

(1) Number of pages 13.
 (2) Date of repair 10-9-38
 (3) Initials of the Referencer CF

MADRAS RECORD OFFICE.

Government of Madras.

Marine

DEPARTMENT.

G.O. No.	252	Press Mis.	<i>Original</i>
Dated	16-6-	1811	

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following paper:—

From E. J. SINKINSON, Esq., Officiating Secretary to the Government of India, Department of Finance and Commerce, to the Chief Secretary to the Government of Madras, dated Simla, 13th May 1889, No. 2382.

I am directed to acknowledge the receipt of your letter, No. 101 (Marine), dated the 18th March 1889, stating that the Government of Madras has decided to omit from the Madras Boat Rules the provisions for the infliction of corporal punishment, and that the Madras Acts, noted in the margin, may be repealed if

	Act IV of	1842.
	" IX of	1846.
Madras	" IV of	1869.
"	" II of	1873.
"	" I of	1877.

clause (k) of section 6 of the Ports Bill is amended in the manner indicated so as to give power to the local Government to make rules for inspecting catamarans, &c., plying for hire, and for fixing the rates of hire payable for the use of such vessels. It is also suggested that power should be given to Magistrates, under section 53 of the Bill, to inflict a higher penalty for breaches of the rules than is there specified.

2. I am to say that the Ports Bill was passed into law as Act X of 1889 before the receipt of your letter, and that the amendment suggested in section 6 cannot now be made.

3. It does not seem, however, that the amendment is in fact required, for section 6, clause (k), read with section 15 of the Act, appears to provide sufficiently for the powers required. Inspection should precede the grant of a license which may be given on such conditions as the local Government thinks fit to impose, and it may also follow upon the grant of a license in order to ensure that the conditions of the license are maintained. Inspection is also specially provided for in section 15.

4. In regard to the proposed imposition of a higher penalty than the fine of Rs. 100 prescribed in section 54 of the Act, I am to say that no other local Government has expressed the opinion that the penalty is inadequate, and that the Governor-General in Council, as at present advised, considers that it is sufficiently deterrent for the class of men concerned.

5. I am now to request that if His Excellency the Governor in Council sees no objection, he will again take into consideration the expediency of repealing the Acts referred to, without reference to the amendment of the Indian Ports Act.

ORDER—dated 14th June 1889, No. 252, Marine.

Communicated to the Presidency Port Officer, with reference to—
Paragraph 3 of G.O., No. 14, dated 16th January 1889,
Paragraph 3 of G.O., No. 100, dated 18th March 1889,
Paragraph 2 of G.O., No. 205, dated 13th May 1889.

2. The revised rules should be submitted to the Advocate-General who will consider whether any fresh local enactment will be necessary to legalise such portions of the rules as may not be covered by section 6 (k) and 15 of Act X of 1889.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Presidency Port Officer.
„ Government Solicitor.
„ Chairman, Harbour Trust Board.
„ Revenue Department.

Govt. of (1889) Madras.
MARINE.

Issued

Recd.

Encl.

G.O., 14th June 1889, No. 252.

JUNE.

Madras Boat Rules.

Communicating to the Presidency Port Officer letter from the Government of India regarding the repeal of the Madras Boat Acts referred to, and directing the submission of the revised boat rules to the Advocate-General.

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N^o 2382.
Govern... of India
Finance and Commerce Department.
Simla, the 13th May 1889.

To
The Secretary to the
Government of Madras.
Marine Department.



Sir,

I am directed to acknowledge the receipt of your letter N^o 101 (Marine), dated the 18th March 1889, stating that the Government of Madras has decided to omit from the Madras Boat Rules the provisions for the infliction of corporal punishment, and that the Madras Acts, noted in the margin, may be repealed if clause (K) of section 6 of the Ports Bill is amended in the manner indicated so as to give power to the Local Government to

Act IV of 1842
" IX of 1846
Madras
Act II of 1869
" " II of 1873
" " I of 1877

to inspecting

fixing the rates of hire payable for the use of such vessels. It is also suggested that power should be given to Magistrates under Section 53 of the Bill to inflict a higher penalty for breaches of the rules than is there specified.

2. I am to say that the Ports Bill was passed into law as Act X of 1889 before the receipt of your letter, and that the amendment suggested in Section 6 cannot now be made.

3. It does not seem however that the amendment is in fact required, for section 6. Clause (K) read with section 15 of the Act appears to provide sufficiently for the powers required. Inspection should precede the grant of a license which may be given on such conditions as the local Government thinks fit to impose, and it may also follow upon the grant of a license in order to ensure that the conditions of the license are

are maintained. Inspection is also specially provided for in Section 15.

4. In regard to the proposed imposition of a higher penalty than the fine of Rupees 100 prescribed in Section 54 of the Act, I am to say that no other local Government has expressed the opinion that the penalty is inadequate and that the Governor General in Council, as at present advised, considers that it is sufficiently deterrent for the class of men concerned.

5. I am now to request that if His Excellency the Governor in Council sees no objection he will again take into consideration the expediency of repealing the Acts referred to without reference to the amendment of the Indian Ports Act.

I have the honour to be,
Sir,
Your most obedient servant,

J. J. Dickinson

Off. Secy. to Govt.

Maine Department

Cms 494

To

The Govt of India
7a C Sept

No 2382

Dated 13
Recd 20 3 May 89

Enquiring about the expediency of
repealing certain acts without
amending the Amendment of the Indian
Act

1000 1000 1000 1000

1000

all bills
100

100
11/100

Drafting bills in our
own business

100

Marine Dept

100 100 100 100

Order 14 June 189 252

Communicated to the
Presidency Post Office with
reference to

para 3 of L.O. 14, d/16-1-89

para 3 of L.O. 100, d/18-3-89

para 2 of L.O. 205, d/13-5-89

2. The revised rules should
be framed in consultation
with the Advocate General
who will consider whether
any fresh local enactment will
be necessary to legalize such
portions of the rules as may
not be covered by sections 6
(K) & 15 of Act X of 1889. In
that case a draft bill
should be submitted for the
consideration of Government.
The various local enactments
at present in force referred
to

of the Govt of India
being rephrased.

Repeal of Local Board
Acts.

all the documents
this office has received
in reference to the
draft of the Bill
and the Committee

H.M.

The Secretary
Advocate General
Chairman H. J. B. D.
and Revenue
Commissioner
of the District

494 - a

80

- A - Print in full.
- B - Not to be printed.
- C - Print abstract only.
- D - Print heading only.
- E - Print, but not for circulation.

Note for deposit
in the
Department

ORDINARY PRINTED

Marine

14-6-87

No. 252.

29.7.19
21.11.29

Printed and sent to Press 17.6

Printed for signature 25/6

Printed in print 25/6

Madras Boat Rules

Communicated to the
P. P. O. Letter from the
Govt of India regarding
the repeal of the Madras
Boat Acts referred to
and directing the sub-
mission of the revised
boat rules to the
Advocate General