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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Legislative

DEPARTMENT

G.O. No.
B.P. No.

91

Press
Mis.

Dated

1.6.1885

197

(A)

Not to be folded or roughly handled

பாதுகாப்பு பிரிவு

செய்விருப்பவர் பெயர் : ரா. சிவாமி செவ்

செய்விருவதற்காக எடுத்துக் 11/08 — 2/09

கொள்ளப்பட்ட நாள்.

செய்விரு முடிந்த நாள்.

25/2/09

சரிபார்க்கும்

முதல் முநிபாள

கையொப்பம்

25/2/09

சரிபார்க்கும்

2ம் முநிபாள

கையொப்பம்

25/2/09

ஆராய்ச்சி

உதவியாளர்

கையொப்பம்

MADRAS

ACT No. III of 1885.

An Act to make provision for the levying of landing and shipping fees within the outports of the Presidency of Fort St. George.

WHEREAS it is expedient to make rules and regulations for the levying of landing and shipping fees within the outports of the Presidency of Fort St. George, it is enacted as follows :—

PART I.—PRELIMINARY.

1. This Act may be called the Madras Outports Landing and Shipping Fees Act, 1885. It shall come into force in any port within the Presidency of Fort St. George from such date as the Governor in Council may by notification in the Fort St. George Gazette direct.

2. Act No. III of 1883 (The Cocanada Port Dues Act, 1883) shall be repealed on and from the date on which this Act is brought into force in the port of Cocanada, save so far as relates to offences committed, acts done and penalties incurred before this Act came into force.

Interpretation clause.

3. In this Act unless there shall be something repugnant in the subject or context—

(1) "Port" means the space within such limits as may from time to time be defined by the Government for the purposes of this Act by notification in the Fort St. George Gazette, and until a notification is so issued within such limits as may have been defined by the Government under the provisions of Act XII of 1875 (Indian Ports Act).

"Vessel." (2) "Vessel" denotes anything made for the conveyance by water of human beings or property.

(3) "Owner," when used in relation to goods, includes any consignor, consignee, shipper or agent for the sale, custody, landing or shipping of such goods.

"Goods." (4) The word "goods" includes wares and merchandise of every description.

PART II.—OF THE PAYMENT OF LANDING AND SHIPPING FEES.

4. Landing and shipping fees, according to the rates which may be fixed from time to time, shall be levied upon all goods, carts, carriages, animals, baggage, and other articles landed from or shipped into any vessel lying or being within the limits of any port within the Presidency of Fort St. George to which this Act may be applied. Such fees shall be payable in addition to all tolls and charges now lawfully levied within such port : Provided that no rates shall be fixed under the provisions of this Act without the previous sanction of the Governor-General in Council.

5. Such rate shall be notified in the *Fort St. George Gazette* at least one month before the date from which the same shall become payable, and shall be legibly painted in the English, Tamil, Telugu, and Hindustani languages on boards exhibited at the places appointed under section 6.

Rules.

6. The Government may from time to time make rules—

- (a) Appointing places where goods intended for shipment or landed from ships within the port are to be placed for the purpose of assessing the fees payable under this Act.
- (b) Regulating the manner in which such fees shall be assessed and the time when they shall be paid.

Such rules and any alteration or cancellation thereof shall be published in the *Fort St. George Gazette*, and shall thereupon have the force of law.

7. The Governor in Council shall appoint an officer of Government to levy and receive all fees payable under this Act, and to pay the same into such treasury, and keep such accounts as the Government may from time to time prescribe. The officer so appointed may, with the sanction of the Government, appoint such persons as he shall think fit to assist him in carrying out the provisions of this Act, all of whom shall wear a distinguishing badge of a kind to be prescribed by such officer.

8. It shall be lawful for the officer of Government appointed under this Act or any of his assistants to detain any such goods until the lawful fees are paid; it shall be the duty of such officer to give notice in writing to the owner or consignee if known stating the amount of fees and charges payable in respect of such goods, and in the event of such payment being refused or delayed for the space of fourteen days from the date of such notice if the owner or consignee of such goods shall be in the port concerned, or otherwise for the space of one calendar month from the date on which such fees are payable, it shall be lawful for such officer of Government to sell or cause to be sold by public auction the said goods, and after paying the expenses of such detention and sale and double the amount of the fees by way of a fine, to pay the surplus, if any, of the proceeds of the sale to the owner or consignee or other person entitled thereto, if claimed within six months from the date of sale.

Provided that, if the goods are of a perishable nature, the said officer of Government may sell the same or cause them to be sold at such earlier period being not less than 24 hours after the landing of the goods as he shall think fit.

Proviso.

PART II.—PENALTIES.

9. Whoever removes, or attempts to remove, or abets within the meaning of the Indian Penal Code the removal of any goods, with the intention of evading payment of any fees payable under this Act, and whoever wilfully infringes or acts in contravention of any rule made under section 6, shall on conviction before a Magistrate be punishable with fine, which may extend to one hundred rupees, or in default of payment to simple or rigorous imprisonment as defined in the Indian Penal Code for a term which may extend to two months.

I certify this to be a true copy, and that the Act received the assent of the Right Honble the Governor of Madras on the 10th instant.

*Col. Commandant
21st April 1885.*

I assent to this Law

*H. H. Stuart
Ag. Asst. Secy to Govt.
Legislative Dept.*

Disson

Viceroy & Governor General

*Simla
The 15th May 1885*

Legislative Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following letter

*from the Government of India, Legislative Department,
dated 18th May 1885, No 846.*

Order. 18 June 1885, No 91.

Ordered that a copy of the "Madras Bill to Land and Shipping Fee Act" assented to by the Governor General, be published in the Fort Saint George Gazette.

2. The necessary steps will be taken in the Marine Deptⁿ for bringing the Act into operation.

3. The assent of the Governor General to the Act will be communicated.

to the Council for making
Laws and Regulations,
as prescribed by rule 39
of the Council Rules.

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To
The Marine Dept.

No. 846

FROM

D. Fitzpatrick, Esquire,

Secretary to the Government of India,

LEGISLATIVE DEPARTMENT,

TO

Acting Assistant

THE SECRETARY TO GOVERNMENT OF

Fort Saint George,

Legislative Department

Dated Simla, the 18th May, 1885.

SIR,

I am directed to return herewith with the
assent of His Excellency the Viceroy and Governor
An Act to make provision for General signified thereon
the levying of landing and shipping } the authentic copy of the
fees within the outports of the Presidency } law noted on the margin
of Fort Saint George - } which was received with

your letter No 83, dated 21st April, 1885 to the
address of the Secretary to the Government of India,
Department of Finance and Commerce.

I have the honour to be,

Sir,

Your Obedient Servant,

D. Fitzpatrick

Secretary to the Govt. of India

Legislative 1885 rept.

From

The Government of India
Legislative Dept.
No 846.

Dated 18th May 1885.
Recd 26th do

No 59.

Returning the
Madras Outports Landing
& Shipping Fees Act with
the assent of His Ex. the
Governor General signifies
thereon.

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