

Ports Act, 1908

Section 6 - Power to make port-rules STATE AMENDMENT Gujarat: In its application to ports other than major ports in the State of

k) insert the following clause, namely:- "(kk) for licensing of persons engaged in loading or unloading vessels, and for the fees payable in respect of any such licence and for the conditions of any such licence and generally for regulating the business of loading and unloading vessels;"- Guj.Act 16 of 1965, S. 2 (27-5-1965). Note.- For Gujarat Ports (Licensing of Persons engaged in Loading and Unloading Vessels) Rules, 1969, see Guj. Gaz" 12-3-1970. 1't. IV-A, p. 376.(1) The 3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment) Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [Government] may, in addition to any rules which it may make under any other enactment for the time being in force, make such rules3 (b) [b] See the Port of Kandla (Regulation and Management) Rules. 1950, Gaz. of Ind.. 1950, Pt. II, S. 3, p. 143: the Vizagapatam Harbour Craft IRules, 1950, .p. 1035, the Indian Port Health Rules, 1955, Gaz.of Ind., 1956,Pt. II.S. 3, p. 302: and Rules for the Port of Cochin. Gaz. of Ind. 1957. Pt. II. S..3. p. 227: For Marmagoa Port Rules, 1966, see Gaz.of Ind.. 1966, Pt. II.S.3(i), p. 1087 :for Madras Port Rules, 1962, see Gaz.of Ind., 1962,Pt. II,S. 3(i), p. 596; for the Paradip Port Rules. 1960, sec Gaz.. Ind.. 1966. Pt. II, S. 3(i), p. 2308.3 (b) [b] Substituted tor the word "Crown" by A.L.O., 1950.3 (b) [b] Substituted for the words "passenger vessels" by the Port Trusts and Ports (Amendment) Act, 1951 (35 of 1951), S. 189(16-7-1951).3 (b) [b] The words "subject to the control of the,Governor-General in Council" were omitted by A.O., 1937 (1-4-1937). consistent with this Act, as it thinks necessary for any of the following purposes, namely :- (a) for regulating the time and hours at and during which, the speed at which, and the manner and conditions in and on which, vessels generally or vessels of any class defined in the rules, may enter, leave or be moved in any port subject to this Act: (b) for regulating the berths, stations and anchorages to be occupied by vessels in any such port; (c) for striking the yards and lop masts, and lor rigging-in the booms and yards, of vessels in any such port, and for swinging or taking-in davits, boats and other things projecting from such vessels; (d) for the removal or proper hanging or placing of anchors, spars and other things being in or attached to vessels in any such port; (e) for regulating vessels whilst taking-in or discharging passengers, ballast or cargo., or any particular kind of cargo, in any such port and the stations to be occupied by vessels whilst so engaged;3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment) Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [(ee) for regualting the manner in which oil or water mixed with oil shall be discharged in any such port and for the disposal of the same;]3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment) Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [(eee) for regulating the bunkering of

vessels with liquid fuel in any such port and the description of barges, pipe lines or tank vehicles to be employed in such bunkering;] (f) for keeping free passages of such width as may 'be deemed necessary within any such port, and along or near to the piers, jetties, landing places, wharves, quays, docks, moorings and other works in or adjoining to the same; and for marking out the spaces so to be kept free; (g) for regulating the anchoring, fastening, mooring and unmooring of vessels in any such port; (h) for regulating the moving and warping of all vessels within any such port and the use of warps therein; (i) for regulating the use of the mooring buoys, chains and other moorings in any such port; (j) for fixing the rates to be paid for the use of such moorings when belonging to the 3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment0 Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [Government] or of any boat, hawser or other thing belonging to the 3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment0 Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [Government];3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment0 Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [(jj) for regulating the use of piers, jetties, landing places, wharves, quays warehouses and sheds when belonging to the 3 (b) [b] See the Port of Kandla (Regulation and Management) Rules. 1950, Gaz. of Ind.. 1950, Pt. II, S. 3, p. 143: the Vizagapatam Harbour Craft lRules, 1950, .p. 1035, the Indian Port Health Rules, 1955, Gaz.of Ind., 1956,Pt. II.S. 3, p. 302: and Rules for the Port of Cochin. Gaz. of Ind. 1957. Pt. II. S..3. p. 227: For Marmagoa Port Rules, 1966, see Gaz.of Ind.. 1966, Pt. II.S.3(i), p. 1087 :for Madras Port Rules, 1962, see Gaz.of Ind., 1962,Pt. II,S. 3(i), p. 596; for the Paradip Port Rules. 1960, sec Gaz.. Ind.. 1966. Pt. II, S. 3(i), p. 2308.3 (b) [b] Substituted tor the word "Crown" by A.L.O., 1950.3 (b) [b] Substituted for the words "passenger vessels" by the Port Trusts and Ports (Amendment) Act, 1951 (35 of 1951), S. 189(16-7-1951).3 (b) [b] The words "subject to the control of the,Governor-General in Council" were omitted by A.O., 1937 (1-4-1937). [Government] and for fixing the rates to be paid for the use of the same;] (k) for licensing and regulating catamarans plying for hire, and flats and cargo, passenger and other boats plying, whether for hire or not, and whether regularly or only occasionally, in or partly within and partly without any such port, 3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment0 Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [and for licensing and regulating the crews of any such vessels;] and for determining the quantity of cargo or number of passengers 3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment0 Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by

the Indian Ports (Amendment) Act, 1911 (4 of 1911), S. 2. [or of the crew] to be carried by any such vessels

3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted for the original clause (p) by the Indian Ports (Amendment) Act, 1911 (4 of 1911), S. 2. [and may by such rules provide for the fees payable in respect of any such licence, and in the case of

3 (b) [b] See the Port of Kandla (Regulation and Management) Rules, 1950, Gaz. of Ind., 1950, Pt. II, S. 3, p. 143: the Vizagapatam Harbour Craft Rules, 1950, p. 1035, the Indian Port Health Rules, 1955, Gaz. of Ind., 1956, Pt. II, S. 3, p. 302: and Rules for the Port of Cochin. Gaz. of Ind. 1957. Pt. II, S. 3, p. 227: For Marmagaoa Port Rules, 1966, see Gaz. of Ind., 1966, Pt. II, S. 3(i), p. 1087: for Madras Port Rules, 1962, see Gaz. of Ind., 1962, Pt. II, S. 3(i), p. 596; for the Paradip Port Rules, 1960, see Gaz. of Ind., 1966, Pt. II, S. 3(i), p. 2308.3 (b) [b] Substituted for the word "Crown" by A.L.O., 1950.3 (b) [b] Substituted for the words "passenger vessels" by the Port Trusts and Ports (Amendment) Act, 1951 (35 of 1951), S. 189(16-7-1951).3 (b) [b] The words "subject to the control of the, Governor-General in Council" were omitted by A.O., 1937 (1-4-1937). [vessels] plying for hire, for the rates of hire to be charged and the conditions under which such vessels shall be compelled to ply for hire, and further for the conditions under which any licence may be revoked;] (1) for regulating the use of fires and lights within any such port; (m) for enforcing and regulating the use of signals or signal-lights by vessels by day or by night in any such port; (n) for regulating the number of the crew which must be on board any vessel afloat within the limits of any such port; (o) for regulating the employment of persons engaged in clearing or painting vessels, or in working in the bilges, boilers or double bottoms of vessels in any such port;3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted for the original clause (p) by the Indian Ports (Amendment) Act, 1911 (4 of 1911), S. 2. [(P) 3 (b) [b] See the Port of Kandla (Regulation and Management) Rules, 1950, Gaz. of Ind., 1950, Pt. II, S. 3, p. 143: the Vizagapatam Harbour Craft Rules, 1950, p. 1035, the Indian Port Health Rules, 1955, Gaz. of Ind., 1956, Pt. II, S. 3, p. 302: and Rules for the Port of Cochin. Gaz. of Ind. 1957. Pt. II, S. 3, p. 227: For Marmagaoa Port Rules, 1966, see Gaz. of Ind., 1966, Pt. II, S. 3(i), p. 1087: for Madras Port Rules, 1962, see Gaz. of Ind., 1962, Pt. II, S. 3(i), p. 596; for the Paradip Port Rules, 1960, see Gaz. of Ind., 1966, Pt. II, S. 3(i), p. 2308.3 (b) [b] Substituted for the word "Crown" by A.L.O., 1950.3 (b) [b] Substituted for the words "passenger vessels" by the Port Trusts and Ports (Amendment) Act, 1951 (35 of 1951), S. 189(16-7-1951).3 (b) [b] The words "subject to the control of the, Governor-General in Council" were omitted by A.O., 1937 (1-4-1937). [* * *] for the prevention of danger arising to the public health 3 (c) [c] See the Indian Port Health Rules, 1955, Gaz. of Ind., 1956, Pt. II, S. 3, p. 302. by the introduction and the spread of any infectious or contagious disease from vessels arriving at, or being in, any such port, and for the prevention of the conveyance of infection or contagion by means of any vessel sailing from any such port and in particular and without prejudice to the generality of this provision, for-

(i) the signals to be hoisted and the places of anchorage to be taken up by such vessels having any case, or suspected case of any infectious or contagious disease on board, or arriving at such port from a port in which, or in the neighbourhood of which, there is believed to be, or to have been at the time when the vessel left such port, any infectious or contagious disease; (ii) the medical inspection of such vessels and of persons on board such vessels; (iii) the questions to be answered and the information to be supplied by masters, pilots and other persons on board such vessels; (iv) the detention of such vessels and of persons on board such vessels; (v) the duties to be performed in cases of any such disease by masters, pilots and other persons on board such vessels: (vi) the removal to hospital or other place approved by the health officer and the detention therein of any person from any such vessel who is suffering or suspected to be suffering from any such disease: (vii) the cleansing, ventilation and disinfection of such vessels or any part thereof and of any articles therein likely to retain infection or contagion and, destruction of rats or other vermin in such vessels; and (viii) the disposal of the dead on such

vessels; and] (q) for securing the protection from heat of the officers and crew of vessels in any such port by requiring the owner or master of any such vessel- (i) to provide curtains and double awnings for screening from the sun's rays such portions of the deck as are occupied by, or are situated immediately above, the quarters of the officers and crew; (ii) to erect windsails so far as the existing portholes or apertures in the deck admit of their being used for ventilating the quarters of the officers and crew; (iii) when the deck is made of iron and not woodsheathed, to cover with wooden planks or other suitable non-conducting material such portions of the deck as are situated immediately above the quarters of the officers and crew; (iv) when the quarters used by the crew and the galley are separated by an iron bulk-head only, to furnish a temporary screen of some suitable non-conducting material between such quarters and the galley. 3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment) Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [* * * * *] (2) The power to make rules under sub-section (1) 3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment) Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [* * *] is subject to the condition of the rules being made after previous publication : Provided that nothing in this sub-section shall be construed to affect the validity of any rule in force immediately before the commencement of the Indian Ports Act, 1889, and continued by (section 2) , sub-section (2), of that Act. 3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment) Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2. [(2A) Every rule made by the State Government under this Act shall be laid as soon as may be after it is made, before the State Legislature. 3 (a) [a] Inserted by the Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983), S.9 (15-3-1984).3 (a) [a] Substituted for the words "Local Government" by A.O., 1937 (1-4-1937).3 (a) [a] Insered by the Indian Ports (Amendment) Act, 1923 (39 of 1923), S. 2.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1925 (9 of 1925), S. 2.3 (a) [a] Substituted for the word 'Crown' by A.L.O., 1950.3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(1).3 (a) [a] Inserted by the Indian Ports (Amendment) Act, 1916 (6 of 1916), S. 4(2).3 (a) [a] Substituted tor the original clause (p) by the Indian Po. is (Amendment) Act, 1911 (4 of 1911),S. 2.(2B) Every rule made by the Central Government under this Act shall be laid as House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session, or in two or more successive sessions and if before the expiry of the session immediately following the session or the successive sessions aforesaid both the Houses agree any modification in the order or both Houses agree that the rule should not be made, the rule shall thereafter have effect only insuch modified form or he of no effect, as the case may be. so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.] (3) If any person disobeys any rule made under clause (p) of sub-section (1), he shall be punishable for every such offence with fine which may extend to one thousand rupees