

Ports Act, 1908

Section 4 - Power to extend or withdraw the Act or certain portions thereof

1) 3 (b) [b] The words "with the previous sanction of the Governor-General in Council" were omitted by the Indian Ports (Amendment) Act, 1916(6 of 1916). S. 2. [* * *] The 3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937). [Government] may, by notification in the Official Gazette,- (a) extend this Act, to any port 3 (c) [c] For extension of the Act to the ports in the Andaman and Nicobar Islands' and for the limits of such ports for the purpose of this Act, see S.R.O., 48. D/- 30-12-1952, published in Gaz. of Ind., 1953, Pt. II, S. 3, p. 27. For extension of the Act to the Port of Kandla and for the limits of that port for the purpose of this Act, see Notification No. 19-P(82)/48/I, D/-31-1-1950 published in Gaz.of Ind., 1950, Pt. I, Sec. I, p. 178.For extension of the Act to each of the Kutch group of ports of Mundra, Mandvi, Koteswar, Lakhpat,Jhangi and Jakhan w.e.f. 8-9-1950, see Notification No. 20-M (1)/50-I, D/- 4-7-1950, published in Gaz. of Ind., 8-7-1950, Pt. I, S.1, p. 216: For extension of the Act to the ports of Panaji, Tiracol, Chapora, Talpona, Daman and Diu in Goa Territory by Notification No. I and S/V/118/67/2891, D/- 29-11-1967, published in Goa Gaz., 7-12-1967, S.I, p. 262: Extended to the port of Pondicherry by notification published in Pondi.Gaz.. D/-23-9-1971, Ext. (No. 101): Provisions of the Act extended to the port of Kanyakumari in Kanyakumari district and port of Veppolodoi in Tinnevely district-See Ft. St. Geo. Gaz. 1968, Pt. II, S.1, pp. 2027 and 2039; to the port of Dhanushkodi in Ramanathapuram w.e.f. 1-7-1969- See Ft. St. Geo.Gaz., 1969, Pt. II.S. 1, p. 1719 Act extended to the port of Koteswar-See Guj.Govt. Gaz., 5-12- 1974, Pt. IV-A, p. 1345." in which this Act is not in force or to, any part of any navigable river or channel which leads to a port and in which this Act is not in force; (b) specially extend the provisions of (section 31) or (section 32) to any port 3 (d) [d] Provisions of Sections 31 and 32 have been specially extended to the entire port of Cochin by S.R.O. 57, D/- 8-1- 1952, published in Gaz. of Ind., 1952,Pt.II,S.3,p. 87. For the extension of the Act to the entire port of Cochin and the precise extent of limits of the said port. see S.R.O. 58, p. 88; and provisions have also been extended to the port of Paradip, to area between Fairway Buoy and Iron Ore I Jetty Berth by G.S.R., 1566, D/- 3-10-1966 published in Gaz.of Ind., 1966, Pt. II, S. 3(1),p. 1742: Provisions of S. 31 have been extended to port of Redi- See Maha.Govt.Gaz. 17-2-1966,Pt.IV-A,p. 110: Provisios of S.31 have been extended to port of Malwan-See Maha.Govt.Gaz., 5-9-1974, Pt. II, S. 3(i), Ext" p. 1449. Provisions of S.32 specially extended to the area within the limits of the ports of Bhavanagar and Okha-See Guj.Govt. Gaz., 5-1-1961, Pt. IV-A. p. 3-2. to which they have not been so extended, (c) withdraw3 (e) [e] The Act has been withdrawn from the ports of Jhil Bunder and Miyani in Gujarat-See Guj. Govt. Gaz., 8-6-1961, Pt. IV-A, p. 74 : from the port of Lamba, see 1968, Pt. IV-A, p. 227 and from the port of Mulkhi in South Canara Dist.-See Mys. Gaz.. 1-12-1960, Pt. I V , S. 1-C, p.3132. this Act or (section 31) or (section 32) from any port or any part thereof in which it is for the time being in force. (2) A notification under clause (a) or clause (b) of sub-section (1) shall define the limits of the- area to which it refers. (3) Limits defined under sub-section (2) may include any piers, jetties, landing-places, wharves, quays, docks and other works made on behalf of the public for convenience of traffic, for safety of vessels, or for the improvement, maintenance or good government of the port and its approaches, whether within or without high-water mark, and, subject to any rights of private property therein, any portion of the shore or bank within fifty yard of high water-mark. (4) "In sub-section (3) the expression "high-water-mark" means the highest point reached or by ordinary spring tides at any season of the year.