

The on the part of the
accused when



**ASSIGN
BUSTER**

The prosecution must establish either knowledge or negligence on the part of the accused when he conveys any person by water in any vessel.

The section also applies when a person is caused to be conveyed by water in any vessel on payment of money. In either case the condition of the vessel must be such, or it must be so overloaded, as to be dangerous to the life of that person who has boarded it. The Supreme Court has held in *V. R.*

Bhate v. State, that where there was no barricading at the jetty at a port and neither any policeman nor any other authorised person of the motor launch firm was there to control traffic and supervise allied matters, and on arrival of the launch the passengers wanted to come out while the others waiting wished to board it, and in the stampede the launch got disbalanced and capsized, no conviction under section 282 could be maintained, even though liability under section 58 of the Inland Steam Vessels Act for overloading did exist. The offence under this section is cognizable, bailable and non-compoundable, and is triable by any magistrate.