

Indian Ports Act, 1908

Chapter IV - Rules for the Safety of Shipping and the Conservation of Ports

Section 19 - Injuring buoys, beacons and moorings

(1) No person shall, without lawful excuse, lift, injure, loosen or set adrift any buoy, beacon or mooring, fixed or laid down by, or by the authority of, the 1[Government] in any port subject to this Act.

(2) If any person offends against the provisions of this section, he shall for every such offence be liable, in addition to the payment of the amount of damage done, to fine which may extend to two thousand rupees, or to imprisonment for a term which may extend to two years.

1. Substituted for the words 'Local Government' by A.O., 1937 (1-4-1937).

Section 20 - Willfully loosening vessel from moorings

If any person willfully and without lawful excuse loosens or removes from her moorings any vessel within any such port without leave or authority from the owner or master of the vessel, he shall, for every such offence, be punishable with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to six months.

Section 21 - Improperly discharging ballast

(1) No ballast or rubbish and no other thing likely to form a bank or shoal or to be detrimental to navigation, shall, without lawful excuse, be cast or thrown into any such port or into or upon any place on shore from which the same is liable to be washed into any such port, either by ordinary or high tides, or by storms or land-floods and [and no oil or water mixed with oil shall be discharged in or into any such port, to which any rules made under Clause (ce) of Sub-section (1) of Section 6 apply, otherwise than in accordance with such rules].

(2) Any person who by himself or another so casts or throws any ballast or rubbish or any such other thing¹[or so discharges any oil or water mixed with oil], and the master of any vessel from which the same is so cast,²[thrown or discharge], shall be punishable with fine which may extend to³[five lakh rupees] and shall pay any reasonable expenses which may be incurred in removing the same.

(3) If, after receiving notice from the Conservator of the Port to desist from so casting or throwing any ballast or rubbish or such other thing¹[or from so discharging any oil or water mixed with oil, any master continues so to cast⁴[throw or discharge the same], he shall also be liable to simple imprisonment for a term which may extend to⁵[one year and to fine which may extend to five lakh rupees].

(4) Nothing in this section applies to any case in which the ballast or rubbish or such other thing is cast or thrown into,¹[or the oil or water mixed with oil is discharged in or into], any such port with the consent in writing of the Conservator, or within any limits within which such act may be authorized by the⁶[Government].

1. Inserted by the Indian Ports (Amendment) Act, 1923 (39 of 1923), Section 3.

2. Substituted for the words 'or thrown' by the Indian Ports (Amendment) Act, 1923 (39 of 1923), Section 3.

3 . Substituted for the words "five hundred rupees" by Indian Ports (Amendment) Act (23 of 1992), Section 4 (12-8-1992).

4. Substituted for the words 'or throw it' by the Indian Ports (Amendment) Act, 1923 (39 of 1923), Section 3.

5. Substituted for the words "two months" by Indian Ports (Amendment) Act (23 of 1992), Section 4 (12-8-1992).

6. Substituted for the words 'Local Government' by A.O., 1937 (1-4-1937).

Section 22 - Graving vessel within prohibited limits

If any person graves, breams or smokes any vessel in any such port, contrary to the directions of the Conservator, or at any time or within any limits at or within which such act is prohibited by the [1](#) [Government], he and the master of the vessel shall for every such offence be punishable with fine which may extend to five hundred rupees each.

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1. Substituted for the words 'Local Government' by A.O., 1937 (1-4-1937).

Section 23 - Boiling pitch on board vessel within prohibited limits

If any person boils or heats any pitch, tar, resin, dammer, turpentine, oil or other such combustible matter on board any vessel within such port, or at any place within its limits where such act is prohibited by the [1](#)

[Government], or contrary to the directions of the Conservator, he and the master of the vessel shall for every such offence be punishable with fine which may extend to two hundred rupees each.

1. Substituted for the words 'Local Government' by A.O., 1937 (1-4-1937).

Section 24 - Drawing spirits by unprotected artificial light

If any person, by an unprotected artificial light, draws off spirits on board any vessel within any port subject to this Act, he and the master of the vessel shall for every such offence be punishable with fine which may extend to two hundred rupees each.

Section 25 - Warping

(1) Every master of a vessel in any port subject to this Act shall, when required so to do by the conservator, permit warps or hawsers to be made fast to the vessel for the purpose of warping any other vessel in the port, and shall not allow any such warp or hawser to be let go until required so to do.

(2) A master offending against Sub-section (1) shall be punishable for every such offence with fine which may extend to two hundred rupees.

Section 26 - Leaving out warp or hawser after sunset

(1) A master of a vessel shall not cause or suffer any warp or howser attached to his vessel to be left out in any port subject to this Act after sunset in such a manner as to endanger the safety of any other vessel navigating in the port.

(2) A master offending against Sub-section (1) shall be punishable for every such offence with fine which may extend to two hundred rupees.

Section 27 - Discharge of firearms in port

If any person, without lawful excuse, discharges any firearms in any port subject to this Act, or on or from any pier landing place, wharf or quay thereof, except a gun loaded only with gun-powder for the purpose of making a signal of distress, or for such other purpose as may be allowed by the [1](#) [Government], he shall for every such offence be punishable with fine which may extend to fifty rupees.

1. Substituted for the words 'Local Government' by A.O., 1937 (1-4-1937).

Section 28 - Penalty on master omitting to take order to extinguish fire

If the master of any vessel in which fire takes place while lying in any such port willfully omits to take order to extinguish the fire or obstructs the conservator or the port-officer, or any person acting under the authority of the conservator or port officer, in extinguishing or attempting to extinguish the (SIC) he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Section 29 - Unauthorised person not to search for lost stores

(1) No person, without the permission of the conservator shall, in any port subject to this Act, creep or sweep for anchors, cables or other stores lost or supposed to be lost therein,

(2) If any person offends against the provisions of Sub-section (1), he shall be punishable with fine which may extend to one hundred rupees.

Section 30 - Removing stones or injuring shores of port prohibited

(1) No person without the permission of the conservator shall in any port subject to this Act remove or carry away any rock, stones, shingle, gravel, sand or soil or any artificial protection from any part of the bank or shore of the port;

and no person shall sink or bury in any part of such bank or shore, whether the same is public or private property, any mooring-post, anchor or any other thing or do any other thing which is likely to injure or to be used so as to injure such bank or shore, except with the permission of the conservator, and with the aid or under the inspection of such person, if any, as the conservator may appoint to take part in or overlook the performance of such work.

(2) If any person offends against Sub-section (1), he shall for every such offence be punishable with fine which may extend to one hundred rupees and shall pay any reasonable expenses which may be incurred in repairing any injury done by him to the bank or shore.

Section 31 to 32 - Special Rules

Section 31 - Moving of vessels without pilot or permission of harbour-master

(1) No vessels of the measurement of two hundred tons or upwards shall enter, leave or be moved in any port to which this section has been specially extended without having a pilot, harbour-master or assistant of the port-officer or harbour-master on board;

¹[and no mechanically propelled vessel of any measurement less than two hundred tons and no other vessel of any measurement less than two hundred tons and exceeding one hundred tons] shall enter, leave or be moved in any such port without having a pilot, harbour-master or assistant of the port-officer or harbour-master on board, unless authority in writing so to do has been obtained from the conservator or some officer empowered by him to give such authority:

²[Provided that the³[Government] may, by notification in the⁴[Official Gazette], direct that in any port specified in such notification the provisions of this sub-section shall not apply to sailing vessels of any measurement not exceeding a measurement so specified.]

⁵(2) Notwithstanding anything in sub-section (1), the owner or master of a vessel which is by that sub-section required to have a pilot, harbour master or assistant of the post-officer or harbour-master on board, shall be answerable for any loss or damage caused by the vessel or by any fault of the navigation of the vessel, in the same manner as he would have been if he had not been so required by that sub-section:

Provided that the provisions of this sub-section shall not take effect till the first day of January, 1918, or such earlier date as the⁴[Central Government] may notify in that behalf in the⁴[Official Gazette].]

⁶(3) If any vessel, except in case of urgent necessity, enters, leaves or is moved in the port contrary to the provisions of sub-section (1), the master of the vessel shall for every such offence be punishable with fine which may extend to two hundred rupees, unless upon application to the proper officer the master was unable to procure a pilot, harbour-master or assistant of the port-officer of harbour-master to go on board the vessel.

1. Substituted for "and no vessel of any measurement less than two hundred tons and exceeding one hundred tons" by the Indian Ports (Amendment) Act, 1952 (55 of 1952), S. 3 (9-8-1952).
2. Inserted by the Indian Ports (Amendment) Act, 1925 (36 of 1925), S.2.
3. Substituted for the words 'Governor-General in Council' by A.O., 1937 (1-4-1937).
4. Substituted for the words 'Gazette of India' and Governor-General in Council' by A.O., 1937.
5. Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), section 5(i).
6. The original sub-section (2), (3) and (4) were renumbered as sub-section (3), (4) and (5) respectively, *ibid*, section 5(ii).
7. Sub-sections (4) and (5) as renumbered by Act 6 of 1916, were omitted by Act 36 of 1925, section 2.

Section 32 - Provision of certain vessels with fire-extinguishing apparatus

- (1) Every vessel exceeding the measurement of two hundred tons and lying in any port to which this section has been specially extended shall be provided with a proper force pump and hose and appurtenances, for the purpose of extinguishing any fire which may occur on board.
 - (2) The master of such vessel who, having been required by the conservator to comply with the provisions of sub-section (1), neglects or refuses, without lawful excuse, so to do for the space of seven days after such requisition, shall be punishable with fine which may extend to five hundred rupees.
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