

## LICENSING OF SHIP REPAIRING

**GOVERNMENT OF INDIA/BHARAT SARKAR**  
**MINISTRY OF SHIPPING AND TRANSPORT**  
**(NAUVAHAN AUR PARIVAHAN MANTRALAYA)**  
**(PORTS WING/PATTAN PAKSHA)**

**No. PW/PGL/2/81 New Delhi, the 7<sup>th</sup> April, 1984**

**'NOTIFICATION'**

GSR 417 In exercise of the powers conferred by \*(38 of 1963) section 126 of the the Major Port Trusts Act, 1963 \* the Central Government hereby makes the following regulations, namely:-

1. These regulations may be called Tuticorin Port Trust (Licensing of ship repairing, ship chandling, chipping and painting and miscellaneous trades) Regulations, 1984.
2. They shall come into force on the date of their publication in the Official Gazette.

3. Definitions:

In these regulations, unless the context otherwise requires,--

- (i) "Act" means the the Major Port Trusts Act, 1963 (38 of 1963);
- (ii) "Board " means the Board of Trustees of the Port of Tuticorin constituted under the Act;
- (iii) "Chairman" means the Chairman of the Board of Trustees;

- (iv) "Port" means Port of Tuticorin;
- (v) "Traffic Manager" means the officer for the time being in- charge of the Traffic Department and includes the deputies and assistant to the Traffic Manager and any other officers acting under the authority of the Traffic Manager;
- (vi) "Deputy Conservator" means the head of the Port's Marine Department and includes the harbour master or any pilot duly authorised by the head of Marine Department in this behalf;

4. The Traffic Manager on behalf of the Board shall for the purpose of these regulations, issue licences from year to year to companies, firms and individuals cleared by the Customs authorities to perform the work of ship repairing,, chipping and painting, ship chandling, tailoring, laundry, hair dressing and miscellaneous trades in the Port or no company, firm or individual shall be allowed to work inside the Port or on board any vessel in the Port except under such licence issued by the Traffic Manager.

5. Any company, firm or individual requiring any of the licences referred to above shall apply in the prescribed application form to the Traffic Manager and the prescribed application form shall be obtainable from the office of the Traffic Manager on payment of Rs.10/- for each application.

6. The Traffic Manager may at any time cancel any licence issued under these regulations or may suspend the same for such period as may be specific for breach of any of the provisions of the Port of Tuticorin Rules, 1977, licence so issued may also be cancelled or suspended, if, --

a) after the grant of licence thereof, it is discovered

that the application for the licence contained any misrepresentation or mis-statements of material facts; or

b) if the licensee has been adjudged insolvent or has gone into liquidation, as the case may be; or

- c) if the licensee or any of his workman causes any damage to Board property or to any vessels, goods, cargo or equipment thereof; or
- d) if the licensee or any of his workman causes obstruction to any work in the Port; or
- e) on any written complaint by the Customs Department for the violation of Customs laws by the licensee and or his authorised agent.

Provided that no such licence shall be cancelled or suspended until holder of the licence has been given a reasonable opportunity to show cause as to why his licence should not be cancelled or suspended as the case may be.

Provided further that no such opportunity for showing cause need be given when the licence is suspended pending an enquiry if considered necessary to do so in the public interest with the approval of the Chairman.

7. Any company, firm or person aggrieved by an order of the Traffic Manager refusing to grant a licence or cancelling or suspending a licence already issued, may prefer an appeal in this regard in writing to the Chairman within 30 days from the date of receipt of the order of the Traffic Manager. The decision of the Chairman shall be final and binding.

8. Every application for a licence under these Regulations shall be accompanied by a "No Objection Certificate" issued by an Officer of the Customs Department, not below the rank of Superintendent and a "Solvency Certificate" issued by a Tahsildar or a nationalised bank for an amount not below Rs.50,000/- in respect of ship

repairing, chipping and painting and ship chandling. Application not accompanied by the above certificates shall be rejected summarily.

9. Such licence issued enables the licensee or his authorised agent to enter the Port or on board any vessel for the purpose of carrying out his professional work only and not for any other purpose. Permission to board the vessels should be obtained from the concerned Steamer Agents. The permission from the Steamer Agents as obtained shall be shown to the security staff of the Port by the licensee or his authorised agents on each occasion before entering into the Port area, failing which security staff shall not permit the licensee or his authorised agent to enter the Port area. The licensee or his authorised agent shall also produce this licence whenever he is asked for the same by the Port Trust, Customs, Central Industrial Security Force or Police authorised in this behalf. The licensee or his authorised agent shall abide by the provision of Customs Act, 1962, and all rules & regulations made there under from time to time and shall ensure that the same are fully complied with before entering and leaving the port premises for the purpose of doing the work for which the licence has been issued.

10. The licensee shall inform the names and particulars of his staff and agent in advance to the Traffic Manager whenever he intends to do the business for which a licence is given to him and obtain the specific approval in writing from the Traffic Manager to enter the Port area. No person who is not approved by the Traffic Manager as authorised staff or agent of the licensee shall enter the Port area for the business.

11. The licensee or his agent shall not board any vessel without obtaining prior permission from the concerned Steamer Agent.

12. No licence shall be issued or renewed except on payment of licence fee as fixed by the Board from time to time. The fee for issue of licence for ship repairing, ship chandling and chipping and painting shall be Rs. 1500/- and the fee for issue of a licence for miscellaneous trades shall be Rs.250/-.

13. The licensee shall deposit with the The Financial Adviser & Chief Accounts Officer of the Board, an amount of Rs.3000/- in respect of ship repairing, chipping and painting and ship chandling and Rs.500/- in respect of miscellaneous trades, as security deposit along with the licence fee.

Provided that it shall be open to the Board to appropriate out of the security deposit, and sum due to it or for breach of any terms and conditions of the licence.

14. The licensee shall submit any relevant information asked for by the Traffic Manager at any time and in the manner and form as may be required by the Traffic Manager or his assistants from to time.

15. The licensee is authorised to enter the Port premises on work connected with the licence only on working days between 6 A.M to 6 P.M and on other days between 11 A.M to 1 P.M. However, the licensee may be permitted at the discretion of the Traffic Manager or any other officer authorised by him to enter the Port premises for urgent work at any time.

16. The licence should not be transferable and only the licensee and his authorised staff shall operate under the licence.

17. In the event of it being considered necessary to exclude the public from the whole or any part of the harbour premises on any day or portions of a day under emergent circumstances, the Traffic Manager may at his discretion suspend the licence for such period or periods as may be specified.

18 (1) The licence issued by the Traffic Manager shall be valid for one year from the date of issue. If the licensee desires to renew the licence, he shall apply one month before the expiry of the licence and in respect of an application for renewal made after this period a late fee of Rs.100/- for a ship repairing or ship chandling or chipping and painting and Rs.25/- for a miscellaneous trade shall be paid.

Provided that no application for renewal shall be entertained after the actual expiry of the licence period.

(2) If the licence issued to the licensee is lost, a duplicate copy of the licence will be issued to the licensee at his written request and also on payment of Rs.100/- in respect of ship repairing or ship chandling or chipping and painting and Rs.25/- in respect of miscellaneous trades.

19. The Board of Trustees at any time may cancel a licence issued under these regulations without assigning reasons or giving any notice.

20. In respect of ship repairing licence, the licensee should employ not less than two welders certified by a qualified Marine Engineer or a Mechanical Engineer to attend to ship repairing work as provided for in rule 26 of the Port of Tuticorin Rules, 1977 and shall have a properly equipped workshop under the supervision of qualified personnel.

21. Any company, firm or individual desirous of performing the work of either ship repairing or chipping and painting or both shall furnish in writing all relevant information required by the Deputy Conservator and obtain permission of the Deputy Conservator or any other officer authorised by him in this behalf every time before any ship repair or chipping and painting work or both are undertaken on board any ship in the Port.