
Andhra Pradesh (Andhra Area) Ports Police Act, 1881

1 of 1881

[12 March 1881]

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Andhra Pradesh (Andhra Area) Ports Police Act, 1881

1 of 1881

[12 March 1881]

An Act to provide for the maintenance of a special Police force in the Ports of the 3[Andhra area of State of the Andhra Pradesh]. Whereas it is expedient to make special provision for the security of the traffic between the shore and shipping in the ports of the 3[Andhra area of the State of Andhra Pradesh] and to make the said traffic contribute towards the cost thereof; It is enacted as follows.-- 1. For Statement of Objects and Reasons, see Fort. St. George Gazette, Supplement dated 6-7-1880, p.3.; for Report of the Select Committee see ibid, dated 7th December 1880, p. 1; for proceedings in Council, see ibid, dated 27-7-1880: p.3, and, ibid,

dated 25th January 1881, p.2. 2. Received the assent of the Governor on the 29th January, 1881 and of the Governor-General on the 12th March, 1881. 3. For the words "Presidency of Fort St. George" the words "State of Andhra" were Substituted by the A.A.O. 1953 and for the words "State of Andhra" these words were Substituted by Andhra Pradesh Act IX of 1951, S.4. (1).

1. Short Title :-

This Act may be called 1[the Andhra Pradesh (Andhra Area) Ports Police Act, 1881].

Scope of Act.--It shall take effect in such port or ports in the 2[Andhra area of the State of Andhra Pradesh] and from such date as the 3[State Government] may from time to time direct by notification in the 4[official Gazette].

1. For Statement of Objects and Reasons, see Fort. St. George Gazette, Supplement dated 6-7-1880, p.3.; for Report of the Select Committee see ibid, dated 7th December 1880, p.1; for proceedings in Council, see ibid, dated 27-7-1880: p.3, and, ibid, dated 25th January 1881, p.2.

2. For the words "Presidency of Fort St. George" the words "State of Andhra" were Substituted by the A.A.O. 1953 and for the words "State of Andhra" these words were Substituted by Andhra Pradesh Act IX of 1951, S.4. (1).

3 . Substituted for the words "Provincial Government" by A.A.O. 1950.

4. Substituted by A.A.O. 1950.

2. Additional Charge On The Hire Of Boats Carrying Goods :-

To meet the expense of the Police-force, established under the provisions of Act XXIV of 1859 (an Act for the better regulation of the Police within the 1[Andhra areas of the State of Andhra Pradesh]) 3[x x x x] which may be necessary for the purpose of this Act, the 3[State Government] may, from time to time, by notification in the 4[Official Gazette], fix such sum as may suffice at each port on an annual estimate to cover the cost of such special force to be charged and taken by the owner of every boat employed to convey goods to or from any ship or vessel in any port in the 3[Andhra area of the State of Andhra Pradesh], in which this Act may take effect, in addition to the heir payable under Act IV of 1842 5(for the better management of boats and catamarans in the Roads and for the amendment of certain Harbour Regulations) or

under Act IX of 1846 5(an Act for authorizing the 2[Government of Andhra Pradesh] to provide Regulations for the several ports and places of anchorage within the territories subject thereto or under any Act that may be hereafter enacted for the like purpose.

1. Substituted by Andhra Pradesh Act IX of 1961, First Sch.

2. The expression "and Madras Act VIII of 1867 (an Act to incorporate the Police of the Town of Madras with the General Police of the Madras Presidency, etc.)" was omitted by the A.A. (Amdt.) O. 1954.

3. For the words "Presidency of Fort St. George" the words "State of Andhra" were Substituted by the A.A.O. 1953 and for the words "State of Andhra" these words were Substituted by Andhra Pradesh Act IX of 1951, S.4. (1).

4. Substituted for the words "Fort St. George Gazette" by the A.O. 1937.

5. Repealed by Madras Act I of 1893, itself repealed by Central Act 11 of 1901.

3. No Goods To Be Conveyed Unless Boat Be Accompanied By A Police Officer :-

No goods of any description shall be conveyed in any boat to or from any ship or vessel in any port in which this Act may take effect unless an Officer of the Police force is present on board such board: of and it shall be the duty of the 1[xxxx] Superintendent of Police to provide every such boat with an officer of the Police-force for such purpose.

1. The words "Commissioner or" were omitted by the A.A. Amdt.) O., 1954.

4. Penalties For Omission To Carry Police Officer :-

The owner of every boat and the tindal and boatmen for the time being employed in any boat in which any goods shall with the connivance of such boat owner, tindal or boatmen be conveyed to or from any ship or vessel in any port in which this Act may take effect without having an Officer of the Police-force on board of such boat, shall, on conviction before a magistrate, be liable as follows.--
every boat-owner to a fine not exceeding fifty rupees;
every tindal to a fine not exceeding twenty rupees;
every boatman to a fine not exceeding five rupees.

5. Penalties For Obstruction Or Hindrance To Police Officer

:-

Every boat-owner, tindal or boatman of any boat who shall hinder any such officer from proceeding on board such boat or shall obstruct him in the performance of his duty when in any such boat, shall on conviction before a Magistrate, be liable as follows.--

every boat-owner to a fine not exceeding one hundred rupees;

every tindal to a fine not exceeding thirty rupees or to corporal punishment not exceeding fifty lashes with a cat-o-nine tails;

every boatman to a fine not exceeding fifteen rupees or to corporal punishment not exceeding thirty lakhes with a cat-o nine tails

6. Owner To Make Weekly Return Of Trips :-

Every boat owner shall on every Monday make or cause to be made--

1[xxx] to the Superintendent of Police, or to such other person as the said 2[x x x x] Superintendent of Police shall appoint to receive the same, or to the Port-officer of any port in which this Act may take effect, if such port-officer shall be appointed to touch duty by the 3[State Government], a return in writing, signed by such boat-owner or his agent of the number of trips made by each of his boats on each day during the preceding week.

1. The words "to the said Commissioner of Police, or" were omitted by the A.A. (Amdt.) O., 1954.

2. The words "Commissioner or" were omitted by the A.A. (Amdt.) O., 1954.

3. The words "Provincial Government" were Substituted for the words "Governor in Council" by the A.O. 1937 and the word "State" was Substituted for the word "provincial" by the A.O., 1950.

7. Penalty For Neglecting To Make Return And For Making False Return :-

Every boat-owner who shall neglect to make the return required by Section 6 shall, on conviction before a Magistrate, be liable for a first offence to a fine not exceeding fifty rupees, and for a second or any subsequent offence to a fine not exceeding one hundred rupees;

and every boat-owner who shall knowingly make a false return shall be liable to a fine not exceeding there hundred rupees and a forfeiture of all licences which he may hold under the provisions of Act IV of 1842]1 or IX of 18461.

1. Repealed by Madras Act. 1 of 1893.

8. Boat-Owner To Pay To The [X X X] Superintendent Of Police The Sums Charged Under This Act :-

Boat-owner to pay to the 1[x x x] Superintendent of Police the sums charged under this Act

Every boat-owner shall on every Monday pay or cause to be paid--
2[x x x x] to the Superintendent of Police, or to such other person as the said 2[x x x x] Superintendent of Police shall appoint to receive the same, or to the Port-officer of any port in which this Act may take effect, if such Port-officer shall be appointed to such duty by the 3[State Government].the regulated sum as provided under Section 2 for every trip made by any boat belonging to him employed in conveying goods, according to the weekly return made by him as hereinbefore directed;

and, in default of such payment, one or more of the boats of any boat owner making such default may be seized and sold by virtue of a warrant under the hand and seal of a Magistrate until the amount so due by such boat-owner and the expenses of sale shall be realized; and such amount when realised shall be forthwith paid to the said 4[x x x] Superintendent of Police or other officers appointed as aforesaid. Any surplus arising from such sale shall, provided application be made within three months from the date of such sale, be paid to such boat-owner.

1. The words "to the said Commissioner of Police, or" were omitted by the A.A. (Amdt.) O., 1954.

2. The words "Commissioner or" were omitted by the A.A. (Amdt.) O., 1954.

3. The words "Provincial Government" were Substituted for the words "Governor in Council" by the A.O. 1937 and the word "State" was Substituted for the word "provincial" by the A.O., 1950.

4. The words "commissioner" were omitted by A.A.o. 1954.

9. Moneys Received Under This Act To Be Paid Into The Public Treasury :-

All moneys paid to or received by the said 1[xxx] Superintendent of Police, or other officer as aforesaid under this Act, shall be paid by such officer at least once a month into the public treasury.

1. The words "commissioner" were omitted by A.A.o. 1954.

10. Act Not To Apply To Boats Conveying Only Mails :-

This Act shall not apply to any boat which shall convey mails exclusively to or from any ship or vessel in any port in which this Act may take effect.

11. Powers Of Police Officers Under The Act :-

From and after the passing of this Act, it shall be lawful for all Police-officers appointed under Act XXIV of 1859 1[x x x x] to exercise within the limits of any port in which this Act may take effect all powers given to them by 2[the said Act].

1. The words "Madras Act VIII of 1867" omitted by A.A.O. 1954.
2. Substituted by A.A.O. 1954.

12. Code Of Criminal Procedure To Apply To Punishments :-

Code of Criminal Procedure 1 to apply to punishments

The provisions of the Code of Criminal Procedure shall apply to all fines and punishments awarded under this Act.

1. See now CrI. P.C. 1973.

13. Power To Apply The Act To Passenger Boats :-

The 1[State Government] may from time to time, by notification in the Official Gazette, apply to the provisions of this Act to boats conveying passengers to or from any vessel in all or any ports in which this Act shall take effect under Section 1.

1. Substituted by A.A.O. 1954.

14. Government May With-Draw Ports From Operation Of Act :-

It shall be competent to the Government of Andhra Pradesh to withdraw from the operation of this Act, by notification in the Official Gazette, any port, or ports in which this Act may take effect.

15. Section 15 :-

[Repeal of enactment] Repealed by the Amending Act, 1901 (Central Act 11 of 1901).