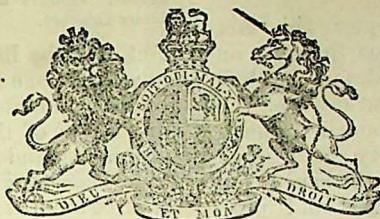


THE



Bombay Government Gazette.

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Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Bill, together with the Statement of Objects and Reasons accompanying it, is published in accordance with Rule 14 of the Rules for the conduct of Business at Meetings of the Council of His Excellency the Governor of Bombay for making Laws and Regulations.

Bill No. 5 of 1870.

A Bill for the levy of Fees on the use of the Government Bunders, Wharves, Landing Places and Piers in the Island of Bombay.

WHEREAS it is expedient to provide for the levy of Fees on the use of the Government Bunders, Wharves, Landing places and Piers in the Island of Bombay; It is hereby enacted as follows:—

1.—It shall be lawful for the Governor in Council from time to time, by order published in the "Government Gazette" to fix and determine the limits of any Government Bunder, Wharf, Landing place or Pier in the Island of Bombay, and also to fix and determine the Fees to be levied for

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landing or shipping or for Wharfage, Cranage, Storage and demurrage of goods, or for permission for vessels or boats to approach or be alongside, or for persons or animals or vehicles entering upon, or plying for hire, embarking or disembarking from vessels or boats of any kind, or transacting business of any kind at or on any Government Bunder, Wharf, Landing-place or Pier, in the Island of Bombay.

2.—The Governor in Council shall appoint such Officers as he may deem proper to levy the Fees fixed and determined on from time to time, and to perform all other duties in connection

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therewith imposed under this Act, and the Rules issued thereunder.

3.—The fees leviable under this Act shall be payable on demand, and it shall be lawful for the Governor in Council to make and issue Rules for the mode of levying the said Fees, and for regulating the duties and proceedings of the Officers appointed under this Act, and from time to time to add, to alter, or revoke such Rules or any of them, provided that no Rule so made shall be inconsistent with any provision of this Act, or of any other Law for the time being in force, and that all Rules made under this Section shall be published in the "Government Gazette."

4.—No suit, action or proceeding shall be commenced against any Officer appointed and acting under the powers of this Act, and the Rules issued thereunder for anything done in pursuance of the said Act or Rules, unless a month's previous notice in writing of the intended suit, action or proceeding and of the cause thereof shall have been given, and after the expiration of three months from the accrual of the cause of suit, action or proceeding, no suit, action or proceeding shall be brought or prosecuted against any Officer so appointed and acting as aforesaid.

5.—This Act shall come into operation on such day as Government shall fix by notification in the "Government Gazette."

STATEMENT OF OBJECTS AND REASONS.

The object of the Bill is to enable Government legally to levy fees for the use of Wharves, Piers and other places constructed or suitable for the landing and shipping of goods, and which are the property of the State.

The reason which renders the Bill necessary is that there is some doubt whether Government as regards their own Wharves, Piers, Landing-places, &c., have the same power to charge fees and dues as private persons have, for the use of similar conveniences on their own property.

(Signed) M. K. KENNEDY.

Poona, 19th September 1870.

By order of His Excellency the Right Honourable the Governor,

JOHN JARDINE,

Acting Under-Secretary to Government.

Poona, 19th September 1870.