

Marine Aids to Navigation Bill 2021

Anchor:

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Participants:

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Context:

The government released the Marine Aids to Navigation Bill, 2021 in Rajya Sabha to replace a nine-decade old law to pave the way for shifting from lighthouses to modern aids for marine navigation. Union Minister of Ports, Shipping, and Waterways, Sarbananda Sonowal moved the Marine Aids to Navigation Bill 2021 in the upper house for consideration and passing.

What is Marine Aids to Navigation?

- India has coasts on both eastern and western sides and on these coasts, many major and minor ports are located where ships come and go with cargo and sometimes with passengers.
- To aid these ships to reach the ports, some kind of guidance is required, which is known as the marine aids to navigation.

Various kinds of Marine Aids:

- There are various marine aids available and the lighthouse is probably the simplest. Lighthouse is a tall tower with a light on top that guides the ship. Now, there are radar beacons which means that a ship can ping a radar beacon that is located either on sea or shore. It responds back with its position.
- Besides this, now each phone has a GPS system that allows us to find directions. The ships also have a GPS system but sometimes the GPS does not have the accuracy to guide a ship in tight waters. Hence, we need an instrument that ensures that the GPS reading which the ships get is accurate so that the ships do not collide with a rock or face a wreck.
- There are some other forms of navigational aids such as buoys on the water. The management of all of these rests with the Central Government.
- The Marine Aids to Navigation Bill, 2021 is trying to move from an era where navigational aids were quite simplistic to an era where navigational aids have become more complex.

Marine Aids to Navigation Bill, 2021:

- The Marine Aids to Navigation Bill is replacing an almost 90 year-old law named the Lighthouse Act, 1927. The Lighthouse Act, 1927 was providing for the regulation of lighthouses and other techniques which would allow ships to safely guide into a port.
- Now, the technology has improved, ships have improved, guidance systems have improved so, there is a need to ensure that there are mechanisms to guide ships that don't just involve a simple light guiding a ship towards a safe passage from the sea to the land.

- The bill 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.

Salient Features of the Bill:

- The bill aims to regulate state-of-the-art technologies of marine navigation, which earlier used to get tangled up in statutory provisions of the Lighthouse Act, 1927.
- The Bill proposes to update the legal framework for new technologies used in vehicle navigation like radar, radar beacons, vessel traffic service (equipment used to monitor vehicle locations), and Long Range Identification and Tracking systems also used for monitoring ship locations.
- The Bill provides for punishing those who knowingly damage a lighthouse as well as equipment in a lighthouse.
- The Bill also proposes to legally synchronize norms in India with the International Association of Marine Aids to Navigation and Lighthouse Authorities Maritime Buoyage System. India is a member of the association.
- Additionally, the Bill provides for the administration and safety of this equipment.

The role of Directorate General of Lighthouses and Lightships (DGLL):

- The tasks performed by the DGLL have gone through massive changes because of technological advancements. These changes were not encompassed in the Lighthouse Act, 1927. Hence, it was required to incorporate the activities under a legal framework.
- The Marine Aids to Navigation bill provides for empowering the DGLL with additional power and functions such as vessel traffic service, wreck flagging, training and certification, implementation of other obligations under international conventions where India is a signatory. It also provides for the identification and development of heritage lighthouses.
- The DGLL can also establish the training issue under Vessel Traffic Service (VTS) personnel which our country does not have.
- Earlier, there was no standard system of functioning to manage the VTS, and the DGLL in the absence of any legislation was not able to fully evolve a uniform system of functioning, mining pattern, uniform training, and certification. Now, the Bill provides strength to the DGLL to incorporate all these things in the system.

Does the bill meet the global standards?

- India is divided into lighthouse districts as one is in Jamnagar, the others in Calcutta, Kochi, and Bombay.
- Now, all these districts and all the personnel working there, and the equipment that is present there should be standardized. It will give a standardized response to all the ships that are coming from either Panama or China or the United States. These responses will not only be received in the ports in India but also in the other ports of the world.

Compartmentalization of different areas under the New Bill:

- The new bill has compartmentalized different areas:
 - The bill says that it is going to establish an authority under the central government which will be in-charge of taking care of all these marine aids of navigation. It implies that they

will decide what are the requirements, training, and certification matters, establishment of institutes where people will learn how to operate these instruments, etc.

- Under the Lighthouse Act, 1927, if certain equipment was not covered in the definition of the lighthouse and somebody tampered with it, then it was not able to punish him or her. With the new bill, the definition of marine aids has been changed and modern navigational aids are being brought into the ambit of the definition. If anyone tampers with this equipment or hampers these instruments, there will be an authority that can prescribe how to punish that person.
- There will be an authority for training and setting up of standards.

Budget for navigational aids:

- In the budget of 2020, the amount allocated for lighthouses was about Rs.480 crores. Now, maintenance of these navigational aids requires money so, the bill provides what kind of charges will be levied on ships that will enter our country because they will be using these navigational aids.
- The central government will prescribe those charges that could be based on the size of the ship, how big a tonnage of the ship is, etc. The money recovered from this will then augment the budget of the country in taking care of these navigational aids, improvement, and maintenance of the aids, and installation of new aids.

Heritage Lighthouses:

- There is one interesting aspect of the bill which is regarding heritage lighthouses.
- The government has listed about 18 lighthouses that are more than 75 years old. The Marine Aids to Navigation bill provides that there are certain lighthouses that will be identified as heritage lighthouses which implies that they will not be actively used for navigation of the ships but as they are part of our heritage, they can be used for educational, tourism and cultural purposes.
- There are some lighthouses which are more than 150 years old.

Role of the Central Government:

- The Marine Aids to Navigation Bill, 2021 provides a framework for the Central Government so that it can pass orders and notification and the authority established by the Central Government under the Ministry of Shipping will then be able to carry out these duties under the mandate of the law.
- Similarly, the law also provides for a number of things. For example, what will happen to the money collected as the maritime dues?
- The Central government also has the power under the new bill to provide notifications about the streamlining of the mechanism for ensuring traffic through ports or through navigational channels.
- This entire mechanism is controlled by the central government and not by the state governments, so it will be common across all states.

Wreck Marking:

- The Bill recommends that in case of a vessel sinking in the open sea, it is the responsibility of the Director-General of Lighthouses and Lightships (DGLL) to mark it if it sinks beyond the sea and the responsibility of the respective ports if the sinking occurs within the port.
- Occasionally, on the request of the ports, the DGLL comes into action for this task but only after receiving the directives from the central government.
- Once the sink is beyond the port water, then the DGLL comes with emergency wreck marking.
- This task was not a direct responsibility of the DGLL as per the Lighthouse Act of 1927 but this task was performed nevertheless. The new bill strengthens the DGLL by including this task under its ambit.

Conclusion:

The Lok Sabha passed this bill in March 2021 and now this has been tabled in the Rajya Sabha to get approval for implementation. With the advent of modern technologically-improved aids to maritime navigation, the role of authorities regulating and operating maritime navigation has also changed drastically. The proposed legislation encompasses a major shift from lighthouses to modern aids of navigation.

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