



## The Bombay Landing and Wharfage Fees (Gujarat Amendment) Act, 1967

13 of 1968

**Keyword(s):**

Landing, Wharfage, Fees, Clearing Agents, Mukadams, Porters, Hawkers

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 be filed as a separate compilation

**PART IV**

**Acts of the Gujarat Legislature and Ordinances promulgated and  
 Regulations made by the Governor.**

The following Act of the Gujarat Legislature having been assented to by the President on the 3rd May 1968 is hereby published for general information.

SUMANT M. VIDYARTHI,  
 Secretary to the Government of Gujarat,  
 Legal Department.

**GUJARAT ACT NO. 13 OF 1968.**

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 10th May 1968.)

An Act further to amend the Bombay Landing and Wharfage Fees Act, 1882 for certain purposes.

It is hereby enacted in the Eighteenth Year of the Republic of India as follows :—

1. This Act may be called the Bombay Landing and Wharfage Fees (Gujarat Short title. Amendment) Act, 1967.

Bom VII of 1882 2. In section 5 of the Bombay Landing and Wharfage Fees Act, 1882 (herein- Amendment of section 5 of Bom. VII of 1882. after referred to as "the principal Act"),—

(a) clause (a) shall be deleted;

(b) in the second proviso, for the words "one anna" the words "twenty-five paise" shall be substituted.

Substitution  
of new sec-  
tions for  
section 7 of  
Bom. VII  
of 1882.

3. For section 7 of the principal Act, the following sections shall be substituted, namely:—

Powers of  
officers and  
persons for  
recovery of  
fees and  
enforcement  
of bye-laws.

“7. (1) Any officer or person whose duty it is to levy fees under this Act or to enforce any bye-law made thereunder may give such directions to any person as may appear to him to be necessary for the enforcement of any such bye-law.

(2) Such officer or person shall, for the purposes of recovery of fees leviable under section 5 of this Act, exercise the same powers and perform the same duties as the authority appointed to receive any port dues, fees or other charges, exercises and performs under sections 42 and 44 of the Indian Ports Act, 1908<sup>XV of</sup> for the recovery of such dues, fees or charges, and sections 42 to 45 of that Act<sup>1908.</sup> shall, for those purposes, be construed as if the fees leviable under this Act were the fees leviable under that Act.

Penalty.

7A. Whoever wilfully and without any lawful excuse fails to comply with a direction given under section 7 or a bye-law made under section 9 shall, on conviction, be punished with fine which may extend to one thousand rupees for every day that such direction or bye-law continues to be disobeyed by him.

Jurisdiction  
to try  
offences.

7B. No court inferior to that of a Magistrate of the First Class shall try any offence punishable under this Act.

Venue of  
trial of  
offences.

7C. Notwithstanding anything contained in the Code of Criminal Procedure,<sup>V of</sup> 1898, but subject to the provisions of section 7B, an offence punishable under this Act may be tried by a Magistrate having jurisdiction at the place in which the offence was actually committed or at any place in the State in which the offender may be found, or at any other place which the State Government may, by notification in the *Official Gazette*, specify in this behalf in respect of any class of offences.”

Amendment  
of section 9  
of Bom. VII  
of 1882.

4. In section 9 of the principal Act, after clause (b), the following clause shall be inserted, namely:—

“(bb) regulating the employment or profession of persons as

(i) clearing agents and mukadams;

(ii) porters; and

(iii) hawkers,

at or near a landing place and providing for payment of fees for licences, if any, granted in that behalf.”