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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 15 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. 4 of 1886.

THE KARACHI PORT TRUST BILL, 1886.

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Bill No. 4 of 1886.

A Bill to vest the Port of Karachi in a Trust.

WHEREAS it is expedient to vest the port of Karachi in a trust and to provide for the management of the affairs of the said port by trustees; It is enacted as follows:—

I.—PRELIMINARY.

- Short title. This Act may be called "The Karachi Port Trust Act, 1886."
- Definitions. In this Act, unless there be something repugnant in the subject or context,

(1) "port" means the port of Karáchi as defined for the purposes of this Act ;

Act XV. of 1879, s. 2.

(2) "high-water mark" means a line drawn through the "high-water mark"; highest points reached by ordinary spring-tides at any season of the year;

Do. do.

(3) "low-water mark" means a line drawn through the "low-water mark"; lowest points reached by ordinary spring-tides at any season of the year;

Do. do.

(4) "land" includes the bed of the sea below high-water mark, and also things attached to the earth or permanently fastened to anything attached to the earth;

Bom. Act VI. of 1879, s. 3.

(5) "master," when used in relation to any vessel, means any person having the charge or control of such vessel;

Do. do.

(6) the word "goods" includes wares and merchandise of every description;

Do. do.

(7) "owner," when used in relation to goods, includes any consignor, consignee, shipper or agent for the sale or custody of such goods; and when used in relation to any vessel, includes any part-owner, charterer, consignee, or mortgagee in possession thereof.

Act XV. of 1879, s. 3.

3. Government may, with the approval of the Governor General in Council, by notification in the *Bombay Government Gazette* :

(a) define the limits of the port for the purpose of this Act, and

(b) from time to time alter such limits.

Such limits may extend to any part of the navigable approaches to the port, and may include any wharves, tramways, warehouses, sheds and other works made on behalf of the public for convenience of traffic, for safety of vessels, or for the improvement, maintenance, and good government of the port, whether within or without high-water mark, and, subject to any rights of private property therein, any portion of the shore within fifty yards of high-water mark.

II.—OF THE BOARD OF TRUSTEES.

Constitution of Board.

4. The duty of carrying out the provisions of this Act shall, subject to such conditions and limitations as are hereinafter contained, be vested in a board to be called "The Trustees of the Port of Karáchi"; and such board, hereinafter referred to as "the board," shall be a body corporate and have perpetual succession and a common seal, and shall sue and be sued by the name first aforesaid.

5. The board shall consist of such number of trustees as shall from time to time be fixed by Government, the same being not less than seven nor more than nine.

6. Government may from time to time appoint a person, whether a public officer or not, to be chairman of the board.

If the chairman of the board is a public officer, Government may appoint some other person, whether a public officer or not, to be vice-chairman of the board.

The chairman and, if any be appointed, the vice-chairman of the board, shall be trustees.

7. Of the rest of the trustees, one shall be the Manager, for the time being, of the North-Western Railway, or such officer as the said Manager shall from time to time appoint to act for him in this behalf, and such number as shall from time to time be fixed by Government, the same being not less than two, shall be elected by the members for the time being of the Karáchi Chamber of Commerce.

The remaining trustees shall be appointed by Government.

Any trustee elected or appointed under this section may be a public officer or not.

8. The election of trustees by the Karáchi Chamber of Commerce shall be conducted in such manner as shall from time to time be determined at a meeting of the members of the said chamber convened in accordance with the rules at the time in force in this behalf. The secretary to the said chamber shall make a return to the Commissioner of the name of every person so elected.

Conduct of elections by the Karáchi Chamber of Commerce.

9. The election of trustees by the Karáchi Chamber of Commerce shall be conducted in such manner as shall from time to time be determined at a meeting of the members of the said chamber convened in accordance with the rules at the time in force in this behalf. The secretary to the said chamber shall make a return to the Commissioner of the name of every person so elected.

Bom. Act VI. of 1879, s. 4.

Bom. Act VI. of 1879, s. 6.

In the event of default being made by the chamber in electing any trustee under the foregoing provisions within the period hereinafter prescribed in this behalf, it shall be lawful for Government to appoint a person, and the person so appointed shall be deemed to be a trustee as if he had been duly elected by the chamber.

9. The name of every person appointed by Government to be chairman or vice-chairman of the board and the names of all trustees elected by the Karachi Chamber of Commerce or appointed by Government shall be published in the *Bombay Government Gazette* and in the *Sind Official Gazette*.

10. The term of office of the first trustees shall commence on such date as shall be notified in this behalf by Government.

11. One-half of the first trustees elected by the chamber and one-half of the first trustees, other than the chairman and vice-chairman, appointed by Government shall, unless they become in the meantime disqualified, hold office up to and inclusive of the 31st day of March next succeeding the date on which their term of office shall commence, the selection of the said trustees being made by lot at such time and in such manner as the chairman of the board shall determine.

The rest of the first trustees, other than the chairman and vice-chairman, shall, unless they become in the meantime disqualified, hold office until and inclusive of the 31st day of March next following the 31st day of March aforesaid.

In every other case every trustee, other than the chairman and vice-chairman, shall, unless he becomes in the meantime disqualified, hold office for a term of two years.

The chairman and vice-chairman shall hold office during the pleasure of Government, unless they, respectively, become in the meantime disqualified for being a trustee.

Explanation.—In this section one-half means the exact half if the number to be divided is even, and, if it is uneven, the nearest integral number below the exact half.

12. The first election of trustees by the chamber shall be held on some day not later than a month previous to the date which shall be notified by Government under section 10, and the first appointment of trustees by Government shall be made on some day during the said month.

Elections of trustees by the chamber to succeed trustees whose term of office expires shall be held on some day not earlier than the fifteenth and not later than the last day of the month of February next preceding the 1st day of April from which the term of office of the new trustees is to commence; and appointments of such trustees by Government shall be made on some day in the month of March next preceding the said 1st day of April.

13. In the event of the death, resignation or disqualification of a trustee or of his becoming incapable of acting previous to the expiry of his term of office, the vacancy shall be filled up, as soon as it conveniently may be, by the election or appointment, as the case may be, of a person thereto, who shall hold office so long only as the trustee in whose place he is elected or appointed would have been entitled to hold it if the vacancy had not occurred.

14. A person who has already been a trustee on one or more occasions shall, if not disqualified under section 15, be again eligible at any time for election or appointment.

Disqualifications of Trustees.

15. No person shall be qualified to be a trustee:

(a) who is an uncertificated bankrupt or an undischarged insolvent, or

(b) who holds any office or place of profit under the board, or

(c) who has, directly or indirectly, any share or interest in any work done by order of the board, or in any contract or employment with, by, or on behalf of the board; or

(d) who has been sentenced by a criminal court to imprisonment or to whipping for an offence punishable with imprisonment for a term exceeding six

Bom. Act VI,
of 1879, s. 8.

Term of office of first trustees when to commence.

Do. do., s. 9.

Trustees to retire from office by rotation.

Bom. Act I. of 1884, s. 15.

Filling up of casual vacancies.

Re-eligibility of trustees.

Bom. Act VI. of 1879, s. 14.

Disqualifications for office of trustee.

months, or to transportation, such sentence not having been subsequently reversed or quashed, and whose disqualification on account of such sentence has not been removed by an order, which Government is hereby empowered to make, if it shall think fit, in this behalf; and any trustee who—

Trustee who becomes disqualified to cease to be a trustee. (e) becomes disqualified for any of the aforesaid reasons, or

(f) is absent from the meetings of the board for a period exceeding twelve consecutive months, or, without the permission of the board, from six consecutive meetings of the board,

shall cease to be a trustee, and his office shall thereupon become vacant:

Provided always that no trustee shall vacate his office by reason only of his—

Proviso.

(g) having a share in any joint-stock company which shall contract with or be employed by, or on behalf of, the board, or

(h) having a share or interest in any newspaper in which any advertisement relating to the affairs of the board may be inserted, or

(i) being interested in any loan of money to the board.

Remuneration of Trustees.

16. The chairman and the vice-chairman shall respectively receive such remuneration, if any, as Government shall from time to time determine.

Every trustee, other than the chairman and vice-chairman,

Fees payable to other trustees shall be entitled to a fee of such amount

not exceeding thirty rupees as shall from time to time be prescribed by Government for each meeting of the board at which a quorum is present and business is transacted and which he attends from the beginning to the end thereof: Provided that if more than one such meeting is held in any one week, no more than one fee shall be paid to any trustee for his attendance at all such meetings during that one week.

Proceedings of Board.

17. The following provisions shall be observed with respect to the proceedings of the board (namely)—

(1) During any vacancy in the board the continuing trustees may act as if no vacancy had occurred.

(2) The board shall meet together and shall from time to time make such arrangements, not inconsistent with this Act, with respect to the place, day, hour, notice, management, and adjournment of such meetings; and generally with respect to the transaction of business, as they think fit, subject to the following conditions (namely):—

(a) that two ordinary meetings at least shall be held in every month; and

(b) that the chairman may, whenever he thinks fit, and shall, upon the written request of not less than three trustees, call a special meeting;

(c) that no business shall be transacted at any meeting unless at least four trustees are present from the beginning to the end of such meeting;

(d) that every meeting shall be presided over by the chairman, if he is present at the time appointed for holding the same, and, if he is absent, by the vice-chairman or, in his absence, by such one of the trustees present as may be chosen by the meeting;

(e) that all questions shall be decided by a majority of votes of the trustees present, the president having a second or casting vote in all cases of equality of votes;

(f) that if a poll be demanded, the names of the trustees voting and the nature of their votes shall be recorded by the president;

(g) that minutes shall be kept of the minutes of proceedings must be kept. names of the trustees present and of the proceedings at each meeting in a book to be provided for this purpose, which shall be signed, as soon as practicable, by the president of such meeting, and shall be open to inspection by any trustee during office hours.

(3) The board may delegate any of their powers to committees consisting of such trustees as they think fit; any committee so formed shall conform to any instructions that may from time to time be given to them by the board, and the board may at any time discontinue or alter the constitution of any committee so formed.

(4) A committee may elect a chairman of their meetings, and, if no such chairman is elected, or, if he is not present at the time appointed for holding the same, the members present shall choose one of their number to be chairman of such meeting.

(5) Committees may meet and adjourn as they think proper, but the chairman of the board may, whenever he thinks fit, and shall, upon the written request of not less than two members of a committee, call a special meeting of such committee.

(6) Questions at any meeting of a committee shall be decided by a majority of votes of the members present, and, in case of an equal division of votes, the chairman of the meeting shall have a second or casting vote, but no business shall be transacted at any such meeting unless at least two-thirds of the members of the committee are present from the beginning to the end thereof.

(7) No act of the board, or of any committee, or of any person acting as trustee, shall be deemed to be invalid by reason only of some defect in the appointment of such board, committee, or trustee, or on the ground that

they, or any of them, were disqualified for the office of trustee.

18. The chairman may, on behalf of the board, enter into any contract or agreement, whereof the value or amount shall not exceed one thousand rupees, in such manner and form as, according to the law for the time being in force, would bind him if such contract or agreement were on his own behalf; but every other contract and agreement on behalf of the board shall be in writing, and shall be signed by the chairman and by two other trustees, and shall be sealed with the common seal of the board.

Mode of executing contracts.

No contract or agreement not executed as aforesaid shall be binding on the board:

Provided that the signatures of the chairman and two other trustees may be engraved, lithographed or impressed by any mechanical process on coupons attached to debentures which the board is at any time authorized to issue under the Local Authorities Loan Act, 1879, or other law for the time being in force, and the signatures so engraved, lithographed or impressed shall have the same validity as if they were written in the proper handwriting of the chairman and other trustees.

19. The board may compound or compromise for or in respect of any claim or demand arising out of any contract entered into by them under this Act, or in respect of any action or suit instituted by or against them, for such sum of money, or other compensation, as they shall deem sufficient.

The Chairman and Vice-chairman.

Duties of chairman, and 20. The chairman shall—

(1) attend every meeting of the board, unless prevented by sickness or other reasonable cause;

(2) exercise supervision and control over the acts and proceedings of all officers and servants of the board in matters of executive administration and in matters concerning the accounts and records of the board; and, subject to the regulations at the time being in force framed by the board under section 22, dispose of all questions relating to the service of the said officers and servants, and their pay, privileges, and allowances;

Bom. Act VI. of 1879, s. 17.

Bom. Act III. of 1881, s. 1.

XI. of 1879.

Bom. Act VI. of 1879, s. 18.

Do. do., s. 19.

(3) furnish to Government a copy of the minutes of any of the board's proceedings and any returns or other information which Government may from time to time call for.

The vice-chairman shall exercise such of the powers and perform such of the duties of the chairman as the chairman from time to time deposes to him.

III.—OF THE OFFICERS AND SERVANTS OF THE BOARD.

Strength of Staff.

21. The board shall from time to time prepare and sanction a schedule of the staff of officers and servants whom they shall deem it necessary and proper to maintain for the purposes of this Act. Such schedule shall also set forth the amount and nature of the salaries, fees, and allowances which the board sanctions for each such officer or servant.

Until a schedule is prepared and sanctioned under this section, the staff of officers and servants maintained, on the day previous to the date notified by the Governor in Council under section 10, under the authority of Government, by the Karachi Harbour Board and the officers and servants, if any, maintained on the said day by Government at the cost of the provincial revenues for employment in the Karachi harbour shall be deemed to be the staff sanctioned by the board under the foregoing provisions;

and all officers and servants holding any office on the said day under the said Karachi Harbour Board and the officers and servants aforesaid, if any, so maintained by Government on the said day shall be deemed to have been appointed under this Act, and shall continue to hold the same offices, respectively, and to receive the same remuneration under the board, until it is otherwise directed under this Act:

Provisoes. Provided:

(1) that artisans, porters, and labourers and mukadams of porters and labourers, and persons temporarily employed in the engineering department shall not be deemed to be officers or servants within the meaning of this section or

of section 22, clauses (1) to (4), both inclusive, or of section 23;

(2) that if an officer is lent to the board by Government, the board shall make such contributions, if any, on account of his pension and leave allowances as may be required by the rules in this behalf from time to time in force and shall not, except with the consent of Government, dispense with his further services at any time without giving the Government six months' previous notice;

(3) that every officer and servant, if any, maintained by Government on the day aforesaid at the cost of the provincial revenues for employment in the Karachi harbour shall, if he is entitled as a Government servant to pension and leave allowances, be deemed to be lent to the board on and from the date notified by the Governor in Council under section 10.

Board to frame regulations. 22. The board shall from time to time frame regulations:

- (1) for regulating the grant of leave to the officers and servants of the board;
- (2) for authorizing the payment of allowances to the said officers and servants, or to certain of them, whilst absent on leave;
- (3) for determining the remuneration to be paid to the persons appointed to act for any such officers or servants during their absence on leave;
- (4) for regulating the period of service of all such officers and servants;
- (5) for determining whether any of the said officers and servants and, if so, which of them, shall on retirement receive pensions, gratuities or compassionate allowances, and whether compassionate allowances shall be paid

Bom. Act VI. of 1879, s. 21.

Schedule of officers and servants and of their pay and allowances to be prepared and sanctioned by the board.

Bom. Act I. of 1884, s. 39 (h).

Bom. Act VI. of 1879, s. 22.

to the surviving relatives of any of the said officers and servants who are killed in the execution of their duty, and, if so, to which of them, and the conditions under which such pensions, gratuities or compassionate allowances shall be payable and the amount of the same;

- (6) for authorizing the payment of contributions at certain prescribed rates and subject to certain prescribed conditions to any provident fund which may be established by the board for the benefit of their officers and servants or which, with their approval, may be established by their officers and servants themselves:

Provided that no regulation framed by the board under clause (5) shall have validity, unless or until the same has been sanctioned by Government.

Powers of Appointment, &c.

Bom. Act VI.
of 1879, s.
23.

23. Subject to the provisions of the said regulations and of the schedule for the time being in force framed by the board under section 21, the power of appointing, promoting, suspending, dismissing, fining, reducing or granting leave to the officers and servants of the board shall be exercised by the chairman in the case of officers and servants whose monthly salary does not exceed one hundred rupees, and in every other case by the board.

The power of dispensing with the services of any officer or servant of the board, otherwise than by reason of such officer's or servant's own misconduct, or of permitting any such officer or servant to retire on a pension, gratuity, or compassionate allowance, shall, subject to the aforesaid provisions, be exercised by the board alone.

Do. do., s. 24,
modified.

24. Every order or regulation made by the board under any of the three last preceding sections shall, so far as the same relates to any officer whose monthly salary is three hundred rupees or more, be subject to the previous sanction of the Commissioner.

IV.—OF THE PROPERTY AND LIABILITIES OF THE BOARD.

General Powers as to Property.

25. The board shall, for the purposes of this Act, have power to acquire and hold moveable and immoveable property whether within or without the limits of the port or city of Karáchi; and shall also have power to lease, sell or otherwise convey any moveable or immoveable property which may have become vested in or been acquired by them:

Provided that no sale of immoveable property and no lease of any such property for a term exceeding fifty years shall be valid unless such sale or lease shall have been made with the previous sanction of Government.

26. When the board are unable to acquire, by agreement, any immoveable property required for the purposes of this Act, Government may, in their discretion, order proceedings to be taken for acquiring the same on behalf of the board, as if such property were land needed for a public purpose within the meaning of the Land Acquisition Act, 1870.

The amount of compensation awarded and all other charges incurred in the acquisition of any such property shall be forthwith defrayed by the board, and thereupon the said property shall vest in the board.

27. The property specified in schedule A shall, upon and after the date notified by Government under section 10, vest in the board:

Provided that—

(1) if any question arises between the Government and the board as to the boundaries of any portion of such property, Government may define and demarcate such boundaries and the decision of Government in respect to such boundaries, when approved by the Governor General in Council; shall be conclusive;

(2) any portion of the land specified in the said schedule which shall be re-

quired by Government for a public purpose may be resumed by Government, with the approval of the Governor General in Council, without claim to compensation on the part of the board, except for buildings or other permanent structures erected thereon;

(3) if the Governor General in Council shall at any time determine to extend the existing railway between the Bandar station and the Keamari station, or to execute any other work which he may consider necessary in the public interests, such railway may be constructed by Government along the foreshore or on reclaimed land, and such work may be executed by Government in or upon any of the property specified in the said schedule, without claim to compensation on the part of the board except for building or other permanent structures, which it shall be necessary to clear away for the purposes of such railway or work.

28. The loans specified in Schedule B, which have been contracted by the Karachi Harbour Board and have not yet been discharged and all other

debts and obligations incurred, all contracts entered into, and all matters and things engaged to be done by, with or for the Karachi Harbour Board, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the board;

and all sums of money due to the said Karachi Harbour Board shall be deemed to be due to the board;

and all suits or other legal proceedings, civil or criminal, instituted, or which might, but for the passing of this Act, have been instituted by or against the said Karachi Harbour Board, may be continued or instituted by or against the board.

V.—OF THE POWERS AND DUTIES OF THE BOARD.

Works.

29. The works to be constructed and carried out by the board may include the following:—

(1) wharves, quays, stages, jetties, piers and docks, with all necessary and convenient arches, drains, landing-places, stairs, fences, roads, railways, and approaches;

(2) tramways, warehouses, sheds, engines, and other appliances for conveying, receiving, and storing goods landed, or to be shipped, or otherwise;

(3) light-houses, light-ships, beacons, pilot-boats, and other appliances necessary for the safe navigation of the port and of the approaches thereto within a distance of three miles from the limits of the port;

(4) laying down moorings, and the erection of cranes, scales, and all means and appliances necessary for berthing, loading and unloading vessels;

(5) reclaiming, excavating, enclosing, and raising any part of the foreshore of the port vested in the board;

(6) the construction, procuring and application of dredges and other machines for cleaning, deepening, and improving any portion of the port or foreshore aforesaid;

(7) procuring and employing steam-vessels for towing vessels into, out of, or within the port;

(8) the construction of such works, without the limits of the port, as shall be necessary for the protection of works executed by the board within the port, and all such other works and appliances as may, in the opinion of the board, be necessary or desirable for carrying out the purposes of this Act:

Provided always that no new work, the estimated cost of which exceeds one thousand rupees, shall be commenced by the board, nor shall any contract be entered

into by the board in respect of any such new work, until a plan and estimate of such work shall have been submitted to the board and considered and approved by them; nor shall any new work, the estimated cost of which exceeds fifty thousand rupees, be commenced until such plan and estimate shall have been submitted to, and approved by, Government.

But no new work to be commenced without a plan and estimate, if its cost shall exceed Rs. 1,000;

nor without the sanction of Government to such plan and estimate, if the cost shall exceed Rs. 50,000.

30. The board shall provide such number of public landing-places as shall, in the opinion of the Commissioner be sufficient, from and upon which the public shall be permitted to embark and to land free of charge.

Free landing-places to be provided.

Bom. Act VI. of 1879, s. 71.

Bom. Act I. of 1884, s. 2.

Transfer to the board of the Karachi Harbour Board's liabilities and claims.

contracted by the Karachi Harbour Board and have not yet been discharged and all other

debts and obligations incurred, all contracts entered into, and all matters and things engaged to be done by, with or for the Karachi Harbour Board, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the board;

and all sums of money due to the said Karachi Harbour Board shall be deemed to be due to the board;

and all suits or other legal proceedings, civil or criminal, instituted, or which might, but for the passing of this Act, have been instituted by or against the said Karachi Harbour Board, may be continued or instituted by or against the board.

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(2) tramways, warehouses, sheds, engines, and other appliances for conveying, receiving, and storing goods landed, or to be shipped, or otherwise;

(3) light-houses, light-ships, beacons, pilot-boats, and other appliances necessary for the safe navigation of the port and of the approaches thereto within a distance of three miles from the limits of the port;

(4) laying down moorings, and the erection of cranes, scales, and all means and appliances necessary for berthing, loading and unloading vessels;

(5) reclaiming, excavating, enclosing, and raising any part of the foreshore of the port vested in the board;

(6) the construction, procuring and application of dredges and other machines for cleaning, deepening, and improving any portion of the port or foreshore aforesaid;

(7) procuring and employing steam-vessels for towing vessels into, out of, or within the port;

(8) the construction of such works, without the limits of the port, as shall be necessary for the protection of works executed by the board within the port, and all such other works and appliances as may, in the opinion of the board, be necessary or desirable for carrying out the purposes of this Act:

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Free landing-places to be provided.

Bom. Act VI. of 1879, s. 71.

Act XV. of 1879, s. 15, and Bom. Act VI. of 1879, s. 68.

Works to be constructed.

Act XV. of 1879, s. 19. 31. The board may occupy or remove or alter any bathing-place or landing-place within the port, and prohibit the public from resorting to or using the same: Provided that the board shall provide for the use of the public such other bathing-places or landing-places, if any, as the Commissioner may direct.

Landing and Shipping of Goods.

Do. do., s. 20.

32. The board shall, so far as the funds at their disposal will allow, provide and maintain wharves, quays, stages, jetties, piers, warehouses, sheds and appliances for the expeditious and convenient shipment and landing of goods in and from sea-going vessels within the port and for the storing of such goods, and shall by their servants land and ship all goods from and in any such vessel coming to any such wharf, quay, stage, jetty or pier, except where there is a lawful excuse for refusing to land or ship such goods, or such vessel is, under any enactment for the time being in force, not entitled to have her cargo shipped or discharged: Provided that—

(1) the board shall not be bound to land, ship or move any single article or package exceeding ten tons of twenty hundredweight in weight, except at such special charge as may be agreed on in respect of such article or package;

(2) the board may, by special agreement with the masters of vessels or the owners of goods, permit goods to be landed and shipped by others than the servants of the board; but every such permission shall be subject to the condition that the means to be employed and the appliances to be used by the said masters or owners for landing or shipping goods shall be subject to the approval of the board, whose duty it shall be to satisfy themselves that the said means and appliances are at all times such and in such condition as not to endanger the lives or safety of the persons employed.

Do. do., s. 21.

33. When any wharf, quay, stage, jetty or pier has been made and completed, with sufficient warehouses, sheds and appliances for landing or for shipping goods from and in sea-going vessels, the board may, with the previous sanction of the Commissioner,

by a notification published in three consecutive numbers of the *Sind Official Gazette*, declare that such wharf, quay, stage, jetty or pier is ready for receiving, landing and shipping, or for landing or for shipping, as the case may be, goods from and in sea-going vessels.

From and after such publication, the board may from time to time, when there is room at such wharf, quay, stage, jetty or pier, order to come alongside of such wharf, quay, stage, jetty or pier, for the purpose of landing and shipping goods, or for landing or for shipping the same, as the case may be, any sea-going vessel within the port which has not commenced to discharge cargo, or which, being about to take in cargo, has not commenced to do so.

34. When a sufficient number of wharves, quays, stages, jetties, piers, warehouses, sheds and appliances have been provided as aforesaid, the board may, with the previous sanction of the Commissioner, by an order published in three consecutive numbers of the *Sind Official Gazette*, direct that no goods shall be landed or shipped from or in any sea-going vessel within the port, save at such wharves, quays, stages, jetties and piers, and may, in like manner, alter, vary or revoke any such order.

35. When any wharf, quay, stage, jetty or pier for receiving, landing, or shipping goods from or in vessels, not being sea-going vessels, has been made and completed by the board, with sufficient warehouses, sheds and appliances in that behalf, the board may, with the sanction of the Commissioner, by an order published in three consecutive numbers of the *Sind Official Gazette*, declare:

(a) that such wharf, quay, stage, jetty or pier is ready for receiving, landing and shipping goods from or in vessels, not being sea-going vessels; and

(b) that, within certain prescribed limits within the port, to be specified in such order, it shall not be lawful to land or ship any goods from or in any vessel not being a sea-going vessel of any class specified in such order, except at such wharf, quay, stage, jetty or pier, nor for any such

vessel, while within such limits, to anchor, fasten or lie within fifty yards of low-water mark without the consent of the board.

If after such publication any such vessel while within such limits, so anchors, fastens or lies, the board may cause the same to be removed out of the said limits.

The board may in like manner, and with the like sanction, alter, vary or revoke any such order.

Act XV. of 1879, s. 24.

36. The board may, in cases of emergency, or for any reason which appears to them sufficient, by notice in writing, order the master or

Power to order vessels not to come along side of, or to be removed from, wharves, &c.

owner of any vessel not to bring such vessel alongside of, or to remove such vessel from, any wharf, quay, stage, jetty or pier belonging to the board, and, if such notice is not obeyed, the board may charge in respect of such vessel such sum as they think fit, not exceeding one hundred rupees for each day of twenty-four hours or portion of such day, during which such vessel remains at such wharf, quay, stage, jetty or pier:

Provided that in the case of a vessel ordered to be removed, such charge shall not commence to be made till after the expiry of thirty-six hours from the service of the board's notice on the master or owner of the vessel.

Do. do., s. 25.

37. Notwithstanding anything contained in sections 33, 34 and

Power to exempt from obligation to use wharves, &c.

35, the Commissioner may, by notification in the *Sind Official Gazette*, from time to time permit certain specified vessels or classes of vessels to discharge or ship cargo, or certain specified cargo or classes of cargo, at such part of the port, in such manner, during such period, subject to such payments and on such conditions, as he may think fit, and otherwise grant exemption from the provisions of such sections.

The Commissioner may also, by like notification, cancel or modify any such notification.

Do. do., s. 26.

38. Whenever any goods are landed by the board from any vessel, the board shall, if so required, give to the master of such vessel a receipt in the form or to the effect set forth in schedule C., and may in any such receipt include all goods landed from such vessel during one day.

Discharge of liability on goods landed.

by the board from any vessel, the board shall, if so required, give to the master of such vessel a receipt in the form or to the effect set forth in schedule C., and may in any such receipt include all goods landed from such vessel during one day.

No master or owner of a vessel from which the goods in respect of which such receipt is given may have been landed shall be liable for any loss or damage to such goods which may occur after they have been so landed.

Customs-wharves, &c.

39. When Government appoint, under the provisions of any Act for the levy of sea-customs duties, any wharf, quay, stage, jetty, pier, warehouse or shed

Act XV. of 1879, s. 27, and Bom. Act VI. of 1879, s. 70.

Accommodation to be provided for customs officers in wharves, &c., appointed under Sea-customs Act.

provided under this Act for the use of sea-going vessels to be a wharf for the landing or shipping, or a warehouse for the storing of goods within the meaning of such Act, the board shall set apart, maintain and secure on or in such wharf, quay, stage, jetty, pier, warehouse or shed such portion thereof or place therein, or adjoining thereto, for the use of the officers of customs as the Commissioner approves or appoints in that behalf.

40. Notwithstanding that any wharf, quay, stage, jetty, pier, warehouse or shed or portion thereof

Act XV. of 1879, s. 28, and Bom. Act VI. of 1879, s. 70.

Dues at customs-wharves, &c.

of has, under the provisions of the last section, been set apart for the use of the officers of customs, all dues, rates, tolls, charges and rents payable under this Act in respect thereof, or for the use thereof, or for the stowage of goods therein, shall be paid and be payable to the board or to such persons as they may appoint to receive the same.

Erection of Wharves, &c., by private persons.

41. Save as hereinafter provided, no person except the

Act XV. of 1879, s. 29, and Bom. Act VI. of 1879, s. 81.

Private wharves, &c., board shall make, erect or fix below high-water mark within the port any wharf, dock, quay, stage, jetty, pier, erection or mooring.

Any matter or thing so made, erected or fixed may be removed by the board, and the person who has so made, erected or fixed any such matter or thing shall be punished with fine, which may extend to one thousand rupees, and with a further fine which may extend to one hundred rupees for every day during which such matter or thing has been permitted to remain so made, erected or fixed after notice to remove the same has been given

to him, and shall also be liable to pay all expenses which may have been incurred by the board in removing such matter or thing.

Act X. of 1879, s. 30.

42. The board may, by an order in writing and subject to the conditions contained in the same, permit any person to make, erect or fix below high-water mark within the port any wharf, dock, quay, stage, jetty, pier, erection or mooring.

Power to permit erection of private wharves, &c., within the port subject to conditions.

Act XV. of 1879, s. 31.

43. In case any wharf, dock, quay, stage, jetty, pier, erection or mooring is, after the date on which this Act comes into force, without the written consent of Government, made, erected or fixed below high-water mark without the limits for the time being of the port, and thereafter the limits of the port are extended so as to include the place in which such wharf, dock, quay, stage, jetty, pier, erection or mooring has been made, erected or fixed, the board may remove, fill up or destroy such wharf, dock, quay, stage, jetty, pier, erection or mooring without making any compensation therefor.

Wharves, &c., beyond port limits.

Rates.

Do. do., s. 32.

44. The board shall frame—

(a) a scale of tolls, dues, rates and charges for the landing and shipment of goods from and in sea-going vessels and vessels not being sea-going vessels, respectively, at the wharves, quays, stages, jetties and piers, and for the use of such wharves, quays, stages, jetties and piers by such vessels, and for the storing and keeping of any goods stored in any premises belonging to the board, and for the removal of goods and for the use of any mooring;

(b) a scale of tolls for the use of the said wharves, quays, moorings, stages, jetties and piers by any such vessels, in case the board permit the goods to be landed or shipped by others than their own servants; and

(c) a scale of charges for any services to be performed by the board or their servants in respect of any vessel, or goods, or for the use of any works or appliances to be provided by the board.

Such scales shall be submitted, through the Commissioner, to Government and, after approval or modification by Government, shall be published in the *Bombay*

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Government Gazette and the *Sind Official Gazette* and shall thereupon have the force of law.

Subject to the like approval or modification and publication, the board may, from time to time, alter the said scales.

From the time when any scale framed under this section comes into force, the Bombay Landing and Wharfage Fees Act, 1882, shall be repealed so far as regards the port of Karáchi.

45. The board may, in special cases, with the previous sanction of Government, remit the whole or any portion of any toll, due, rate, or charge leviable under the last preceding section.

46. The tolls, dues, rates and charges prescribed under section 44 shall not be leviable in respect of any vessel employed by Government solely for the transport of troops nor in respect of the baggage or other effects of any troops landing or embarking at the port.

46. The tolls, dues, rates and charges prescribed under section 44 shall not be

leviable in respect of any vessel employed by Government solely for the transport of troops nor in respect of the baggage or other effects of any troops landing or embarking at the port.

In lieu thereof, a toll shall be payable by Government to the board on all troops and all the families of troops landing or embarking at Karáchi at the rate of one rupee per head.

47. For the amount of all tolls, dues, rates and charges leviable under this Act in respect of any goods, the board shall have a lien on such goods, and shall be entitled to seize and detain the same until such tolls, dues, rates and charges are fully paid.

Tolls, dues, rates and charges in respect of goods to be landed shall become payable immediately on the landing of the goods, and, in respect of goods to be removed from the premises of the board or to be shipped for export, shall be payable before the goods are removed or shipped.

The lien for such tolls, dues, rates and charges shall have priority over all other liens and claims, except a lien for freight, primage and general average, where such lien has been preserved in the manner hereinafter provided, and a lien for money payable to Her Majesty or the Secretary of State for India in Council under any law for the time being in force.

48. If the master or owner of any vessel, at or before the time of landing from such vessel of

Owner's lien for freight.

Act XV. of 1879, s. 34, and Bom. Act VI. of 1879, s. 62.

any goods at any wharf, quay, stage, jetty or pier, gives to the board notice in writing that such goods are to remain subject to a lien for freight, primage or general average of an amount to be mentioned in such notice, such goods shall continue liable, after the landing thereof, to such lien.

Such goods shall be retained either in the warehouses and sheds of the board, or, with the consent of the Chief Officer of Customs, in a public warehouse, at the risk and expense of the owner of the said goods, until the lien is discharged as hereinafter mentioned.

Act XV. of
1879, s. 35,
and Bom.
Act V. of
1879, s. 63.

49. Upon the production to any officer appointed by the board in that behalf of a document purporting to be a receipt for, or a release from, the amount of such lien, executed by the person by or on whose behalf such notice has been given, the board may permit such goods to be removed without regard to such lien: Provided they shall have used reasonable care in respect to the authenticity of such document.

Act XV. of
1879, s. 36.

50. Whenever goods have, without any default on the part of the board, been left for two clear days on or in any wharf or shed belonging to the board, the board may cause such goods to be removed either to any warehouse belonging to them, or, with the consent of the Chief Officer of Customs, to a public warehouse; and the removal to and detention in any such warehouse shall be at the risk and expense of the owner of the said goods.

Whenever any goods are so removed, the board shall give notice to the owner of such goods of such removal, if his address be known, by letter sent by post to such address or left thereat; and shall also publish in the *Sind Official Gazette* and in two local newspapers notice of such removal, and shall specify therein the numbers, marks and descriptions of such goods so far as the same appear; and the owner of such goods, in addition to the expenses of the removal of the same, shall be liable, in case the goods are removed to any warehouse of the board, to a charge for warehousing for the time during which the goods shall remain in the said warehouse.

If the goods are removed to a public warehouse, the said owner shall be liable to the charges for warehousing goods in such public warehouse; and the said

goods shall remain subject to all liens to which they would have been liable if they had remained in the possession of the board and shall be subject to the power of sale hereinafter given.

51. If the tolls, dues, rates and charges payable to the board in respect of any goods under this Act are not paid, or if the

Act XV. of
1879, s. 37,
and Bom.
Act VI. of
1879, s. 64.

Recovery of tolls and charges by sale of goods.
lien for freight, primage or general average, where such notice as aforesaid has been given, is not discharged, the board may, and in the latter event, if required by or on behalf of the person claiming such lien for freight, primage or general average, shall, at the expiration of four months from the time when the goods were placed in their custody, sell by public auction the said goods, or so much thereof as may be necessary to satisfy the amounts hereinafter directed to be paid out of the produce of such sale.

Before making such sale at least ten days' notice of the same shall be given by publication thereof in the *Sind Official Gazette* and in two local newspapers.

If the address of the owner of the goods has been stated on the manifest of the cargo, or in any of the documents which have come into the hands of the board, or is otherwise known, notice shall also be given to the owner of the goods by letter delivered at such address or sent by post; but the title of a *bond fide* purchaser of such goods shall not be invalidated by reason of the omission to send such notice, nor shall any such purchaser be bound to enquire whether such notice has been sent:

Provided that, if such goods are of so perishable a nature as, in the opinion of the officer appointed by the board in that behalf, to render early or immediate sale necessary or advisable, the board may, within such period, being not less than twenty-four hours after the landing of the goods as they think fit, sell by public auction the said goods or such portion of them as aforesaid, in which event such notice, if any, shall be given to the owner of the goods as the urgency of the case admits of.

52. The proceeds of every such sale shall be applied as follows:—

Act XV. of
1879, s. 38,
and Bom.
Act VI. of
1879, s. 65.

(a) in payment of the expenses of the sale;

(b) in payment, according to their respective priorities, of the liens and claims excepted in section 47 from the priority of the lien of the board ;

(c) in payment of the tolls, dues, rates and charges of landing, removing, storing or warehousing the same, and of all other charges due to the board in respect thereof.

The surplus, if any, shall be paid to the importer or owner of the goods, or to his agent, on his applying for the same : Provided such application be made within one year from the sale, or reason be shown to the satisfaction of the board why such application was not so made, and, in case such application shall not be so made nor reason shown, such surplus shall be held by the board upon trust for the purposes of this Act.

Act XV. of 1879, s. 39, and Bom. Act VI. of 1879, s. 66.

53. If the master of any vessel in respect of which any tolls, dues, rates, charges, or penalties shall be payable under this Act, or any bye-laws made in pursuance hereof, refuses or neglects to pay the same, or any part thereof, on demand, it shall be lawful for the board to distrain or arrest of their own authority such vessel, and the tackle, apparel, or furniture belonging thereto, or any part thereof, and detain the same until the amount so due shall be paid.

And, in case any part of the said rates or penalties, or of the costs of the distress or arrest or of the keeping of the same, shall remain unpaid for the space of fifteen days next after any such distress or arrest shall have been so made, the board may cause the vessel, or other thing so distrained or arrested, to be sold, and with the proceeds of such sale may satisfy such tolls, dues, rates, charges or penalties and costs of sale remaining unpaid, rendering the surplus, if any, to the master of such vessel on demand.

Act XV. of 1879, s. 40, and Bom. Act VI. of 1879, s. 67.

54. If the board shall give to the officer of Government whose duty it is to grant the port clearance of any vessel, a notice stating that an amount therein specified is due in respect of tolls, dues, rates, charges or penalties chargeable under this Act, or any bye-laws or orders made in pursuance hereof, against such vessel or the owner or master of such vessel, in respect thereof, such officer shall not grant such port clearance until the amount so chargeable shall have been paid.

Control of Pilots.

55. The board shall have the right and privilege of maintaining pilots for the navigation of vessels at the port, and all fees for pilotage shall be paid to the board : Provided that no person shall be appointed to be a pilot by the board who is not for the time being authorized by Government, under the provisions of the Indian Ports Act, 1875, to pilot vessels.

Bom. Act VI. of 1879, s. 72.

XII. of 1875.

The board may also, from time to time, make such bye-laws and regulations as they shall think fit—

(a) for fixing and regulating the wages and allowances for pilotage to be received by pilots, and

(b) for regulating the behaviour and conduct of pilots ;

and shall enforce the observance of such bye-laws and regulations by the imposition of pecuniary penalties not exceeding two hundred rupees for each offence, or by suspension, or deprivation of appointment, or otherwise as to them may appear expedient : Provided that such bye-laws shall first have been approved by Government, and published in the manner directed by section 57.

Bye-laws.

56. The board may from time to time make bye-laws, consistent with this Act and with the Indian Ports Act, 1875,—

Bom. Act VI. of 1879, s. 73, and Act XV. of 1879, s. 16.

XII. of 1875.

(a) for regulating, declaring and defining the wharves, quays, stages, jetties, and piers on and from which goods shall be landed from and shipped in vessels within the port ;

(b) for the safe and convenient use of such wharves, quays, stages, jetties, piers and of landing-places, tramways, warehouses, sheds and other works in and adjoining the same ;

(c) for regulating the reception and removal of goods within and from the premises of the board, and for declaring the procedure to be followed in taking charge of goods which may have been damaged before landing, or may be alleged to be so damaged ;

(d) for settling the mode of payment of tolls, charges, dues and rates levied under this Act ;

(e) for providing water for ships and for licensing and regulating water-boats within the port;

(f) for the removal of wrecks from the port and keeping clean the port, the foreshore and the works of the board, and for preventing filth or rubbish being thrown therein or thereon;

(g) for the guidance of persons employed by them under this Act, and generally for carrying out the purposes of this Act.

The board may also from time to time alter or revoke any bye-laws so made by them.

Bom. Act VI. of 1879, s. 74.

57. No bye-law, or alteration or revocation of a bye-law, shall have effect until the same shall have been approved by Government, and such approval shall have been published in the *Bombay Government Gazette*; and in the *Sind Official Gazette*; and no bye-law or alteration or revocation of a bye-law shall be approved by Government until a draft of the same shall have been published for three weeks successively in the *Sind Official Gazette*, nor unless the said draft shall have been submitted for their approval through the Commissioner.

It shall be lawful for Government at any time, by notification in the *Bombay Government Gazette*, and in the *Sind Official Gazette*, to cancel any bye-law or regulation made and published under the provisions of this and of the two last preceding sections.

58. The board may, in the bye-laws made under section 56, prescribe such penalties as they shall deem fit for the infringement of the same: Provided that no penalty for any one infringement of a bye-law shall exceed one hundred rupees, nor, in case of a continuing infringement, shall any penalty exceed fifty rupees per diem for every day after notice of such infringement shall have been given by the board to the person guilty of such infringement.

59. The board shall cause the said bye-laws, and every scale of tolls, dues, rates and charges leviable by the board, to be printed in the English, Gujaráti and Sindi languages, and to be kept hung

up in some conspicuous place at each of the several wharves, quays, stages, jetties, piers, warehouses and sheds belonging to the board.

VI.—OF REVENUE AND EXPENDITURE.

Management of Funds.

60. All moneys raised by and paid to the board under this Act shall be kept in the bank which is at the time appointed to conduct the business of Her Majesty's treasury at Karáchi.

No disbursement of such moneys or any part thereof shall be made except upon a cheque signed by the chairman or vice-chairman and one other trustee.

Payment of any sum in excess of five hundred rupees, if it relate to the Port Engineer's department, or of one hundred rupees, if it relate to any other department, shall be made by the board by means of a cheque signed as aforesaid and not in any other way.

Payments of sums not exceeding five hundred rupees each may be made on behalf of the board by the Port Engineer on account of any charge in his department, in cash, cheques for sums not in excess of five thousand rupees each, signed as aforesaid, being drawn from time to time in favour of the Port Engineer to cover such payments.

In every department other than that of the Port Engineer, sums not exceeding one hundred rupees each may be paid, by such officer as the board appoints for this purpose, in cash, cheques for sums not in excess of five hundred rupees each, signed as aforesaid, being drawn from time to time in favor of such officer to cover such payments.

61. The moneys belonging to the board shall be held by them in trust, and, except as is hereinafter provided, shall be applied by them in payment of the following charges (namely):—

(1) the salaries, fees, allowances, pensions, gratuities, compassionate allowances or other moneys due to the trustees and to the officers and servants appointed under this Act or lent to the board by Government, and the contributions, if any, payable to Government on account of the pension and leave allow-

Act XV. of 1879, s. 68, and Bom. Act I. of 1884, s. 48.

Bom. Act VI. of 1879, s. 49.

Do. do., s. 75.

Bom. Act VI. of 1879, s. 76.

ances of any officer lent to the board by Government and the contributions, if any, duly authorized to be made to any provident fund established by the officers and servants appointed under this Act;

(2) the cost of repairs and maintenance of the property vested in the board, and all charges upon the same and all working expenses;

(3) such sum as Government may from time to time require for the establishment and maintenance of police for the protection of the port and of the approaches thereto;

(4) the interest and instalments of capital due in respect of any loan that may have been raised by the board or for which it is liable;

(5) any charges for which the board may be liable under section 79 or section 80;

(6) the cost, or such portion of the cost, of any new work, plant, vessel or appliance which the board may determine to charge to revenue;

(7) any other charge which may be specially sanctioned by Government on the application of the board.

Annual Estimates.

62. The chairman shall, at a special meeting to be held in the month of January in each year, lay before the board an estimate of the income and of the expenditure of the board for the year commencing on the first day of April then next ensuing, in such detail and form as the board shall from time to time direct.

Such estimate shall be completed and printed, and a copy thereof sent by post, or otherwise, to each trustee, at least ten clear days prior to the meeting before which the estimate is to be laid.

63. The board shall consider the estimate so submitted to them, and shall sanction the same either unaltered or subject to such alterations as they shall think fit.

64. The estimate, as sanctioned by the board, shall be submitted, through the Commissioner, to the Government,

which may, if it thinks fit, at any time within one month after receipt of the same, disallow such estimate, or any portion thereof, and return the same for amendment. The board shall, if the estimate is so returned by Government, forthwith proceed to amend the same, and shall re-submit the estimate so amended, through the Commissioner, to the Government.

65. Together with the said estimate, the board shall submit, through the Commissioner, to the Government, a list of the works which the board propose to execute during the year to which the estimate relates, showing the order in which the said works are to be executed and the date within which each of them will probably be completed or, in the case of any work which will not be completed within the year, the progress intended to be made therewith during the said year.

66. The board may, at any time during the year for which any such estimate has been sanctioned, cause a supplementary estimate to be prepared and submitted to them. Every such supplementary estimate shall be considered and sanctioned by the board and submitted to the Government in the same manner as if it were an original annual estimate.

67. Save in cases of pressing emergency, no sum exceeding three thousand rupees shall be expended by the board, unless such sum is included in some estimate at the time in force which has been finally approved by Government.

If any sum exceeding three thousand rupees in amount is so expended on a pressing emergency, the circumstances shall be forthwith reported by the chairman, through the Commissioner, to Government, together with an explanation of the way in which it is proposed by the board to cover such extra expenditure.

Audit of Accounts.

68. The accounts of the receipts and expenditure of the board shall, twice in every year, be laid before Government, and shall be audited and examined in such manner and by such

Act XV. of 1879, s. 42.

Bom. Act VI. of 1879, s. 52.

Do. do., s. 53.

Do. do., s. 54.

auditor or auditors as shall, from time to time, be appointed by the board, with the approval of the Commissioner.

For the purposes of such audit and examination, the auditors may, by summons in writing, require the production before

them of all books, deeds, contracts, vouchers, and all other documents and papers which they may deem necessary, and may require any person holding, or accountable for any such books, deeds, contracts, accounts, vouchers, documents, or papers, to appear before them at any such audit and examination, or adjournment thereof, and to make and sign a declaration with respect to the same.

The auditors shall be paid by the board such remuneration as the Commissioner shall determine; and, within fourteen

days after the audit and examination of the accounts for any half-year shall have been completed, the auditors shall forward

a report upon the accounts for such half-year to the board, who shall cause the same to be published, together with an abstract of the accounts, in the *Bombay Government Gazette* and in the *Sind Official Gazette*.

Disposal of Balances.

69. The board may invest any balance remaining on the 31st

March of each year in securities of the Government of India and may from time to time sell the said securities, and either re-invest the proceeds in other such securities, or credit the same to the general funds of the board.

But the money so invested by the board shall not exceed such amount annually, or in the aggregate, as shall from time to time be prescribed by Government.

Amounts which may be so invested to be limited by Government.

VII.—PENALTIES.

70. Any person who being a trustee, or an officer or servant of the board, shall acquire, directly or indirectly, any share or interest in any contract or employment with, by, or on behalf of the board, shall be deemed to have committed the offence

For being interested in contracts with the board.

made punishable by section 168 of the Indian Penal Code:

Act XLV. of 1860.

Provided that nothing in this section shall apply to any person by reason only of his—

(a) having a share in any joint-stock company which shall contract with, or be employed by, or on behalf of, the board; or

(b) having a share or interest in any newspaper in which any advertisement relating to the affairs of the board may be inserted; or

(c) being interested in any loan of money to the board.

71. Any person employed under this Act, not being a public servant within the meaning of section 21

For obtaining illegal gratification.

of the Indian Penal Code, who shall accept or obtain, or agree to accept or attempt to obtain, from any person, for himself or for any other person, any gratification whatever, other than legal remuneration, as a reward for doing, or forbearing to do, any official act, or for showing, or forbearing to show, in the exercise of his official functions, favour or disfavour to any person, or for rendering, or attempting to render, any service or dis-service to any person with the board or with any public servant as such, or with the Government, shall be liable to the same punishment as is provided by the Indian Penal Code in the case of the like offence committed by a public servant.

Bom. Act VI. of 1879, s. 79.

Act XLV. of 1860.

Act XLV. of 1860.

72. Whoever infringes any order issued under section 33, 34

Infringement of sections 33, 34, 35, 37, or 42.

or 35 or any condition prescribed under section 37 or 42 shall be punished with fine which may extend to one hundred rupees; and, if the infringement be continuing, with a further fine which may extend to one hundred rupees for every day such order or condition is infringed.

Act XV. of 1879, s. 72.

73. Any person who shall refuse or neglect to appear before any auditor of accounts, or to produce any books, deeds, contracts, accounts,

For refusing or neglecting to appear before an auditor of accounts, &c.

vouchers, documents, or papers, or to make or sign any declaration when duly required so to do by any auditor of accounts under section 68, shall be punished for every such neglect or refusal with fine which may extend to one hundred rupees.

Bom. Act VI. of 1879, s. 80.

do., do., s 78.

Bom. Act VI.
of 1879, s. 82.

74. If it be found when goods are imported at, or exported from, any wharf, quay, stage, jetty or pier in the possession of the board, that the weight or quantity of such goods, or the tonnage of any vessel carrying such goods, has been understated in any document presented to any officer of the board for the purpose of enabling him to determine the tolls, dues, rates or charges payable in respect of the said goods or vessel, the consignee, in the case of goods imported, and the consignor, in the case of goods exported, shall be liable to pay to the board such sum not exceeding twice the proper tolls, dues, rates or charges on the weight or quantity of goods or amount of tonnage so understated as may be determined by the board, and the said sum shall, on the application of the board, be recoverable under the warrant of a Magistrate as if it were a fine inflicted by such Magistrate.

Dq. do., s. 83.

75. Any person who removes, or attempts to remove, or abets, within the meaning of the Indian Penal Code, the removal of any goods, vessel, animal, or vehicle with the intention of evading payment of the tolls, dues, rates or charges lawfully payable in respect thereof to the board shall be punished with fine which may extend to fifty rupees.

Act XLV. of
1860.

76. In case any damage or mischief is done to any wharf, dock, quay, jetty, stage, pier, or work constructed or acquired by the board under this Act by any vessel, through the negligence of the master thereof or of any of the mariners or persons employed therein, any Magistrate of the first class having jurisdiction at Karachi may, on the application of the board, and on declaration by them that payment for such damage or mischief has been refused or has not been made on demand, issue a summons to the master or owner of such vessel, requiring him to attend on a day and at an hour named in the summons to answer touching such damage or mischief.

If, at the time appointed in the summons and whether the person summoned appears or not, it is proved that the alleged damage was done through such negligence as aforesaid, and that the pecuniary amount of the same does not exceed two hundred rupees, the Magistrate may issue his warrant of distress, under which a sufficient portion of the boats, masts, spars, ropes, cables, anchors or stores of

the vessel may be seized and sold to cover the expenses of and attending the execution of the distress, and the pecuniary amount of damage as aforesaid, and such amount shall be paid to the board out of the proceeds of the distress:

Provided that if, at the time of the damage or mischief, the vessel was under the orders of a duly authorized officer belonging to the pilot service or to the Harbour Master's or Port Officer's department, the case shall not be cognizable by the Magistrate under this section.

77. Except as is otherwise provided in sections 74 and 75, Cognizance of all offences against this Act or against any bye-law made under section 56 shall be cognizable by a Magistrate.

Bom. Act VI.
of 1879, s. 85.

All fines and damages recovered from any offender or by any distress under section 76 shall be paid to the board.

78. Prosecutions under this Act may be instituted by the board or by any person authorized by them in this behalf, and not otherwise.

Act XV. of
1879, s. 75.

VIII.—CONTROL.

79. Government may at any time order a survey and examination of any work of the board under this Act, or of the site thereof, and the cost of such survey or examination shall be borne and paid by the board.

Do. do., s. 46.

80. If the board allow any work acquired or constructed by them under this Act to fall into disrepair, or do not complete any work commenced by them or duly estimated for and sanctioned, and do not, after notice given by Government in writing, proceed effectually to repair or complete such work to the satisfaction of Government, Government may cause such work to be restored, completed or constructed, and the cost thereof shall be borne and paid by the board.

Do. do., s. 47.

81. If it shall at any time appear to Government that sufficient provision is not being made by the board to meet their liabilities, Government may require the board, by an order in writing, to increase, subject to its sanction and to the provisions of section 44, to such extent and for such period as shall appear necessary, the tolls, dues, rates and charges

Bom. Act VI.
of 1879, s. 60.

or any of them for the time being in force under the said section.

If, within fifteen days after receipt of such order, the board do not comply with the same, Government may, by notification in the *Bombay Government Gazette*, and in the *Sind Official Gazette* increase the said tolls, dues, rates, charges, or any of them, and such notification shall have the same force as if a new scale to the same effect had been duly framed, sanctioned and published under section 44.

Act XV. of 1879, s. 48.

82. If at any time the Government is satisfied that the purposes intended to be accomplished under this Act have not been and are not likely to be properly accomplished by the board, the Government may, by notification in the *Bombay Government Gazette*, and in the *Sind Official Gazette*, give notice that, unless within six months the board take measures to the satisfaction of Government for properly accomplishing such purposes, the powers by this Act conferred on the board will, at the end of such period, be withdrawn and revoked.

On the expiration of the period aforesaid, Government may, if no such measures to its satisfaction have been taken by the board, with the approval of the Governor General in Council, declare such powers to be withdrawn or revoked, and thereupon such powers shall be withdrawn and revoked accordingly, and all the powers, rights and authorities and all the property vested by this Act in the board shall thereupon vest in Government.

IX.—MISCELLANEOUS.

Do. do., s. 76.

83. All acts done and proceedings taken by the Karachi Harbour Board before this Act comes into force, and all orders, rules and regulations relating to the port and to wharves, quays, stages, jetties, piers and landing places within the port made and issued before this Act comes into force, shall, whenever such acts, proceedings, orders, rules, or regulations would have been lawful if this Act had been in force, be deemed to have been respectively done, taken, made and issued under the provisions of this Act.

Do. do., s. 77.

84. All fees and sums due on account of property for the time being vested in the board, and all

arrears of tolls, charges, rates and dues imposed under this Act, may be recovered as if they were arrears of land-revenue, in addition to the other modes hereinbefore provided.

85. No trustee shall be personally liable for any contract made or expense incurred by or on behalf of the board; but the funds from time to time in the hands of the board shall be liable for and chargeable with all contracts made in manner provided in this Act.

Act XV. of 1879, s. 50.

86. Every trustee shall be liable for any misapplication of money entrusted to the board to which he has been a party, or which happens through, or is facilitated by, the neglect of his duty.

Do. do., s. 51.

87. No suit shall be commenced against any person for anything done, or purporting to have been done, in pursuance of this Act, without giving to such person one month's previous notice in writing of the intended suit and of the cause thereof, nor after six months from the accrual of the cause of such suit;

Bom. Act VI. of 1879, s. 87, para. 1.

and in the case of a suit for damages, if tender of sufficient amends shall have been made before the suit was brought, the plaintiff shall not recover more than the amount so tendered and shall pay all costs incurred by the defendant after such tender.

88. The board shall not be responsible for any mis-feasance, mal-feasance or non-feasance of any officer or servant appointed under this Act;

Bom. Act VI. of 1879, s. 87, paras. 2 to 4.

nor, if they should be appointed by Government under the Indian Ports Act, 1875, conservators of the port, for any mis-feasance, mal-feasance, or non-feasance of any deputy conservator, port officer or harbour master, or of any assistant or deputy of any such officer or of any person acting under the authority or direction of or in subordination to any such officer, assistant or deputy;

XII. of 1875.

nor for any damage sustained by any vessel in consequence of any defect in any of the moorings, hawsers, or other things belonging to the board, which may be used by such vessel.

SCHEDULE A.

(See Section 27.)

PROPERTY VESTED IN THE BOARD.

I.—All the right, title and interest of the Secretary of State for India in Council in the following lands, buildings, workshops, piers, breakwaters, groynes, embankments, bridge, light-house, signal stations, jetty, quay, graving-dock, and railway lines, together with all the fittings and other appurtenances thereof (namely):—

Consecutive number of plots.	Name of Property.	Heretofore in charge of :	Boundaries and general description.	Approximate area.	
				Acres.	Square Yards.
I.	Land at Manora occupied by harbour Works' office, workshop, &c., together with the following buildings standing thereon, (namely) :	Post Engineer, Karáchi.	On the North by plot No. III., and the British India Steam Navigation Company's coal-shed and quarantine buildings. On the South by Persian Gulf telegraph ground and buildings. On the East by harbour On the West by back-water and mangrove swamp.	24	4,547
	Bungalows, with out-houses (supervisors').	Do. ...	Cutchá pucka.		
	Harbour Works' office and peons' quarters.	Do. ...	Do.		
	Bungalow, with out-houses (superintendent of machinery's).	Do. ...	Pucka.		
	Do. do (clerks' and artificers').	Do. ...	Cutchá pucka.		
	Do. do (supervisor and clerks').	Do. ...	Do.		
	Do. do (accountants').	.....	Do.		
	Do. do (cashier and draftsmen's).	Port Engineer, Karáchi.	Do.		
	Do. do (overscers').	Do. ...	Do.		
	Workshop, chimney, smiths' and carpenters' sheds and engine-house.	Do. ...	Includes workshop, engine, machinery and fittings, two pucka and remainder cutcha.		
	Store-room and office ...	Do. ...	Pucka.		
	Four lines for khalásis and maistry and boat-house.	Do. ...	Cutchá pucka.		
	Four store godowns ...	Do. ...	3 cutcha and 1 pucka.		
	Chauki for Harbour Works' Police.	Do. ...	Pucka.		
	Quarters for engine-men.	Do. ...	Cutchá pucka.		
	Firewood compound ...	Do. ...	Pucka.		
	Line for Harbour Works' Police.	Do. ...	Do.		
	Bungalow, with out-houses (dredge engineer's).	.....	Cutchá pucka.		
	Do. do (store-keeper's).	Port Engineer, Karáchi.	Do.		
	Do. do (time-keeper's).	Do. ...	Do.		
	Do. do (supervisor's).	Do. ...	Pucka.		
	Tidal-instrument house.	Do. ...	Wood-work.		

SCHEDULE A—continued.

Consecutive number of plots.	Name of property.	Heretofore in charge of:	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
II.	Land occupied by Harbour Works' work-people's lines, together with the following buildings standing thereon, (namely):	Port Engineer, Karachi.	On the North by plot No. 1. On the South by native dealers' and contractors' lines. On the East by open space and Persian Gulf telegraph premises. On the West by No. 2 Battery.	7	806
	Five lines for workmen.	Do. ...	Kutchra.		
	Five lines for carpenters and labourers.	Do. ...	Kutchra pucka.		
	Line for sweepers ...	Do. ...	Do.		
III.	Land occupied by Harbour Works (Khalasi lines).	Do. ...	On the North by British India Steam Navigation Company's coal-shed. On the South by plot No. 1. On the East by harbour. On the West by back-water and mangrove swamp.	...	3,033
IV.	Land occupied by Harbour Works' quarry and reclaimed ground along shore between deep water point and the shore end of the break-water, together with the following buildings standing thereon, (namely):	Do. ...	On the North by harbour and Port Department's ground. On the South by Manora breakwater. On the East by harbour. On the West by plots Nos. V, VI and VII.	17	4,038
	Office and store-room of No. 1 Division with charging room.	Do. ...	Pucka.		
	Line for workmen ...	Do. ...	Kutchra pucka.		
	Do. pointsmen ...	Do. ...	Do.		
	Bungalow, with out-houses (dredge store and time-keeper's).	Do. ...	Do.		
V.	Powder Magazine ...	Do. ...	Pucka.		
	Former site for Harbour Works, temporary jail, and new quarry.	Do. ...	On the North by plot No. 6. On the South by Mr. D. McIver's plot. On the East by plots Nos. IV and VII, and St. Paul's church. On the West by the sea.	1	1,590
VI.	Plot of ground, with Harbour Works' wells.	Do. ...	On the North by Captain Bishop's bungalow (formerly Lieutenant A. W. Stiffe's). On the South, by plot No. V. On the East by plot No. IV. On the West by open space and the sea.	...	1,069
VII.	Plot of ground with Harbour Works' bungalow, together with the following buildings standing thereon, (namely):	Do. ...	On the North by St. Paul's church. On the South by open space and Hindu temple. On the East by plot No. IV. On the West by plot No. V.	...	3,499

SCHEDULE A—continued.

Consecutive number of plots.	Name of Property.	Heretofore in charge of:	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
VII.	Harbour Works' bungalow and out-houses (Port Engineer's).	Port Engineer, Karachi.			
VIII.	Land occupied by Port Department, together with the following buildings standing thereon, (namely):	Port Officer ...	On the North by Persian Gulf telegraph premises. On the South by plot No. IV. and open space. On the East by harbour. On the West by cemetery.	19	856
VIII.	Bungalow, with out-houses (dredge foreman's).	Port Engineer, Karachi.	Kutchka pucka.		
	Coal-shed (formerly boat-shed).	Port Officer ...	Kutchka.		
	Godown at Manora ...	Do.	Pucka.		
	Do. do. ...	Do.	Do.		
	Boat-shed (formerly coal-shed).	Do.	Do.		
	Four lines for lascars and sweepers.	Do.	Do.		
	Water-reservoirs, with service tanks for Port Department.	Do.	Do.		
	Firewood compound, Port Department.	Do.	Do.		
	European school with latrines.	Do.	Do.		
	School mistress' quarters and out-houses.	Do.	Do.		
Reading-room ...	Do.	Kutchka pucka.			
IX.	Land occupied by fort, light-house, signal station, &c., together with the following buildings standing thereon, (namely):	Do.	On the North by plots Nos. X and XI. On the South by Manora breakwaters. On the East by harbour. On the West by the sea.	3	2,967
	Light-house and light lascars' quarters and bastion godown.	Do.	Pucka.		
	Fort and Port Officer's quarters and out-houses.	Do.	Kutchka pucka.		
	Peons' quarters at fort.	Do.	Do.		
X.	Land occupied by out-houses near fort.	Do.	On the North by plot No. IV. On the South by plot No. IX. On the East by plot No. IV. On the West by plot No. XI.	...	4,501
XI.	Land occupied by bungalow and out-houses, together with the following buildings standing thereon, (namely):	Do.	On the North by open space and plot No. IV. On the South by plot No. IX. On the East by plot No. X. On the West by plot No. X and open space and the sea.	...	4,046
	Bungalow with out-houses and part of Masters Attendants' quarters.	Do.	Kutchka.		

SCHEDULE A—continued.

Consecutive number of plots.	Name of property.	Heretofore in charge of :	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
XII.	Land to the west of Napier Mole at its southern end, together with the following building standing thereon, (namely):	Port Engineer, Karáchi.	On the North by new channel. On the South by plot No. XIV. On the East by China creek backwaters. On the West by plot No. XIII.	2	941
XIII.	Workmen's quarters, late new channel office. Land to the west of Napier Mole between plot No. XII. and the Commissariat premises, together with the following building standing thereon, (namely):	Do. ...	Pucka.	4	1,408
XIV.	Office on ground occupied by Messrs. J. Cossier and Company. Land to the east of Napier Mole and former railway embankment.	Do. ...	On the North by new channel. On the South by plot No. XIV. On the East by plot No. XII. On the West by Commissariat yard. Kutchá pucka.	25	2,773
XV.	Land to the east of Keamari Groyne.	Do. ...	On the North by plots Nos. XII and XIII. On the South by Andrew road. On the East by China creek backwaters. On the West by Customs-pier. On the North by Sind, Punjab and Delbi Railways Keamari station-ground. On the South by sea. On the East by China creek. On the West by Keamari Groyne and harbour.	61	3,023
XVI.	Merewether Pier shore plots A. B. C. D., together with the following buildings standing thereon, (namely):	Port Officer ...	On the North by plot No. XVII. On the South by railway sheds and pier. On the East by railway ground. On the West by Merewether pier and harbour.	2	1,940
XVII.	Engine and boiler-house, chimney and accumulator tower. Office for Pier Master ... Goods-shed ... Land from Merewether Pier to Customs-pier, together with the following building standing thereon, (namely):	Do. ... Do. ... Do. ...	Pucka. Do. Do.	1	3,710
XVIII.	Wooden office near Customs-pier. Land for Merewether Pier establishment on which the following buildings stand, (namely):	Do. ... Do. ...	On the North by plot No. XIV. On the South by Andrew road. On the East by open space. On the West by plot No. XVII.	1	3,130

SCHEDULE A—continued.

Consecutive number of plots.	Name of property.	Heretofore in charge of:	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
XVIII.	Pier Master's quarters and out-houses.	.....	Pucka.		
	Quarters for native establishment under Port Officer and Port Engineer.	.....	Do.		
XIX.	Land to the east of Hindu temple at north end of Napier Mole bridge with the following building standing thereon, (namely):	Port Engineer, Karáchi.	On the North by open space covered at high-water. On the South by new channel. On the East by open space. On the West by native jetty.	...	2,967
	Peons' quarters near Hindu temple.	Do.	... Pucka.		
XX.	Land for Harbour Works' new quarry at Hands Hill, with the following building standing thereon, (namely):	Do.	On the North by open space and hills. On the South by open space and old quarry. On the East by open space. On the West by do.	46	3,249
	Peon's quarter at Hands Hill.	Do.	... Pucka.		
XXI.	Land between China creek embankment and the sea.	Do.	On the North by China creek embankment. On the South by the sea. On the East by bare sand hills. On the West by sandy ridges.	90	769
XXII.	Anemometer-house, Manora, with chaukidár's house adjoining.	Do.	... On ridge of west bank, Manora—Anemometer-house, pucka; chaukidár's, kutcha.	...	111
XXIII.	Powder Magazine on Manora Point.	Port Officer	... On the North by open space. On the South by No. 1 Battery. On the East by fort. On the West by the sea.	...	99
			Pucka.		
XXIV.	Powder Magazine near quarantine buildings.	Do.	... On the North and South by sand crest running to Bhit village. On the East by harbour. On the West by Fullah creek.	...	100
			Pucka.		
XXV.	Bungalow, with out-houses, at Keamari.	Port Engineer, Karáchi.	On the North by Sind, Punjab and Delhi Railway's station-ground. On the South by Keamari Groyne. On the East by open space. On the West by Sind, Punjab and Delhi Railway's sheds.	...	2,456
			Kutcha pucka.		
XXVI.	Manora backwaters	Do.	... Extends from Manora Point on the west side of the entrance in S. by E. $\frac{1}{4}$ East direction for a length of 1,503 feet.	...	

SCHEDULE A—continued.

Consecutive number of plots.	Name of property.	Heretofore in charge of:	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
XXVII.	Keamari groyne ...	Port Engineer, Karáchi.	Runs in a slight curve about S.S.E. from west end of Keamari for a length of 7,548 feet.		
XXVIII.	East pier ...	Do. ...	An extension of the groyne, total length 1,500 feet.		
XXIX.	Napier Mole-bridge ...	Do. ...	An iron bridge on screw piles with a masonry abutment at either end. Length 1,200 feet in 30 spans of 40 feet each.		
XXX.	Native jetty and quay, together with the following buildings standing thereon, (namely):	Port Officer ...	Extends westward from north end of Napier Mole-bridge. The south wall is 1,400 feet in length.	5	...
	Chauki and store-room at native jetty.	Port Engineer, Karáchi.	Pucka.		
	Godown and native jetty.	Port Officer ...	Do.		
	Harbour Board office at native jetty.	Do. ...	Do.		
	Peons' quarter at jetty...	Do. ...	Do.		
	Goods shed do. ...	Do. ...	Do.		
	Do. do. ...	Do. ...	Do.		
	Do. do. ...	Do. ...	Do.		
	Do. do. ...	Do. ...	Do.		
XXXI.	China creek stoppage embankment.	Port Engineer, Karáchi.	An embankment 2,780 feet long.		
XXXII.	Stone shipping-pier at Manora.	Do. ...	Situated at the northern limit of the plot of ground occupied by the office and workshops.		
XXXIII.	Workshops' pier at Manora.	Do. ...	A wooden pier with fixed spur legs to lift twenty tons.		
XXXIV.	Pilot pier, Manora ...	Port Officer ...	Wooden pier.		
XXXV.	Coal-pier at Manora ...	Do. ...	.....	
XXXVI.	Water- do. ...	Do. ...	.....	
XXXVII.	Pier at deep water point, Manora.	Port Engineer.	Called Humby Pier.		
XXXVIII.	Merewether Pier at Keamari.	Port Officer ...	An iron screw-pile pier T headed and with hydraulic cranes.		
XXXIX.	Customs-pier at Keamari.	Do. ...	Wooden pier.		
XL.	Commissariat pier do.	Do. ...	.....	
XLI.	Railway-lines at Manora and Keamari.	Port Engineer, Karáchi.	.....	
XLII.	Graving-dock at Manora.	Do. ...	.....	
XLIII.	Layári Hard embankment and embankment in front of north wall of jetty.	Port Officer ...	.....	

II.—The following vessels and boats, together with all the fittings, gear and other appurtenances thereof (viz.) :—

Consecutive No.	Name and description.	Heretofore in charge of :
1	Steam tug "Manora", 441 tons, 250 horse-power, paddle wheel.	Port Officer, Karáchi.
2	"Nurbudda", cutter, 70 tons	Do.
3	Warp boat No. 1	Do.
4	Do. No. 2	Do.
5	"Keddimari", anchor boat	Do.
6	"Rose", steam barge	Do.
7	"Flirt", steam launch	Do.
8	Bazar boat	Do.
9	Cargo boat	Do.
10	Boat, cutter	Do.
11	Do.	Do.
12	Life-boat (White's)	Do.
13	Do.	Do.
14	"Jumbo", steam anchor hoy	Do.
15	Gig, 32 feet	Do.
16	Boat, 23 feet	Do.
17	Do.	Do.
18	Do.	Do.
19	Gig, small	Do.
20	Jolly-boat	Do.
21	"Billy", crane barge	Port Engineer, Karáchi.
22	Boat, country, for surveying, 28 feet long	Do.
23	Do. do. 30½ "	Do.
24	Boat, anchor, 23¾ feet	Do.
25	Do. 24¾ feet	Do.
26	Do. 23 feet 9 inches	Do.
27	Do. 30 feet 6 inches	Do.
28	Life-boat, 27 feet	Do.
29	Do. 20 feet 9 inches	Do.
30	Boat, canoe, 23 feet 4 inches	Do.
31	Boat, cutter, 25 feet 3 inches	Do.
32	Jolly-boat, 18¾ feet	Do.
33	Do. 22 feet 5 inches	Do.
34	Do. 16 feet 8 inches	Do.
35	Boat, gig, 25 feet 5 inches	Do.
36	Do. 20¾ feet	Do.
37	Boat for diver's use, 30½ feet	Do.
38	"Nearchus", steam dredger, 160 feet long, 65 horse-power nominal.	Do.
39	"Albuquerque", steam dredger, 160 feet long, 117 horse-power nominal.	Do.
40	"Dubba", steam dredger, 100 feet long, 25 horse-power nominal.	Do.
41	"Gizree", steam dredger, 100 feet long, 25 horse-power nominal.	Do.
42	"Sindi", steam hopper barge, 130 feet long, 50 horse-power nominal, to carry 400 tons.	Do.
43	"Baluchi", steam hopper barge, 130 feet long, 50 horse-power nominal, to carry 400 tons.	Do.
44	Sailing hopper barge, 90 feet, to carry 200 tons.	Do.
45	Hopper barge, under construction, 90 feet, to carry 200 tons.	Do.
46	Do. do. do. 90 feet, to carry 200 tons.	Do.
47	"Midge", steam launch, 28 feet long, No. 451, built by Mr. John Samuel White, Cowes.	Do.

III.—All other lands, buildings, harbour-works, railway-lines, machinery, plant, tools, furniture, vessels and boats, and other property whatsoever not hereinbefore particularly described, heretofore in the charge of the Port Officer of Karáchi, the Port Engineer of Karáchi, or of the Karáchi Harbour Board.

STATEMENT OF OBJECTS AND REASONS.

The management of the affairs of the port of Karáchi has been vested for some years past by Government in the local body known as the Karáchi Harbour Board, the members of which were appointed, on the recommendation of the Commissioner in Sind, by Government.

2. The fees levied at the port have been imposed under the Bombay Landing and Wharfage Fees Act, 1882, but in other respects the proceedings of the Harbour Board have not been regulated by any enactment; and as the Board has not occupied any legal position except as the agent of the Executive Government, its authority has been found insufficient to enforce the various provisions necessary for the proper control and management of the affairs of the port.

3. At the same time the rapidly increasing trade of the port of Karáchi has led to the erection of many new piers and other important works for the protection of the shipping resorting to the harbour and for improving the means of landing and shipping goods thereat, and in addition to the large outlay already incurred

for these purposes from Imperial and Provincial revenues, the raising of a loan of ten lakhs of rupèes has recently been sanctioned by Government, to enable the Board to carry some of these works to completion. Of this sum Rs. 2,88,500 have been obtained from the public, as shown in Schedule B to the Bill. The balance is to be advanced by the Government of India, under the guarantee of the local Government, and the liability for so much as shall have been so advanced before a board is created under the new law will constitute a further debt for which that board will be responsible under section 28 of the Bill.

4. In these circumstances it has appeared to Government desirable that the affairs of the port of Karáchi should now be handed over to a local corporation invested with full powers for their proper management. This Bill has been drafted for this purpose, and its provisions are based partly on those of the Rangoon Port Commissioners Act, 1879, and partly on those of the Bombay Port Trust Act, 1879.

XV. of 1879.
Bom. VI. of
1879.

an
of (Signed) M. MELVILL.

25th June 1886.

By order of His Excellency the Right Honourable the Governor in Council,

A. SHEWAN,

Secretary to the Council of the Governor of Bombay
for making Laws and Regulations.

Poona, 25th June 1886.