

Maharashtra Ferries and Inland Vessels Act, 1868

MAHARASHTRA

India

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Act 2 of 1868

- Published on 17 December 1868
- Commenced on 17 December 1868
- [This is the version of this document from 17 December 1868.]
- [Note: The original publication document is not available and this content could not be verified.]

Maharashtra Ferries and Inland Vessels Act, 1868 Act No. 2 of 1868, MH73 [17th December, 1868] This Act was extended to and shall be in force in, the State of Bombay (vide Bombay 60 of 1959, Section 2), For Statement of Objects and Reasons, see Bombay Government Gazette, 1868, Part V. p. 425; for Report of the Select Committee, see Bombay Government Gazette, p. 448 and for Proceedings in Council, see Bombay Government Gazette, pp. 457, 476 and 532. The net proceeds of public ferries established under Bombay 2 of 1868, and all penalties inflicted and levied under the Act are to be credited to the Local Fund constituted by the Bombay Local Boards Act, 1923 (Bombay 6 of 1923), see 75 of that Act. An Act to amend the law relating to public ferries [and inland vessels] [These words inserted by Bombay 21 of 1942, Section 2 read with Bombay 55 of 1947, Section 2.] in the [State of Bombay] [These words were substituted for the words 'Presidency of Bombay' by Bombay 60 of 1959, Section 4(a).] Preamble. Whereas it is expedient to amend the law relating to public ferries [and inland vessels] [These words inserted by Bombay 21 of 1942, Section 2 read with Bombay 55 of 1947, Section 2.] in the [State of Bombay] [These words were substituted for the words 'Presidency of Bombay' by Bombay 60 of 1959, Section 4(a).]; it is enacted as follows:-

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

(a) "Commissioner" in relation to ferries controlled by the Public Works Department, includes a Superintending Engineer; (b) "ferry" includes a temporary bridge used as a ferry and the approaches to, and the landing places of a ferry.]

2. [Commissioner] [This word was substituted for the words 'State Government' by Bombay 8 of 1958, Section 3 schedule] may constitute public ferries, establish new and discontinue existing ferries.

- It shall be lawful for the [Commissioner] [This word was substituted for the words 'State Government' by Bombay 8 of 1958, Section 3 schedule] to declare by notification what ferries within the [State of Bombay] [These words were substituted for the words 'pre-Reorganisation State

of Bombay, excluding the transferred territories' by Bombay 60 of 1959, Section 4(c).] shall be deemed public ferries, and also by notification from time to time, to establish any new public ferry or discontinue any existing public ferry.

2A. [Vesting of public ferries in local bodies; Powers of local bodies in respect thereto. [Section 2A was inserted by Bombay 8 of 1923, Section 2.]

- It shall be lawful for the [Commissioner] [Section 1 was inserted by Bombay 60 of 1959, Section 4(b).] to declare by notification in the [Official Gazette] [The words 'Official Gazette' were substituted for the words 'Bombay Government Gazette' by the Adaptation of Indian Laws Order in Council.] that any public ferry notified under section 2 shall vest in the local body or jointly in the local bodies, exercising authority over the area or areas as the case may be, in which such ferry is situate and thereafter such local body or bodies shall exercise in respect of such ferry all the powers specified in the Schedule to this Act: Provided that the power of exemption under clause (d) of section 3 shall also be exercisable by the [Commissioner] [This word was substituted for the words 'State Government' by Bombay 8 of 1958, Section 3 schedule]. Explanation. - For the purpose of this section "local body" means a district local board or a municipality.]

3. Rates of toll.

- Tolls according to such rates as shall from time to time be approved by [the [State] [The words 'the Provincial Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Order in Council.] Government], shall be levied upon all passengers, carts, carriages, cattle and other animals, and on all goods and merchandise, carried over any public ferry: Exemption from toll. Provided always that no tolls shall be levied from-(a) [* * *] [Clause (a) as to soldiers in uniform on duty was repealed by Section 3 of the Indian Tolls (Army) Act, 1901 (2 of 1901), Central Acts.](b) any Police-officer in uniform on duty; (c) any person in the custody of the Police; (d) [* * *] [Clause (d) was added by the Ferries (Amendment) Act, 1878 (Bombay 2 of 1878).] any person whom the [the [State] [The words 'the Provincial Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Order in Council.] Government] shall, by notification in the [Official Gazette] [The words 'Official Gazette' were substituted for the words 'Bombay Government Gazette' by the Adaptation of Indian Laws Order in Council], deem fit specially to exempt from payment of such tolls.

4. Appointment and salaries of toll-keepers, etc.

- It shall be lawful for the [Commissioner] [This word was substituted for the words 'State Government' by Bombay 8 of 1958, Section 3, schedule] to provide for the appointment of toll-keepers, ferrymen and other servants for the management and conduct of any public ferry; and the salaries of such persons shall be defrayed from funds raised under this Act, or from other sources of local revenue, but not from the general [* * * *] [The words 'or Imperial' and 'except with the sanction of the Governor-General in Council' were omitted by Section 2 and Schedule I of the Devolution Act, 1920 (38 of 1920).] revenue [* * * *] [The words 'or Imperial' and 'except with

the sanction of the Governor-General in Council' were omitted by Section 2 and Schedule I of the Devolution Act, 1920 (38 of 1920).].

5. [Commissioner] [This word was substituted for the words 'State Government' by Bombay 8 of 1958, Section 3 schedule] may lease public ferries by public auction or private contract.

- It shall be lawful for the [Commissioner] [This word was substituted for the words 'State Government' by Bombay 8 of 1958, Section 3 schedule] to lease any public ferry by public auction or private contract, from year to year or for any longer period not exceeding seven years, on such conditions as the [commissioner] [This word was substituted for the words 'State Government' by Bombay 8 of 1958, Section 3 schedule] deems advisable in which case a contract setting forth the conditions on which the ferry is to be held shall be executed by the contractor or farmer, and security shall be given by him for its due fulfilment, and any pecuniary forfeiture for breach of contract, inserted in the deed of contract, or conditions of sale by public auction, as the case may be, may be enforced in the same manner as a demand for the land revenue under the law for the time being in force, so far as applicable.

5A. [Power to cancel lease. [Section 5A, 5B and 5C were inserted by Bombay 60 of 1959, Section 4(d).]

(1) The Commissioner may cancel the lease of the tolls of any public ferry on the expiration of six months' notice in writing to the lessee of his intention to cancel such lease. (2) When any lease is cancelled under this section, the Executive Engineer of the division or, as the case may be, the Collector of the district, within whose jurisdiction such ferry is situate shall pay to the lessee such compensation as he may, with the previous sanction of the commissioner, award.

5B. Surrender of lease.

- The lessee of the tolls of a public ferry may surrender his lease on the expiration of one month's notice in writing to the Commissioner of his intention to surrender such lease, and on payment to the Executive Engineer of the division, or, as the case may be, the Collector of the district, within whose jurisdiction such ferry is situate of such compensation as the said Executive Engineer or Collector, subject to the approval of the Commissioner, may in each case direct.

5C. Power to take possession of boats etc., on surrender of lease.

- When the lease of the tolls of any ferry is surrendered under section 58, the Executive Engineer of the division, or, as the case may be, the Collector of the district, within whose jurisdiction such ferry is situate, may take possession of all boats and their equipment, and all other material and appliances, used by the lessee for the purposes of such ferry, and use the same (paying such compensation for the use thereof as the Commissioner may in each case direct) until the said Executive Engineer or Collector can conveniently procure proper substitutes therefore.]

6. Acts of servant of contractor.

- When a public ferry has been duly leased or farmed out, every servant of the lessee, contractor or farmer shall be deemed to be legally bound to do everything necessary for or conducive to the safety of the public which he shall be required to do by any regulation made by the lessee, contractor or farmer, and approved by the [Commissioner] [This words was substituted for the words 'State Government' by Bombay 8 of 1958, Section 3, schedule] and of which regulation such servant shall have had notice, and every servant shall be deemed to be legally prohibited from doing every act which shall be likely to cause danger, and which by any such regulation he shall be prohibited from doing, and every person employed or on behalf of such lessee, contractor or farmer to do any act upon the ferries shall be deemed to be a servant of the lessee, contractor or farmer.

7. Table of tolls to be hung up.

- It shall be the duty of every toll-keeper, toll-contractor or farmer to hang up in some conspicuous place at his ferry-station a table of tolls, written or printed in English and in the language of the district [and he shall be bound to produce, on demand, a list of tolls signed by the Executive Engineer of the division, or, as the case may be, the Collector of the district or such other officer as he appoints in this behalf] [These words inserted by Bombay 60 of 1959, Section 4(e).].

8. Penalty in respect to table of tolls.

- Any toll-keeper or toll-contractor or farmer, who shall neglect to hang up and keep in good order and repair a table of tolls as aforesaid, or who shall wilfully remove, alter or deface the same, or allow it to become illegible, [or who fails to produce on demand, the list of tools mentioned in section 7, shall be liable on each conviction to a penalty not exceeding fifty rupees.] [These words were substituted for the words 'shall be liable on each conviction to a penalty not exceeding ten rupees' by Bombay 60 of 1959, Section 4(f).]

9. Penalty for taking unlawful toll.

- Any toll-keeper or other person appointed as in section 4, who shall neglect to take the due toll, or shall ask or take any toll other than is allowed by the table of tolls, and any toll-contractor or farmer, or any person in the service of a toll-contractor or farmer, who shall ask or take any toll in excess of that allowed by the table of tolls, shall be liable to penalty not exceeding [one hundred rupee] [These words were substituted for the words 'fifty rupees' by Bombay 60 of 1959, Section 4(g).].

10. Penalty for wilful delay.

- Any toll-keeper or other person appointed as in section 4, or toll-contractor or farmer or person in the service of a toll-contractor or farmer, who without good reason shall delay any passenger, cart, carriage, animal or goods, shall be liable to a penalty not exceeding [one hundred rupees] [These words were substituted for the words 'fifty rupees' by Bombay 60 of 1959, Section 4(g).].

11. Penalty for refusal or evasion of toll and for obstruction or damage.

- Any person who shall refuse to pay the lawful toll, or who, with intent of avoiding payment thereof, shall pass through any ferry- station without paying the toll, or who, shall obstruct in the execution of his duty any toll-keeper or other person lawfully engaged in the management or conduct of a public ferry, and also any person who shall maliciously damage any toll-bar, boat or other thing belonging to a public ferry, or who shall maliciously remove, alter, destroy or damage any table of tolls hung up as hereinbefore directed. [or who, at a public ferry, after being warned by any such toll-keeper or other person lawfully engaged in the management or conduct of a public ferry not to do so, goes, or takes any animals, vehicles or other things on to any ferry boat or upon any bridge appertaining to the ferry, and thereby causes it to be in such a state or so loaded as to endanger human life or property, or [These words were inserted by Bombay 60 of 1959, Section 4(h).] who at a public ferry, on being requested by such toll-keeper or other person lawfully engaged in the management or conduct of a public ferry to do so, refuses or neglects to leave, or remove any animals, vehicles or goods from, any such ferry boat or bridge,] shall be liable to a penalty not exceeding fifty rupees, over and above the value of the damage done.

11A. [Penalty for rash navigation and stacking of timber. [Section 11A, 11B and 11C were inserted by Bombay 60 of 1959, Section 4(i).]

- Whoever navigates, anchors moors or fastens any vessel or raft, or stacks any timber, in a manner so rash or negligent as to damage a public ferry, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both, and the toll-keeper or other person lawfully engaged in the management or conduct of such ferry may seize and detain such vessel, raft or timber pending the inquiry and assessment hereinafter mentioned.

11B. Power to arrest without warrant.

- A Police Officer may arrest without warrant any person committing an offence against section 11 or section 11A.

11C. Magistrate may assess damage.

- Any Magistrate trying any offence under this Act may inquire into and assess the value of the damage, if any, done or caused by the offender to the ferry concerned and shall order the amount of such value to be paid by him in addition to any fine imposed upon him under this Act; and the amount so ordered to be paid shall be leviable as if it were a fine, or, when the offence is one under section 11A, by the sale of the vessel, raft or timber causing the damage.]

12. Officers who may make rules for regulation of public ferries.

- [Except in the case provided in sub-section (2) of section 14B, and elsewhere-(a)in the case of public ferries on roads under the control of the Executive Engineer of a Division of the Public Works Department, such Executive Engineer, and(b)in all other cases, the Collector of the district],may, subject to such general directions as [the State] [This word was substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] [Government] [The words 'the Provincial Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Orders in Council.] from time to time may issue, make rules to determine the number of passengers, carts, carriages and animals, and the quantity of goods, that may be carried in any public ferry-boat at one trip, and for the safe, speedy and convenient carriage and landing of passengers and property, and for keeping the ferry-boats in good order and otherwise for the due discharge of their duty by toll-contractors or farmers, toll-keepers, ferrymen and other persons employed at a public ferry;and any toll-contractor or farmer, toll-keeper, ferryman or other person infringing or disobeying any such rule shall be liable to make good any loss or damage caused thereby, which loss or damage may be summarily ascertained by any Magistrate within whose jurisdiction the offence was committed, and the amount thereof may be recovered as any penalty under this Act may be recovered.

13. Penalty for conveying passengers or goods without licence at Bombay.

- Any person who, without the special licence of [the [State] [The words 'the Provincial Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Orders in Council.] Government] [These words were substituted for the words 'The Senior Magistrate of Police in the City of Bombay and the Collector of the district elsewhere', by Bombay 4 of 1933, Section 2.], shall convey for hire any passenger, animal, cart, carriage or goods from any part of [the Greater Bombay] [These words were substituted for the original words by Bombay 17 of 1945, Section 9 schedule E, read with Bombay 52 of 1947 Section 2 proviso.] across the harbour of Bombay to the mainland, or any of the adjacent islands or from the mainland or any of the adjacent islands to any part of [the Greater Bombay] [These words were substituted for the original words by Bombay 17 of 1945, Section 9 schedule E, read with Bombay 52 of 1947 Section 2 proviso.] shall be liable to a penalty not exceeding five hundred rupees;Proviso - but this penalty shall not apply to the conveyance by boat for hire of passengers, animals, carts, carriages and goods from one part of [the Greater Bombay] [These words were substituted for the original words by Bombay 17 of 1945, Section 9 schedule E, read with Bombay 52 of 1947 Section 2 proviso.] to any other part thereof, nor to any person specially hiring a boat for the conveyance of himself or his family or friends, or servants or goods, nor to the person letting such boat for hire for the said purpose.

14. [Penalty for carrying passengers, etc., without licence]

Rep. [Bombay 12 of 1942.] [This Act was re-enacted by Bombay 55 of 1947, Section 2]

14A. [Penalty for conveying passenger etc. along river etc., near toll bridge.]

Deleted by Bombay 60 of 1959, Section 4(j).

14B. [Penalty for conveying passengers etc. in a ferry boat with a submerged load-line or without prescribed free-board. [Section 14B was inserted by Bombay 4 of 1933, Section 4.]

(1)Any person who shall convey [whether for hire or not, on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel any passenger; animal, goods or other thing in any vessel,] of which the prescribed load-line is submerged or of which the free-board is less than the prescribed free-board, shall be liable to a penalty not exceeding five hundred rupees.(2)[The [State] [The words 'the Provincial Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Order in Council.] Government] may make rules prescribing the manner in which the load-line or free-board shall be marked upon any [vessel] [This word was substituted for the word 'boat' by the Adaptation of Indian Laws Order in Council.] to which the provisions of sub-section (1) apply. The rules so made shall be published in the [Official Gazette] [The words 'Official Gazette' were substituted for the words 'Bombay Government Gazette' by the Adaptation of Indian Laws Order in Council.].]

14C. [Licence required to ply any vessel on any river etc. [Sections 14C, 14D, 14E, 14F and 14G were inserted by Bombay 21 of 1942, Section 6, read with Bombay 55 of 1947, Section 2.]

- No person shall ply any vessel on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel, whether for hire or not, except under a licence granted by an officer empowered by the [State] Government in this behalf and except in accordance with the provisions of this Act, the rules, regulations and orders made thereunder and the conditions of such licence:Provided that the [State] [This word was substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government may, by notification in the Official Gazette, exempt from the operation of this section such vessels or class of vessels as may be specified in such notification.

14D. Inspection of vessels and suspension of the licence if vessels are not sea-worthy etc.

- Any Magistrate or Police Officer, not below the rank of a Sub-Inspector, or any officer specially empowered by the [State] [This word was substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government in this behalf may board and inspect any vessel for the purpose of satisfying himself that the provisions of this Act, the rules, regulations and orders made thereunder and the conditions of the licence issued in respect of such vessel are duly observed. If such officer is of the opinion that the vessel is not sea-worthy or is insufficiently equipped or is in such a condition

that its plying may cause danger to human life or safety, he may suspend the licence issued in respect of such vessel and such vessel shall not thereafter be plied until the order suspending the licence has been cancelled or a fresh licence has been issued in respect of such vessel.

14E. Power to prohibit plying of vessel to avert any accident and to requisition vessels etc.

(1) If any Magistrate, or any Police Officer, not below the rank of a Sub-Inspector, or any officer of the Public Works Department, not below the rank of an Assistant or Deputy Engineer or any officer specially empowered by the [State] [This word was substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government in this behalf, is at any time of the opinion that in order to avert any accident or danger to human life or safety it is necessary to take action under this sub-section, such Magistrate or officer may by order prohibit the plying of any vessel, or of any class of vessels or of vessels generally on any river, stream, creek tank, lake or other collection of water affording passage for a vessel, within the limits of his jurisdiction, during such period as may be specified in the order. (2) Any such Magistrate or officer may by order, within the limits of his jurisdiction, for the purpose of saving any human life or property, requisition the use of any vessel or other property likely to be useful in effecting rescue for such period as may be specified in the order. When any Magistrate or officer requisitions the use of any vessel or other property for any period, there shall be paid to the person deprived of it for the period such amount of compensation as may be determined by the Magistrate or officer. The decision of the Magistrate or the officer regarding the amount of compensation and the person to whom such compensation is payable shall be final.

14F. Penalty for breach of the provisions of the Act, rules, regulations and orders made thereunder and the conditions of the licence granted under section 14C.

- Any person who contravenes any of the provisions of this Act or of the rules, regulations and orders made thereunder or of the conditions of any licence granted under section 14C, shall, on conviction if no other penalty is provided in the Act for such contravention, be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

14G. Both the owner and the person in-charge to be liable for any breach.

- If any of the provisions of this Act, or of the rules, regulations or orders made thereunder or of the conditions of the licence granted under section 14C are contravened in respect of any vessel, both the owner and the person in-charge of such vessel shall be deemed to have contravened such provisions and shall be personally liable for the same.]

15. Trial of offences in Bombay.

- In [the Greater Bombay] [These words were substituted for the original words by Bombay 17 of 1945, Section 9 schedule E, read with Bombay 52 of 1947 Section 2 proviso.] offences against this Act shall be summarily heard and determined by any Magistrate or Police, and all fines imposed may, in default of payment, be levied under the warrant of such Magistrate by distress and sale of the goods of the offender. In places out of city. Recovery of fines. - In places not within the limits of [the Greater Bombay] [These words were substituted for the original words by Bombay 17 of 1945, Section 9 schedule E, read with Bombay 52 of 1947 Section 2 proviso.] offences against this Act shall be inquired into and determined by any Magistrate exercising jurisdiction in the district in which the offence has been committed and all fines imposed may be levied in the manner provided in [sections 386, 387 and 389 of the Code of Criminal Procedure, 1898] [This portion was substituted for the words and figures 'section 61 of the Criminal Procedure Code' by Bombay 60 of 1959, Section 4(k).].

16. Application of proceeds of tolls, farms and penalties.

- Rep. Bombay 1 of 1884.

Section 16 which is repealed, except in the City of Bombay, by the Bombay Local Boards Act, 1884 (Bombay I of 1884), Section 2, and Schedule, is as follows :- Clause 1.- In each district the proceeds from tolls and farms of public ferries, and from penalties levied under this Act, shall form the ferry fund of such district, and shall be appropriated in the first instance to the maintenance of the public ferries of the district, and the improvement of the roads leading to the said ferries the surplus, if any, being expended on local works in the district in such manner as Government may from time to time direct. Clause 2.- The limits of each district for the purposes of this section shall be such as Government may from time to time determine. Clause 3.- When a public ferry is partly in one district and partly in another, it shall be lawful for Government to assign to each district such proportion of the proceeds as they shall deem fit. The Bombay Local Boards Act, 1884 has now been repealed by Bombay 6 of 1923.

17. [State] [This word was substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government may delegate powers.

- [The [State] [The words 'the Provincial Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Order in Council.] Government] may delegate, under such restrictions as may seem fit any of the powers conferred on it by this Act, ex-officio, to any [* * *] [The words 'Revenue or Police' were repealed by the Bombay General Clause Act, 1886 (Bombay 3 of 1886), Schedule B. This Schedule has been printed as an Appendix to the Bombay General Clauses Act, 1904 (Born, I of 1904).] Commissioner, Collector, Magistrate or other person.

17A. [Rules and Regulations. [Sections 17A, 17b and 17C were inserted by Bombay 21 of 1942, Section 7, read with Bombay 55 of 1947, Section 2.]

(1)The [State] Government may, after previous publication, make rules for the purpose of carrying out the provisions of this Act.(2)In particular and without prejudice to the generality of the foregoing provision, such rules may be made for all or any of the following purposes, namely :- (a)licensing and regulating vessels, plying, whether for hire or not, on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel, and prescribing the officers by whom and the conditions on which licences for plying such vessels may be granted, suspended or revoked and the fees payable in respect of such licences;(b)determining the number of passengers, carts, carriages or animals or the quantity of goods or other things that may be carried in such vessels;(c)regulating the carriage and exhibition of lights by such vessels;(d)prescribing the fares which may be charged for the carriage of passengers, animals, goods, or other things in such vessels;(e)regulating the conduct of passengers in such vessels;(f)prescribing the equipment and the number of the crew which must be on board any such vessel when it is plying; and(g)generally for securing the safe, speedy and convenient carriage and landing of passengers and cargo in such vessels.(3)The District Magistrate may, from time to time, make regulations, not inconsistent with the provisions of this Act and the rules thereunder-(a)regulating the plying of vessels on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel, within the limits of his jurisdiction, and(b)for securing the safe, speedy and convenient carriage and landing of passengers in such vessels.

17B. Definition of "vessel".

- In this Act, "vessel" shall include anything made for the conveyance by water of human beings, animals or property.

17C. Provisions of section 14A to 14G and 17A and 17B not applicable in certain cases.

- Nothing in sections 14A to 14G and 17A and 17B shall apply in respect of any vessel plying on sea or on tidal waters or in any major port, or in respect of any inland steam-vessel as defined in sub-section (1) of section 2 of the Inland Steam-vessels Act, 1917, or in respect of any vessel plying under a licence issued in exercise of the powers conferred by section 6 of the Indian Ports Act, 1908.]

18. Short title.

- This Act may be cited as [the Maharashtra Ferries and Inland Vessels Act.] [This short title was substituted for the short title 'the Bombay Ferries and Inland Vessels Act, 1868' by Mah. 24 of 2012, schedule entry No. 2, (w.r.e.f. 1-5-1960).]

19. [Repeal and savings. [Section 19 was inserted by Bombay 60 of 1959, Section 4(1).]

- The Hyderabad Ferries Act in its application to the Hyderabad area of the State of Bombay, the Northern India Ferries Act, 1878, in its application to the Vidarbha region of the State of Bombay and the Bombay Ferries and Inland Vessels Act, 1868, as applied to the Kutch area of the State of Bombay are hereby repealed: Provided that the repeal shall not affect-(a) the previous operation of any Act so repealed or anything duly done or suffered thereunder, or (b) any right, privilege, obligation or liability acquired, accrued or incurred under any Act so repealed, or (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any Act so repealed, or (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Bombay Ferries and Inland Vessels (Unification and Amendment) Act, 1959, had not been passed: Provided further that any thing done or any action taken (including notifications and directions issued, rules, appointments, authorizations, entrustment and leases made, sanctions, approval or exemption given, powers delegated and orders passed, in so far as they are not inconsistent with the provisions of this Act, and the rates of tolls fixed) under the Acts so repealed shall continue in force until altered, amended or superseded by anything done or any action taken under this Act. [Schedule] [This Schedule was added by bom. 8 of 1923, s. 3.] [(See section 2A)] [This portion was inserted by bom. 60 of 1959, s. 4]

Under section	Powers
3	Powers exercisable by [the [State] [The words 'the Provincial Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Order in Council.] Government] including the power to exempt from payment of toll under clause (d).
4	Powers exercisable by [the [State] [The words 'the Provincial Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Order in Council.] Government].
5	Powers exercisable by [the [State] [The words 'the Provincial Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Order in Council.] Government].
12	Powers exercisable by the Collector of the District.
[* * *] [The entry relating to section 14 was deleted by Bombay 60 of 1959, Section 4(m).]	

Notifications G.N., P.W.D., No. 4089, dated 20th November, 1923 (B.G., Part I, pages 2667) - In exercise of the powers conferred by section 17 of the Bombay Ferries Act, 1868 (Bombay II of 1868), and in supersession of the Government Notifications specified in the margin the Government of Bombay is pleased to delegate to all Executive Engineers in the State of Bombay the powers of Government under section 5 of the said Act in respect of such public ferries as are on Government

canals and provincial roads.(1)So much of Government Notification in the General Department, dated the 16th December 1868, as relates to the delegation of powers of Government under section 5 of Bombay Act II of 1868;(2)Government Notification, General Department, dated the 20th January, 1869;(3)Government Notification, General Department, dated the 27th January, 1869;(4)Government Notification, Revenue Department, No. 2305-B, dated the 8th April, 1902.G.N., P.W.D., No. 2420/36, dated the 5th June, 1944 - In exercise of the powers conferred by clause (a) of sub-section (2) of section 17-A of the Bombay Ferries and Inland Vessels Act, 1868 (Bom. II of 1868), the Government of Bombay is pleased to make the following rule, namely:-"The officers mentioned in column 1 of the Schedule hereto are empowered to grant licences under [sections 14-A and] [Substituted by G.N. of 12-8-1948.] 14-C of the Act in respect of ferries and vessels specified against them in column 2 of the said Schedule."

Schedule

Officers¹

- (1) Executive Engineers of Divisions of the[Buildings and Communications Department and Irrigation and PowerDepartment.]
[Substituted by G.N. of 22-5-1965.]
- (2) Chairman of the Joint Committee of the Management of thepublic ferries.
- (3) [Presidents of Zilla Parishads]

Ferries and vessels²

- Public ferries vesting in Government and vessels, plying onany river, stream, creek, tank, lake or other collection of wateraffording passage for a vessel, in their charge.
- Public ferries and vessels vested jointly in Local Bodies andwithin their Jurisdiction.
- Ferries and vessels not specified in entries (1) and (2) andwithin their jurisdiction.