

Bill Summary

The Marine Aids to Navigation Bill, 2021

- The Marine Aids to Navigation Bill, 2021 was introduced in Lok Sabha on March 15, 2021. The Bill seeks to provide a framework for the development, maintenance, and management of aids to navigation in India. It repeals the Lighthouse Act, 1927, which provides for the maintenance and control of lighthouses in India. Key features of the Bill include:
 - **Application:** The Bill applies to the whole of India including various maritime zones including territorial waters, continental shelf, and exclusive economic zone.
 - **Aid to navigation:** The Bill defines aid to navigation as a device, system, or service, external to the vessels designed and operated to enhance the safety and efficiency of navigation of vessels and vessel traffic. A vessel includes a ship, boat, sailing vessel, fishing vessel, submersible, and mobile offshore drilling units. Vessel traffic service is defined as a service to improve the safety and efficiency of vessel traffic and protect the environment.
 - **Director General of Aids to Navigation:** The Bill provides that the central government will appoint: (i) a Director General, (ii) Deputy Director Generals, and (iii) Directors for districts (which the centre may demarcate). The Director General will advise the central government on matters related to aids to navigation, among others.
 - **Central Advisory Committee:** The central government may appoint a Central Advisory Committee (CAC) and subcommittees consisting of persons representing the interests affected by the Bill, or having special knowledge of the sector. The government may consult the CAC on matters including: (i) establishment of aids to navigation, (ii) additions, alteration, or removal of, any such aids, (iii) cost of any proposal relating to such aids, or (iv) appointment of any sub-committee. Further, the CAC may also appoint sub-committees for additional advice on these matters.
 - **Management of General Aids to Navigation and vessel traffic services:** The central government will be responsible for the development, maintenance, and management of all general aids to navigation and vessel traffic services. Its powers with regard to management of aids to navigation include: (i) establishing, maintaining, adding, altering, or removing any aid to navigation, (ii) authorising to inspect any such aid which may affect the safety of navigation, and (iii) acquiring any land as may be necessary.
- Powers of the central government for management of vessel traffic services include: (i) authorising vessel traffic service provider to operate such service within an authorised area, (ii) accrediting and approving vessel traffic service training and certification, and (iii) adding to, altering, or requiring any person to add to or alter any aspect of a vessel traffic service.
- **Training and certification:** The Bill provides that no person shall be allowed to operate on any aid to navigation (including any ancillary activities), or any vessel traffic service in any place unless he holds a valid training certificate. The central government will accredit training organisations for imparting training to, or conduct assessments of, persons in the operation of aids to navigation and vessel traffic services.
- **Levy of marine aids to navigation dues:** The Bill provides that marine aids to navigation dues will be levied and collected for every ship arriving at or departing from any port in India, at the rate specified by the central government from time to time. The central government may wholly or partially exempt certain vessels from these dues. These vessels include: (i) any government ship, which is not carrying cargo or passengers for freight or fares, or (ii) any other ship, classes of ships, or ships performing specified voyages.
- Any dispute related to the marine aids to navigation dues, expenses, or costs, will be heard and determined by a civil court having jurisdiction at the place where the dispute arose.
- **Heritage Lighthouse:** The central government may designate any aid to navigation under its control as a heritage lighthouse. In addition to their function as aids to navigation, such lighthouses will be developed for educational, cultural, and tourism purposes.
- **Penalties:** The Bill provides certain offences and penalties. For instance: (i) intentionally causing obstruction of, reduction in, or limitation of, the effectiveness of any aid to navigation or vessel traffic service, will be punishable with imprisonment of up to six months, or a fine up to one lakh rupees, or both, (ii) intentionally causing damage to, or destruction of any aid to navigation or vessel traffic services, will be punishable with imprisonment of up to one year, or a fine up to five lakh rupees, or both.

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