 of 1910.

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Letter—from Commander E. J. BEAUMONT, R.I.M., Port Officer, Bombay.

T₂—the Secretary to Government, Marine Department, Bombay.

Dated—the 19th May 1910.

No.—338/S. of 1910.

I have the honour to forward for orders of Government, the accompanying copy of a letter No. 2224, dated the 13th instant, from the Agents, British India Steam Navigation Company enquiring whether in future a docking certificate issued by the Board of Trade will be accepted by the Indian Government.

2. In connection with this enquiry, I would invite a reference to the correspondence noted in the margin. The reply from this office to Government Resolution No. 90, dated the 12th November 1908, regarding the Bill to amend the Indian Steamships Act, 1884, was sent during my absence on leave and the

22nd March 1907.
G R. No. 11, dated 31st January 1908.
G R. No. 24, dated 24th March 1908.
G R. No. 90, dated 12th November 1908.
Letter from the Acting Port Officer, Bombay, No. 820-S,
dated 24th November 1908.

certificates issued by the Board of Trade were concerned.

3. As the law now stands, the Local Government may, if it thinks fit, accept docking certificates granted by the Board of Trade or any British Colonial Government. But it is

impossible to reconcile the provision of the Indian Act with respect to acceptance of docking certificates issued by the Board of Trade with the minority terms of paragraphs 2 and 3 of their own letter No. 6604-M., dated the 12th April 1902, and until that letter is withdrawn or cancelled, the Government Surveyors at this port, whose duties are regulated by the Board of Trade Regulations and suggestions as to the survey of the hull, equipments and machinery of steamships carrying passengers, cannot accept docking certificates granted by the Board of Trade, because of the possibility that the general efficiency and fitness of any vessel may undergo a serious deterioration between the time of a survey in the United Kingdom and that of a further survey in India. I am informed that in Calcutta the acceptance of such certificates has not been arranged as yet.

No. 248, MARINE, 3RD AUGUST 1910.

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To—the Port Officer, Bombay.

Dated—Bombay, the 13th May 1910.

No.—2224.

In connection with the non-recognition in India of docking certificates issued by the Board of Trade in the United Kingdom, we have been informed that it is the case that in future a Board of Trade docking certificate will be accepted by the Indian Government.

We have the honour to request you to be good enough to inform us if our information is correct.

(4)

Letter—from A. C. McWATERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry (Merchant Shipping).

To—the Secretary to the Government of Bombay, Marine department.

Dated—Simla, the 16th July 1910.

No.—5132-29.

I am directed to acknowledge the receipt of your letter No. 385, dated the 20th June 1910, on the subject of the acceptance in India of docking certificates granted by the Board of Trade.

2. In reply, I am to invite attention to paragraph 4 of Mr. Gubbay's letter No. 2377—2381-44, dated the 6th March 1908, and to explain that before entering upon the legislation contained in sub-section (3) of section 23 of the Indian Steamships Act, 1884 (VII of 1884), the Government of India enquired from the Secretary of State for India whether, in view of the opinion expressed by the Board of Trade in their letter No. 6304 M., dated the 12th April 1902, and of the directions given in Regulation 4 of their regulations and suggestions as to surveys, the Board considered it right to accept in India any docking certificate, by whatever authority given, as evidence of partial survey. In their reply, No. M. 8901, dated the 24th April 1908, a copy of which is enclosed the Board suggested that the Indian Steamships Act, 1884, should be amended so as to put vessels partially surveyed at British ports on an equality with those surveyed at foreign ports. They pointed out that they were precluded by the provisions of the Merchant Shipping Acts from accepting docking certificates granted in India, but as no foreign docking certificates were accepted in the United Kingdom, the same practical reasons for amending the law did not exist there as in India.

3. It will be observed that the views expressed by the Board of Trade in their letter of the 12th April 1902 have been, in effect, withdrawn in their letter of the 24th April 1908, inasmuch as they specifically suggested in the latter communication the amendment of the Indian Law so as to permit of the acceptance of their docking certificates in India; and the Government of India see no necessity therefore for a reference to the Board of Trade in respect of the amendment of their Regulations on the subject. Sub-section (3) of section 23 of the Indian Steamships Act, 1884, now expressly provides for the recognition of valid certificates of partial survey, including docking certificates, granted by the Board of Trade or a British Colonial Government, in the same manner as like certificates of survey granted at foreign ports; and I am accordingly to request that, with the permission of His Excellency the Governor in Council, arrangements may now be made for the introduction of the practice of accepting such certificates in the manner provided for in that sub-section.

(5)

Letter—from the Board of Trade.

To—the Under Secretary of State for India.

Dated—London, the 24th April 1908.

No.—M. 8901.

In reply to your letter of the 3rd instant (R. and S. 303), forwarding information as to the acceptance of foreign certificates of survey in India, I am directed by the Board of Trade to state that the question of accepting such certificates appears to arise but seldom in India, and the Board consider that, when it does arise, the responsibility of settling it should rest, as heretofore, with the local Governments. There is no objection, however, to allowing the local port authorities to accept, without reference to the local Governments, certificates attesting a survey which the local Government have already decided to be equivalent to that carried out in India.

2. The Board would suggest, therefore, that section 3 of the Bill forwarded with your letter of the 30th May last should be deleted.

3/

No. 248, MARINE, 3RD AUGUST 1910.

3. With reference to your enquiry as regards the acceptance of docking certificates in India, I am to state that it appears to the Board of Trade that section 23 of the Indian Steamships Act of 1884 gives power to accept certificates of partial survey (including docking certificates) granted after official survey at a foreign port, provided the survey is equivalent to that required by the Act. There appears to be no power under the Act, however, to accept similar certificates of partial survey in the case of ships surveyed at ports in the United Kingdom or the Colonies, and hence British ships trading to India are put to a disadvantage in comparison with their foreign competitors (e.g., the Austrian Lloyd steamers sailing from Trieste).

4. The Board would suggest, therefore, that an opportunity might be taken to amend the Indian Steamships Acts so as to put vessels partially surveyed in British ports on an equality with those surveyed in foreign ports.

5. As the Government of India are aware (see their letter of the 20th February 1902, forwarded with your letter R. and S. 805 to this department of the 29th March 1902), the Board of Trade are unable under the provisions of the Merchant Shipping Acts to accept docking certificates granted in India, but as no foreign docking certificates are recognised in this country for the purposes of the issue of passenger certificates, the same practical reasons for amending the law do not exist in this country as in India. It may be added, however, that the Board have promised Messrs. Gray, Dawes & Co., who recently brought the matter to their notice, that the amendment of the Imperial Law on this subject will be carefully considered when an opportunity arises.

Order—No. 248, Marine, dated 3rd August 1910.

Recorded.

(True Extract.)

W. S. MEYER,
Chief Secretary.

Copy to the Presidency Port Officer.

Forwarded to

(By Order.)

Registrar,
Local and Munl. Dept.

G.O., No. 248, 3rd August 1910.

Certificates of survey and docking.

Recording letter from the Government of India, on the subject of the acceptance in India of certificates of partial survey or of docking certificates granted by the Board of Trade or British Colonial Governments.

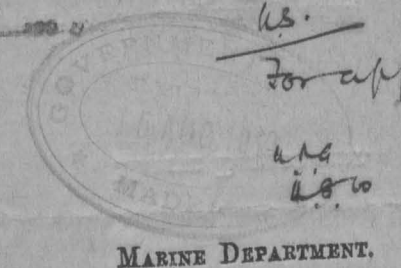
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Admin

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MARINE DEPARTMENT.

NOTES.

[SUBJECT.—Acceptance in India of certificates of partial survey or docking certificates granted by the Board of Trade or British Colonial Governments.]

From the Government of India, Commerce and Industry Department, dated 16th July 1910, No. 5133—5136-29.

Under Secretary—

Attention is solicited to the papers under consideration.
2. So far as this Presidency is concerned, no action seems to be required, as no surveys take place at any of the ports here, there being no docking accommodation. The correspondence may simply be recorded, and copy furnished to the Presidency Port Officer. Draft submitted.

N.P.A.—30-7-10.

Issue.

J. W. BHOSE—1-8-10.

[G.O., No. 248, Marine, dated 3rd August 1910.]

[7.]

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DEPARTMENT.

4 AUG 1910

Current No. 879, dated 16.7.190

G.O., No. 2468, dated 3.8.190

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C. M. SCHMIDT,
Registrar,
Chief Secretariat.

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[P.T.O.]

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