

**Andhra Pradesh Minor Ports Landing And Shipping Fees Act,
1885**

3 of 1885

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SCHEDULE 1 :- THE SCHEDULE

**Andhra Pradesh Minor Ports Landing And Shipping Fees Act,
1885**

3 of 1885

PREAMBLE

An Act to make provision for the levying of landing and shipping fees within the out ports of the 1[State of Andhra Pradesh].

Whereas it is expedient to make rules and regulations for the levying of landing and shipping fees within the out ports of the ¹ [State of Andhra Pradesh]; It is enacted as follows:-

1. Substituted by Act 9 of 1968.

1. Short title and application :-

¹[(1) This Act may be called the Andhra Pradesh Minor Ports Landing and Shipping Fees Act, 1885.

(2) It applies in the first instance to the minor ports mentioned in the Schedule; and the Government may, by notification in the

Andhra Pradesh Gazette, apply the provisions of this Act to such other minor ports in the State, and with effect from such date, as may be specified in the notification].

1. Substituted by Madras Act I of 1916.

2. Repeal :-

The Madras Pier Act, 1863, and the Madras Pier Amendment Act 1871, are repealed.

3. Definitions :-

¹[In this Act, unless the context otherwise requires,-

(a) "drift" includes timber or other floating matter whether the same is in the possession or under the control of any person or not;

(b) "goods" includes wares and merchandise of every description and carts, carriages, animals, baggage and other articles;

(c) "Government" means the State Government.

(d) "owner" when used in relation to goods or drift, includes any consignor, consignee, shipper or agent for the sale, custody, landing or shipping of such goods or drift;

(e) "minor port" means any port to which this Act applies within such limits as may, from time to time, be defined by the Government for the purpose of this Act by notification in the Andhra Pradesh Gazette, not being a major port within the meaning of the Indian Ports Act, 1908;

(f) "port" includes any port of a river or channel;

(g) "Prescribed" means prescribed by rules made under this Act;

(h) "vessel" includes anything made for the conveyance mainly by water of human beings or of property].

1. Substituted by Madras Act V of 1919

4. Levy of landing and shipping fees :-

Landing and shipping fees; according to the rates which may be fixed by the Government from time to time, ¹[may be levied] upon all ² [passengers and] goods ² [x x x x] landed from or shipped into any vessel lying or being "[within the limits of any minor port, within the State of Andhra Pradesh] to which this Act may be applied. Such fees shall be payable in addition to all tolls and charges now lawfully levied within such port; ² [Provided that the Government may, by general or special order, exempt any class or classes of ²[passengers or] goods from payment of fees under this Act, and may, in special cases, remit the whole or any portion of any charge levied under this section].

1. Certain words omitted by *ibid*.

2. Inserted by Madras Act 1 of 1916.

5. Rate of fees to be notified :-

Such rate shall be notified in the Andhra Pradesh Gazette at least one month before the date from which the same shall become payable, and shall be legibly painted in the English, Telugu and Hindi languages on boards exhibited at the places appointed under Section 6.

6. Power to make rules :-

¹ [Power to make rules

(1) The Government may, by notification publish in the Andhra Pradesh Gazette, make rules for carrying out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for-

(a) appointing places where goods or particular classes of goods intended for shipment or landed from ships within the minor ports are to be placed for the purpose of assessing the fees payable under this Act and places where passengers may land or embark;

(b) regulating the manner in which such fees shall be assessed and the time when they shall be paid;

(c) the ascertainment and recovery of the amount of any damage that may be caused to pier, jetty, wharf, quay or other work in a minor port by any person or by any vessel or drift;

(d) any other matter which may be prescribed.

(3) Every rule made under this section shall immediately after it is made, be laid before each House of the State Legislature if it is in session and if it is not in session, in the session immediately following, for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, both Houses agree, in making any modification in the rule in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified in the Andhra Pradesh Gazette, have effect only in such modified form or shall stand annulled, 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.

1. Substituted by Act 9 of 1968.

7. Appointment of officer to levy and receive landing and shipping fees :-

The Government shall appoint an officer of Government to levy and receive all fees payable under this Act, and to pay the same into such treasury, and keep such accounts as the Government may

from time to time prescribe. The officer so appointed may, with the sanction of the Government, appoint such persons as he shall think fit to assist him in carrying out the provisions of this Act, all of whom shall wear a distinguishing badge of a kind to be prescribed by such officer.

8. Detention of goods until payment of fees :-

It shall be lawful for the officer of Government appointed under this Act or any of his assistants to detain any such goods until the lawful fees are paid; it shall be the duty of such officer to give notice in writing to the owner or consignee if known, stating the amount of fees and charges payable in respect of such goods, and in the event of such payment being refused or delayed for the space of fourteen days from the date of such notice if the owner or consignee of such goods shall be in the ¹[minor port concerned] or otherwise for the space of one calendar month from the date on which such fees are payable, it shall be lawful for such officer of Government to sell or cause to be sold by public auction the said goods, and after paying the expenses of such detention and sale and double the amount of the fees by way of a fine, to pay the surplus, if any, of the proceeds of the sale to the owner or consignee or other person entitled thereto, if claimed within six months from the date of sale:

Provided that, if the goods are of appreciable nature, the paid officer of Government may sell the same or cause them to be sold at such earlier period being not less than twenty four hours after the landing of the goods as he shall think fit.

1. Substituted by A.P. Act 9 of 1968

9. Section 9 :-

¹[Where any vessel or drift fouls a pier, juetty, wharf or quay and causes damage thereto, the owner or master of the vessel or the owner of the drift, as the case may be, shall be liable for the amount of such damage which may be ascertained and recovered, in accordance with rules made by the Government, either by seizure and sale of such vessel or drift, and of any property thereon or in such other manner as may be prescribed.

1. The original Section 9 renumbered as Section 10, & new Section 9 inserted by Madras Act v of 1919.

10. Section 10 :-

(1) The law for the time being in force for the punishment of offences relating to the levy or payment of duties of sea-customs and for the reward of informers shall, as far as may be, apply to similar offences committed in respect of fees leviable under this Act].

(2) Save as provided in sub-section (1) any contravention of any rule made under this Act, shall be punishable with fine not exceeding one hundred rupees.

SCHEDULE 1

THE SCHEDULE

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THE SCHEDULE

[Section 1(2)]

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| Bheemunipatnam | Krishnapatnam |
| Kakinada. | Masulipatnam. |
| Kalingapatnam | Narasapur. Vadarevu |