



Maharashtra Maritime Board



# Maharashtra Water Sports Policy 2015

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## **Abbreviations**

NIWS	National Institute for Water Sports
PBH	Power Boat Handling
LST	Life Saving Techniques
YAI	Yachting Association of India
RYA	Royal Yachting Association

## 1 Introduction

Maharashtra State is endowed with a beautiful and long coastline of 720 km. The state receives nearly 6.6 Crores domestic visitors and 0.5 Crores foreign visitors each year. However, the revenues earned from domestic and foreign tourists in water sports activities has been dismal. Water Sports in Maharashtra has largely remained an unorganised segment services, but it has the promise of being a significant tourist attraction which can generate much higher revenues in Maharashtra.

## 2 Water Sports under the purview of this policy

Water sports that are under the purview of this policy are divided into two categories:

- Motorised and towed
- Non-motorised

### 2.1 Motorised and Towed activities

The following activities are classified under the Motorised or towed water sports:

- Jet-skiing
- Parasailing - A person is towed behind a vehicle(usually a boat) and attached to a parachute
- Boating using power boats
- Barefoot skiing - water-skiing with no skis
- Banana boating
- Cable Skiing – similar to wakeboarding but with cables for artificial manoeuvring
- Skurfing – Participant "skurfs" behind a boat on a surfboard
- Wakeboarding – similar to water skiing, but using only one board attached to the feet
- Water-skiing – is using skis to slide over the water while being pulled by a boat or other device
- Wind Surfing on flat water using wind for propulsion in combination with sails

### 2.2 Non-Motorised activities

The following activities are classified under the Non-motorised water sports:

- Canoeing
- Kayaking
- Water rafting
- Dinghy sailing
- Kite surfing on flat water using a kite for propulsion
- Stand up paddle surfing a surf style board with a paddle, used in flat water or waves
- Skim boarding – a board is used to ride on an incoming wave

Any other water sports activity not specifically covered above may be permitted by MMB after obtaining required license/registration from the authorities competent to grant such license/registration.

### 3 Location of water sports

The Government of Maharashtra, through MMB, shall have absolute right and control over water sports activities carried out at sea and creek along the coast of Maharashtra.

MMB may appoint suitable and competent agencies for conducting various studies and research to determine the carrying capacity. MMB may also appoint suitable agencies for the development and operation of water sports activities in the State. The possible sites where water sports activities can be undertaken are as under:

#### District – Raigad

1. Varsoli	6. Palav	11. Diveagar
2. Kihim	7. Revdanda	12. Shriwardhan
3. Nagaon	8. Akshi	13. Harihareshwar
4. Alibaug	9. Kashid	
5. Akshi Raiwadi	10. Murud	

#### District – Thane

1. Vasai	2. Mandwa
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## District Ratnagiri

1.Areware	5.Harne
2.Ratnagiri	6.Guhagar
3.Ganpatipule	7.Dabhol
4.Murud	8. Anjarle

## District – Sindudurg

1. Malvan

## **4 Application Process**

MMB will invite proposals from reputed agencies/individuals for the selection process to conduct operation for water sports activities at specified locations. The format for the letter of application for selection of operator for water sports activities at each specified location will be enclosed in Request for Proposal (RFP).

## **5 Evaluation of Proposal**

### **5.1 Responsiveness Check**

Prior to evaluation of Bid, the MMB shall determine whether each Bid is responsive to the requirements. A Bid shall be considered responsive if:

- It is received as per the format in RFP.
- It is received before the Bid Due Date including any extension thereof as notified by MMB;
- It is signed and sealed ;
- It contains complete information as requested in the Policy/RFP;
- It contains the EMD (Earnest Money Deposit) as mentioned in the RFP.
- It does not contain any condition.

MMB reserves the right to reject any Bid which is non-responsive and no request for alteration, modification, substitution or withdrawal shall be entertained by MMB in respect of such Bid. Provided, however, that the MMB may, in its discretion, allow the Applicant to

rectify any infirmities or omissions if the same do not constitute a material modification of the Bid.

## 5.2 Evaluation of Proposal (Stage 1)

In Stage 1 of Selection Process, only those technical Bids which are found to be responsive as per point 5.1 of the Policy would be considered for assessment of Technical Criteria. The marking for Technical Evaluation shall be carried out as stated in the table:

Sr. No.	Particulars	Maximum marks	Remarks	Proof/Documents to be submitted
1.	Technical manpower	20	Qualified manpower in water sports activities – 20 marks	<sup>1</sup> Possess qualification from NIWS,RYA,YAI in either a) Power Boat Handling b) Life Saving Techniques
2.	Financial Capability	20	Criteria to be evaluated: Net Worth. Net worth shall be defined as Total Assets minus Total Liabilities  Minimum INR 5 lakhs (5 Marks)  1 mark for every 1 additional lakh of Net worth(maximum up to 15 marks)	Proof of Documents certified by Chartered Accountant in case of Individual and companies. 1. Net Worth statement as on closure of previous financial year
3.	Local Presence	20	If Water sports operator is a resident of the area within-  1.Municipal/Village Limits – 20 Marks 2. Taluka - 15 Marks 3. District - 10 Marks 4. State - 08 Marks 5. Others -- 05 Marks	Proof of permanent residence 1. Ration Card 2. Certificate from ULB/ Panchayat 3. Service Tax Registration Certificate 4. Aadhar Card

### 5.2.1.1 Entity to be evaluated

- 1. Technical Manpower:** If the Applicant is a single entity, then the Applicant shall be evaluated for Technical Manpower. If the Applicant is a Consortium, then all the members of the Consortium shall be evaluated.
- 2. Financial Capability:** If the Applicant is a single entity, then the single entity (Individual/ Sole Proprietor/ Partnership Firm/ HUF/ Company) is to be evaluated. If the Applicant is a Consortium, then the Lead Member shall be

<sup>1</sup> This qualification is in addition to the qualification required as per IV Act, 1917 to man vessels registered under Inland Vessel Act,1917

evaluated. The name and details of the Lead Member will need to be clearly stated in the format as mentioned in the RFP.

3. **Local Presence:** If the Applicant is a single entity, then the single entity (Individual/ Sole Proprietor/ Partnership Firm/ HUF/ Company) is to be evaluated. If the Applicant is a Consortium, then the Lead Member shall be evaluated. The name and details of the Lead Member will need to be clearly stated in the format as mentioned in RFP. If the entity to be evaluated is a Sole Proprietor/ Partnership Firm/ HUF/ Company, then the address of its registered office shall be considered as a proof of residency.

### 5.3 Evaluation of Proposal (Stage 2)

Only those Applicants who score 35 or more marks out of 60 marks In Stage1 of Bid Evaluation shall be considered for Stage 2 of the Evaluation. In this Stage, the Applicants shortlisted from Stage I, shall be required to deliver a presentation on the various types of water sports they will offer, safety standards, number and type of personnel, equipment to be used, etc. The Applicants shall be evaluated on the basis of their presentation for a maximum of 40 marks.

Stage 2	Presentation Round		
	Maximum Marks	Grading	Deliverable
Presentation for the proposed activities and type of water sports	40	Subjective Grading	PowerPoint / Oral presentation

#### 5.3.1.1 Structure of Presentation by Applicants

The content of the power point presentation should cover the following:

1. Proposed water sports activities
2. Proposed Investments
3. Operation and safety measures
4. Manpower deployment
5. Proposed rates to be charged for water sports services
6. Previous experience in water sports services



## 5.4 Short listing of Applicants

Subsequent to Stage 2 evaluation of the Proposal, a combined score (Stage 1 & Stage 2) shall be arrived for all Applicants for each location. It shall be calculated as follows

$$\text{Combined Score} = \text{Score of Stage 1} + \text{Score of Stage 2}$$

A merit list will be prepared according to the combined score obtained by the applicants in Stage 1 and Stage 2. Applicants will be ranked in descending order of the combined score obtained.

## 5.5 Preferred Applicant and Letter of Intent

Subsequent to preparation of merit list of the applicants, MMB will issue Letter Of Intent to a specified number of applicants for each location as deemed fit by MMB at the time of issuance of LOI. The applicants to whom LOI is issued will be called as “Preferred applicants”.

The Preferred applicant, within 7 (seven) days of the receipt of the LOI should sign and return the duplicate copy of the LOI in acknowledgement thereof. In the event the duplicate copy of the LOI duly signed by the preferred Applicant is not received by the stipulated date, MMB may, unless it consents to extension of time for submission thereof, LOI shall stand withdrawn without any liability on MMB and appropriate the EMD of such Applicant as Damages on account of failure of the Preferred Applicant to acknowledge the LOI, and the next eligible Applicant may be considered. MMB shall have the right, exercisable at its sole discretion, to either issue a fresh LOI in favour of the second highest Applicant or to invite fresh Bids.

The LOI will contain the below mentioned prerequisites that the operator will need to adhere to in order to obtain a license from MMB for starting operations of water sports at the allocated location.

## 6 Prerequisites for Licence Agreement

Within 180 days of acceptance of Letter of Intent, the Preferred Applicant shall be liable to fulfil the following conditions for signing of the License Agreement failing which the LOI accorded to the Preferred Applicant permission will be considered null and void without any liability on MMB.

### 1. Financial Closure

- Achieve financial closure and submit proof of the same

- Financial closure has been defined as "a legally binding commitment of equity holders and debt financiers to provide or mobilise funding for the project"

## 2. Procurement of Fleet

- Submit the purchase orders (with its brand, make and model )of the required equipment as per the commitment and presentation delivered by the Preferred Applicant in Stage 2 of the Evaluation of the Technical Proposal

On fulfilment of these pre-requisites as mentioned in Section 6 of this Policy, the preferred operator will be issued license by MMB to operate water sports activities in the demarcated area for the specified location for a period of 2 (two) years from the date of the Licence. On completion of two years of license period, MMB has the right to call for fresh proposal from prospective Applicants through a fresh selection process or renew the existing license.

## 7 Mandatory Operational Requirements

The following shall be the mandatory operating requirements to be abided by the Licensed Operator on issue of the License for the entire License period (including renewal if any).

### 7.1 Employment of Personnel

- The operator should employ at least one qualified person per water sport from NIWS, RYA, or YAI. The operator should submit qualification certificate of the person to be employed.
- The operator should employ personnel as per qualification required under Inland Vessel Act, 1917. The operator should submit qualification certificate of the person to be employed.
- If the operator offers parasailing as a water sport, he has to employ at least two qualified person from NIWS/RYA/ YAI. The Qualified person should have Power Boat Handling (PBH) and Life Saving Techniques (LST) certificates from either NIWS, RYA or YA

### 7.2 Registration of Fleet

- Register all the Motorised Vessels under IV Act, 1917 within 3 months of obtaining license
- Ensure non-motorised vessels have Identification numbers issued by Regional Port Officer of MMB within 3 months of obtaining license

### **7.3 Ticket pricing & Insurance**

- i. Operator shall provide third party insurance to the extent of at least Rs.5.00 lakhs (Rupees Five Lakhs) per passenger.
- ii. Operators shall have the freedom to decide rates and as far as possible, MMB will ensure that the operator follow uniform pricing at all adjacent location within any given area.
- iii. Water Sports operator shall ensure that the ticket rates for each ride with the period of duration is prominently displayed on the beach where water sports activities is being carried out. The ticket rates may be revised from time to time by MMB. If two or more operators operate in a particular beach location then it is advisable to them that they form an association and fix the ticket rates such that the rates are consistent on a particular waterfront. The operator should submit rate fixed by them to MMB.
- iv. The regional MMB officer shall undertake surprise visits to the allocated locations and if operators are found to be in violation of the Mandatory Operational Requirements as mentioned in this Policy document and the conditions as mentioned in the Licensing Agreement and any other safety and operating norms that MMB may deemed to be required, then MMB may charge a penalty or cancel license of the operators. Such decision shall be solely at the discretion of MMB.

### **7.4 Safety and Security**

- i. Operate all water sports activities as per NIWS safety norms. Submit a certificate from NIWS certifying compliance to all NIWS norms. This certificate should be submitted to MMB on an annual basis.
- ii. Operator to maintain visible buoys for clear identification of their specified area
- iii. The operator should procure lifesaving jackets for staff and tourist and produce the bills for the same.
- iv. The operator should procure Medical kits as per the safety standards specified by NIWS.
- v. Ensure the boat used for parasailing has adequate power (minimum of 90 HP) with remote control. It must have a strong point specially built for attachment of parasail.
- vi. For the purpose of providing guidance, monitoring such activities and providing timely help when a craft is in distress, it is necessary that life guards are employed as per the NIWS safety norms. They should be given necessary training and provided with spare equipment such as life jackets, life buoys, buoyant apparatus, rescue quoits etc.

- vii. For communication, the operators of small crafts should carry mobile phone and the big crafts and in addition they should be provided with VHF. Similar facilities should be provided on shore for close monitoring of crafts with an aim to provide timely help as and when necessary.
- viii. Operator should submit a proof of police verification for all personnel employed in water sports to MMB. Every water sports operator will be provided with photo ID cards for its personnel by MMB which should be prominently displayed by the operator's employee while carrying out water sports activities. The operator will furnish names, qualifications, proof of no criminal records and police verification certificate of all staff & personnel to the MMB to issue photo identify cards on payment of Rs.100/- each.
- ix. Operators should ensure that trainers as well as tourists wear life vests or life jackets for all activities. The lifesaving equipment shall be provided by the operators.
- x. Safety and medical facilities will be provided by the operator.
- xi. Water sports operator shall operate water sports activity in the specified/ earmarked area only and within visual range so as to be clearly visible from shore. Water crafts less than two (2) Net Tonnage (NT) shall not operate beyond one (1) Nautical Mile (NM) from the shore. Crafts between two (2) NT to fifteen (15) NT shall not operate beyond three (3) NM. Distances are further subject to local weather conditions and decision of the MMB, as the case maybe.
- xii. There will be sufficient number of sign boards for tourist to identify designated water sports areas from tourist spots. Water sports shall be allowed only in the designated
- xiii. The crafts less than two (2) NT will be provided with one life buoy and the crafts between two (2) NT and fifteen (15) NT will be provided with two life buoys. The crafts should also be provided with some rescue quoits, fire buckets, fire extinguisher (4.5 Kg dry chemical power (DCP) fire extinguisher 1 No for crafts less than two (2) NT and mechanical foam fire extinguisher plus 4.5 Kg DCP type fire extinguisher 1 No each for crafts between 2 to 15 NT). These requirements do not apply to jet-skis
- xiv. Jet-skis and other crafts provided with outboard motors shall have automatic engine cut out arrangements in case of crafts capsizing. It is imperative for jet-ski operators to ensure that automatic engine cut off is working properly. Jet-ski users have to make arrangements to have this activated.
- xv. For parasailing, no operator shall allow more than two (2) passengers to take a ride on a single chute at a time.

- xvi. A rescue boat must be made available by a group of operator in full readiness during the entire period of water sports operations. This boat must be powered by an outboard motor of minimum ten (10) HP. A certified lookout cum boat driver must be at standby near the boat. The boat as well as the lookout should not be involved with any other activity while on rescue duty.

## **7.5 Timing**

Water sports activities on the beaches/ inland waters will be carried out from 6.30 a.m. to 6.30 p.m. or before sunset whichever is earlier. No water sports activities will be carried on in unsafe weather conditions, monsoons, period of storm, or any such period banned or notified by the competent authority. MMB or competent authority shall demarcate areas in the sea as swimming zones and activity zones by installing demarcation buoys. The demarcated areas would comprise of water sports corridors, water sports activity area, safe swimming and bathing areas, etc. MMB may therefore appoint a suitable agency to get demarcation, installation and maintenance of zones, done as above after following due formalities.

## **7.6 Miscellaneous**

- i. Parasail log books with columns prescribed by NIWS, RYA, and YAI should be strictly maintained by the operator and will be shown on demand to the official of MMB or to any other authority.
- ii. Care should be taken not to offend the local people in any way or to harm the flora and fauna of the area
- iii. No foreigners shall be permitted to work as an operator on instructor or as a partner without valid Work Visa and the approval of the Government of Maharashtra.

## **8 Allotment of Beach Front**

MMB or Competent authority will demarcate area in the sea as swimming zone and activity zones by installing demarcation buoys. The demarcated areas would comprise of water sports corridors, water sports activity area, safe swimming and bathing areas etc. MMB will have the final right to decide the maximum numbers of operators on one stretch of beach or bank. Number of water sports operators will depend on the number of visitors, number of water sports activities. Operator with more number of water sports activities are likely to given more beach front.

## 9 Various Fees/Deposits Paid to MMB

1. Passenger License fee per annum : As per Govt. notification in force
2. Refundable Security Deposit

The operator should pay the refundable security deposit in the form of a DD within one month from the date of obtaining license.

- a. For the first craft – Rs.10, 000 (Rupees Ten thousand)
- b. For every craft thereafter Rs.5,000 (Rupees Five thousand) per craft

3. Passenger fees in lieu of Levy:

The operator should pay annual passenger fees in lieu of levy before the start of the fair season. The payment should be made as per conditions given below. MMB reserves the right to cancel the license if the payment is not received in time.

### **Motorised and Non-motorised Vehicle**

- a. Rs. 10,000 per annum per motorised vessel
- b. Rs. 5000 Per annum per non-motorised vessel / ATV

### **Parasailing**

Rs. 50,000 per annum for parasailing

The passenger fees may be revised from time to time by MMB.

## 10 Penalty

In the event of breach of any of the requirements specified in this policy the operator shall not be allowed to operate any water sports activity and a fine which may extend up to 10,000 shall be levied and recovered from the operator and the registration / licence is liable to be suspended / cancelled.

## 11 Compliance with the new policy for existing operators

All the existing water sports operator need to comply with the New water sports policy 2015 within one year from the date of publication of the policy failing which MMB may cancel the licences of such operators.