

• **THE MADRAS COAST-LIGHTS ACT,  
1904 (IX OF 1904).**

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**THE SCHEDULE.**

## ACT No. IX OF 1904.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 25th March, 1904.)*

An Act to authorize the levy of dues on vessels for the provision of lights on the coast of the Presidency of Madras.

WHEREAS it is expedient to authorize the levy of dues on vessels for the provision of lights on the coast of the Presidency of Madras; It is hereby enacted as follows:—

Short title and extent.

1. (1) This Act may be called the Madras Coast-lights Act, 1904.

Definitions.

(2) It extends to the whole of British India.

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Customs-collector" means a Customs-collector appointed under the Sea Customs Act, 1878, and includes any person appointed by the Local Government to discharge the functions of a Customs-collector under this Act; and

(b) "ton" means a ton as determined or determinable by the rules for the time being in force for regulating the measurement of the net tonnage of British ships.

Imposition of coast-light dues.

3. (1) For the purpose of providing lights on the coast of the Presidency of Madras, coast-light dues shall be paid in respect of every vessel of the burden of thirty tons or upwards making any such voyage as is described in the schedule.

(2) The said dues shall be paid at such rates, not exceeding those respectively specified in the schedule,

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as the Governor of Fort St. George in Council may, with the previous sanction of the Governor General in Council, fix by notification in the local official Gazette.

(3) The said coast-light dues shall be payable only at ports in British India other than Aden and shall be paid—

- (a) in the case of a vessel clearing out of a port in British India, previous to the grant of a port-clearance; and
- (b) in the case of a vessel arriving from Aden or a port outside British India at a port in British India other than Aden, immediately upon her arrival in such port:

Provided that, when coast-light dues have been paid in the case of any vessel on account of the lights in the eastern or western group, no further coast-light dues on account of lights in the same group shall be payable in respect of that vessel for a period of thirty days from the date on which such dues were paid.

*Explanation.*—The coast-lights on the east coast of the Presidency of Madras shall be deemed to constitute the eastern group of coast-lights, and the coast-lights on the west coast of the said Presidency to constitute the western group of coast-lights.

4. The Customs-collector shall levy the coast-light dues payable under section 3, and shall grant to the person paying the same a receipt in writing under his hand specifying—

Collection of coast-light dues, and grant of receipt therefor.

- (a) the port at which the coast-light dues are paid;
- (b) the amount paid;
- (c) the name, tonnage and other proper description of the vessel in respect of which the payment is made; and
- (d) the group in respect of which the coast-light dues are paid.

5. Within

Master to report arrival of vessel.

5. Within twenty-four hours after the arrival in any port of a vessel in respect of which coast-light dues are payable under section 3, the master shall give notice in writing of such arrival to the Customs-collector.

Ascertainment of tonnage.

6. In order to ascertain the tonnage of any vessel in respect of which coast-light dues are payable under section 3, the following rules shall be observed, namely :—

- (a) Where the vessel is registered under any law for the time being in force in British India, the Customs-collector may require the owner or master, or any other person having possession of her register, to produce such register for inspection; and, if any such owner, master or other person neglects or refuses to produce such register or otherwise to satisfy the Customs-collector as to what is the true tonnage of the vessel in respect of which such coast-light dues are payable, he shall be punishable with fine which may extend to one hundred rupees, and the Customs-collector may cause the vessel to be measured and the tonnage thereof to be ascertained; and in such case the owner or master shall also be liable to pay the expenses of such measurement and ascertainment.
- (b) Where the vessel is not so registered, and the owner or master fails to satisfy the Customs-collector as to what is her true tonnage according to the mode of measurement prescribed by the law for regulating the measurement of British registered vessels for the time being in force, the Customs-collector shall cause the vessel to be measured, and the tonnage thereof to be ascertained according to such mode as

aforsaid ;

aforesaid ; and in such case the owner or master shall be liable to pay the expenses of such measurement and ascertainment.

7. Where the master of any vessel refuses or neglects to pay to the Customs-collector on demand the amount of any coast-light dues or expenses payable under this Act in respect of such vessel, the Customs-collector may seize the vessel and the tackle, apparel and furniture belonging thereto, or any part thereof, and detain the same until the amount of such dues or expenses is paid ;

Recovery of coast-light dues, expenses and costs.

and in case any part of such dues or expenses, or of the costs of such seizure and detention, remains unpaid for the space of five days next after any seizure so made, the Customs-collector may cause the vessel or other thing so seized to be sold, and with the proceeds of the sale may satisfy the dues, expenses and costs (including the costs of sale) remaining unpaid, and shall, on demand, render the surplus (if any) to the master of the vessel.

8. The officer whose duty it is to grant a port-clearance for any vessel shall not grant such port-clearance until her master or some other person has paid, or secured to the satisfaction of the officer, the amount of all coast-light dues, expenses and costs payable in respect of the vessel under this Act, and of any fine imposed thereunder.

No port-clearance to be granted until coast-light dues, expenses and costs are paid.

9. The master of any vessel departing from or arriving in any port in British India, other than Aden, shall, on the demand of the Customs-collector, specify to what port the vessel is bound and at what port or ports (if any) the vessel intends to call, or from what port or ports she has come.

Master to specify on demand ports to or from which vessel is bound.

10. Whoever, being the master of a vessel, evades, or attempts to evade, the payment of any coast-light dues, expenses or costs payable in respect of such vessel under this Act, shall be punishable with fine which may extend to two hundred rupees.

Penalty for evading payment of coast-light dues, expenses or costs.

11. Where

Determination of dispute as to liability to pay coast-light dues, expenses or costs.

11. Where any dispute arises as to whether any coast-light dues, expensés or costs are payable in respect of any vessel under this Act, or as to the amount of such dues, expenses or costs, the dispute shall, on application made in that behalf by either of the disputing parties, be heard and determined in the Presidency-towns of Calcutta, Madras and Bombay, by a Presidency Magistrate, and, elsewhere, by any Magistrate exercising at the place where the dispute arises powers not less than those of a Magistrate of the second class; and the decision of such Magistrate shall be final.

Saving for certain vessels.

12. Nothing in this Act shall be deemed to apply to any vessel belonging to, or in the service of, His Majesty or the Government, or to any vessel of war belonging to any Foreign Prince or State.

### THE SCHEDULE.

(See section 3.)

| Vessels.  | Maximum rate per net registered ton.  |
|---|---|
| <p style="text-align: center;">Class I.</p> <p>Steam-vessels departing from any port in the Presidency of Bombay, or from any port on the west coast of the South of India, and bound for or calling at any port on the east coast of the South of India; or <i>vice versa</i>.</p>   | <p>9 pies on account of the western, and 9 pies on account of the eastern, group of coast-lights.</p> |
| <p style="text-align: center;">Class II.</p> <p>Steam-vessels departing from any port in the Presidency of Bombay, or from any port on the west coast of the South of India, bound for or calling at any port in India, east of the eighty-sixth meridian of Longitude E., and not calling at any port on the east coast of the South of India; or <i>vice versa</i>.</p> | <p>9 pies on account of the western group of coast-lights.</p>  |

Class III.

THE SCHEDULE—*contd.*

| Vessels.  | Maximum rate per net registered ton.  |
|---|---|
| <p style="text-align: center;">Class III.</p> <p>Steam-vessels departing from any port in the Presidency of Bombay, or from any port on the west coast of the South of India, and bound for or calling at any port outside India east of the seventy-eighth meridian of Longitude E.; or <i>vice versa</i>.</p> | <p>9 pies on account of the western group of coast-lights.</p>                                |
| <p style="text-align: center;">Class IV.</p> <p>Steam-vessels calling at or departing from any port on the east coast of the South of India and not included in any other class.</p>  | <p>9 pies on account of the eastern group of coast-lights.</p>                                |
| <p style="text-align: center;">Class V.</p> <p>Steam-vessels departing from any port in the Presidency of Bombay, and bound for the port of Tellicherry or for any port in the Presidency of Madras north of the port of Tellicherry, or <i>vice versa</i>.</p>   | <p>5 pies on account of the western group of coast-lights.</p>                                |
| <p style="text-align: center;">Class VI.</p> <p>Steam-vessels, not included in any other class, departing from any port in the Presidency of Bombay and bound for, or calling at, any port on the west coast of the South of India south of the port of Tellicherry; or <i>vice versa</i>.</p>                  | <p>9 pies on account of the western group of coast-lights.</p>                                |
| <p style="text-align: center;">Class VII.</p> <p>Steam-vessels, not included in any other class, calling at more than one port on the west coast of the South of India, or at more than one port on the east coast of the South of India.</p>   | <p>9 pies on account of the western or eastern group of coast-lights, as the case may be.</p> |
| <p style="text-align: center;">Class VIII.</p> <p>Sailing-vessels . . . . .</p>   | <p>Half the rate which would be chargeable as aforesaid if they were steam-vessels.</p>       |

For the purposes of this Schedule, the expression "South of India" means any part of India south of a line drawn from Baidur on the west, to Ganjam on the east, coast of India, and the expression "Presidency of Bombay" does not include Aden.