

PROTOCOL ON INLAND WATER TRANSIT AND TRADE

In pursuance of Article VIII of the Trade Agreement entered into between the Government of the Republic of Bangladesh and the Government of the Republic of India on the <sup>12-19th</sup> February, 2011 wherein the two Governments agreed to make mutually beneficial arrangements for the use of their waterways for commerce between the two countries for passage of goods between two places in one country through the territory of the other, in accordance with the laws of the country through the territory of which goods are moving, it is further agreed as following:

**1. Definition:**

For the purpose of this Protocol unless the context otherwise requires:

1.1 The term "Competent Authorities" will mean the authorities authorized by the respective Government:

1.2 The term "route" will refer to the routes:

(1) Kolkata-Haldia-Raimongal-Chalna-Khulna-Mongla-Kaukhali-Barisal-Hizla-Chandpur-Narayangonj-Aricha-Sirajganj-Bahadurabad-Chilmari-Dhubri-Pandu-Silghat.

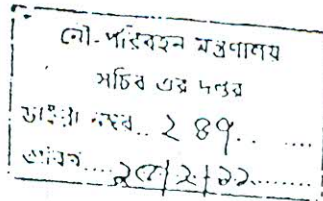
(2) Silghat-Pandu-Dhubri-Chilmari-Bahadurabad-Sirajganj-Aricha-Narayangonj-Chandpur-Hizla-Barisal-Kaukhali-Mongla-Khulna-Chalna-Raimongal-Haldia-Kolkata.

(3) Kolkata-Haldia-Raimongal-Mongla-Kaukhali-Barisal-Hizla-Chandpur-Narayangonj - Bhairab Bazar - Ashuganj- Ajmiriganj- Markuli-Sherpur- Fenchuganj- Zakiganj-Karimganj.

(4) Karimganj-Zakiganj-Fenchuganj-Sherpur-Markuli-Ajmiriganj-Ashuganj-Bhairab Bazar-Narayangonj-Chandpur-Hizla- Barisal-Kaukhali-Mongla-Raimongal-Haldia- Kolkata.

(5) Rajshahi-Godagari-Dhulian.

(6) Dhulian-Godagari-Rajshahi



(7) Karimganj-Zakiganj-Fenchuganj-Sherpur-Markuli-Admiriganj-Bhairab Bazar-Narayangonj-Chandpur-Aricha-Sirajganj-Bahadurabad-Chilmari-Dhubri-Pandu-Silghat.

(8) Silghat-Pandu-Dhubri-Chilmari-Bahadurabad-Sirajganj-Aricha-Chandpur-Narayangonj-BhairabBazar-Admiriganj-Markuli-Sherpur-Fenchuganj-Zakiganj-Karimganj

or such other routes as may be prescribed by the Competent Authorities from time to time.

1.3 The term "Vessels" will mean the watercrafts which are registered under the Inland Shipping Ordinance, 1976 as amended from time to time in case of Bangladesh vessels and Inland Vessels Act, 1917, as amended from time to time in case of Indian Vessels. This will cover vessels which carry only commercial goods stated in the preamble of the Protocol.

## 2. Conservancy and Pilotage:

2.1 Each country will maintain the river routes falling within its territory in a navigable condition and provide all the essential pilotage and conservancy services, including hydrographic surveys and supply of charts, if prepared and available for commercial navigational-use to inland water transport operators and aids to night navigation where facilities for such navigation already exist.

2.2 Acknowledging that there may be routes or parts of routes in one country, primarily being used by the transit traffic of the other, the country maintaining such routes will provide aids to night navigation on such routes, provided the country using such routes pays, by mutual agreement, for the installation and maintenance of such aids. The amount to be paid and the manner of its payment shall be mutually agreed upon by the two sides.

## 3. Port dues and other charges:

3.1 Port dues may be levied by the competent authorities in either country on the vessels belonging to the other country and engaged in inter country trade.

3.2 The competent authorities in either country may also levy on the vessels of the other country charges for conservancy, pilotage and

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other specific services at par with those charged from the local vessels. The charges will be determined with reference to cargo carrying capacity of the vessels, as applicable to local vessels. Charges for such services shall be paid within 30 (thirty) days of receipt of the bills by the Competent Authority, failing which further voyage will not be permitted.

3.3 Acknowledging that one country may be required to maintain routes or parts of routes primarily on account of the transit traffic of the other, the country utilizing such routes will provide to the other country an agreed sum of money for the maintenance of such routes including conservancy and pilotage.

3.4 The routes between Sirajganj and Daikhawa in the Northern Delta Section of the River Jamuna-Brahamaputra and the route between Sherpur and Zakiganj in the North Eastern Delta Section of the Kushiara river are recognized by both sides as routes being maintained primarily for the use of Indian transit traffic.

3.5 For the maintenance of the above mentioned services on these routes, the Government of India will pay to the Government of Bangladesh in convertible currency an amount of BD taka 550 lakh for the period April 1, 2011 to March 31, 2012.

#### 4. Handling facilities:

Each country will permit the vessels of the other country to utilize all available cranes and other handling facilities on the same terms and conditions as are applicable to local vessels.

#### 5. Supply of bunkers:

The vessels of either country plying between the two countries and also between places in the same country through the other country will be permitted to purchase the fuel required by them for the purpose of their operations on payment of the convertible currency. Vessels of one country may be bunkered at the following points of other country:

<u>Bangladesh</u>	<u>India</u>
Sheikbaria	Kolkata
Mongla	Budge Budge

