

U.P. Rules Regulating the Transit of Timber on the Sharda River, 1915-1919

UTTAR PRADESH

India

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Rule

U-P-RULES-REGULATING-THE-TRANSIT-OF-TIMBER-ON-THE-SHARDA of 1919

- Published on 1 January 1919
- Commenced on 1 January 1919
- [This is the version of this document from 1 January 1919.]
- [Note: The original publication document is not available and this content could not be verified.]

U.P. Rules Regulating the Transit of Timber on the Sharda River, 1915-1919Published vide G.Os. Nos. 404/14-130 dated May 30, 1916, and 1124/14-130, dated October 30, 1919, and 742-14-130, dated August 9, 1918, and Notification No. 672/14-42, dated September 30, 1915

1.

The transit of timber on the river Sharda or Kali above the Railway bridge at Bahramghat and on its tributaries in Indian territory above Baramdeo will be controlled as follows-(a)From the railway bridge at Braharmaghat upto the junction of the Ladhiya and Sharda rivers-by the Conservator of the Kumaun Circle, or by such Officer as he may, from time to time appoint for the purpose.(b)On those portions of the river above the aforesaid point and on those portions of its tributaries as aforesaid which adjoin or are within the East Almora Division, the West Almora Division and the Naini Tal Division of the Kumaun Circle by the Divisional Forest Officers of those divisions respectively.

2.

The property mark required by Rule 16 of the rules made under Notification No. 672/XIV-42, dated September 30, 1915, must be stamped on the broad side of each piece of sawn timber and at a distance of not more than 6 inches from one to its ends.

3.

All sawn timber to be floated must, before launching or in the case of timber coming from Nepalese territory before being floated on the Kali, be marked on one of its ends with a deeply cut or branded distinguishing mark to facilitate the handing and strong of timber during collection at the boom. These marks or brands must first be registered at the Office of the Forest Officer, but no fee shall be payable of such registration.

4.

The Forest Officer, to whom to control of the river pertain may order the registration of as many marks or brands as he considers as necessary to the efficient control of transport operations.

5.

No person shall be allowed to register a distinguishing mark or brand already registered by another person by Government or so closely resembling such mark or brand as to be easily producible by altering the same.

6.

Every registration under Rule 4 shall hold good until July 30 of the year following that in which registration is effected.

7.

At least one month before the timber is to be launched or in the case of timber coming from Nepalese territory, at least one month before the timber will reach the Kali river, the owner shall notify in writing to the Forest Officer his intention to launch it or in the case of timber from Nepalese territory, his intention float it on Kali, river. He must apply for permission to convey the timber down the river and to collect it. The application should contain the following information, viz.-(i)Name and address of owner.(ii)His father's name.(iii)Description of timber, including the number and dimensions of the pieces.(iv)The property mark upon it.(v)The distinguishing mark or brand marked on the end of the timber.(vi)The approximate date on which it is intended that the timber shall reach Baramdeo.On receipt of his application the Forest Officer may give a pass or permission in writing to collect and convey the timber above detailed and specify the places at which the timber may be stopped when required by the Forest Officer, for the regulation of traffic, on its passage down the river to the Baramdeo boom.

8.

The passes will allow the lopping of trees other than those mentioned below for the purpose of making damedes of channels to facilitate the floating of timber.The following tree may not be lopped in

any circumstance-

<i>Cedrus deodara</i>	... Deodar
<i>Curpressus torulosa</i>	... Sural
<i>Julans regia</i>	... Akhrot
<i>Cedrela Serrata</i>	... Tun
<i>Cadrela toona</i>	... Tun
<i>Qugeinia delbergiodes</i>	... Sandan
<i>Dalbergia Sissoo</i>	... Shisham
<i>Terminalia tomentosa</i>	... Sain
<i>Anogeissus Latifolia</i>	... Bakli
<i>Boehmeria rugulosa</i>	... Genth
<i>Pistacia integerrima</i>	... Kakar
<i>Pinus longifolia</i>	... Chir
<i>Pinus excelsa</i>	... Kail
<i>Shorea robusta</i>	... Sal
<i>Picea morinda</i>	... Rai
<i>Bauhinia retusa</i>	... Kandlanu

Lopping is only allowed subject to the following conditions-No trees may be lopped to more than 2/3 of its height.No branch of more than 3" diameter may be lopped.No tree of less than 1' 6" girth may be lopped at all except in the case of the following miscellaneous underwood which maybe cut or lopped without restriction-

<i>Adhatoda vasica</i>	... Bansa
Spices of Barberies	... Kinghora
<i>Carissa carandas</i>	... Karaunda
<i>Crataegus crenulata</i>	... Ghingharu
<i>Debregeasia hypoleuca</i>	... Tusari
Species of <i>Desmodium</i>	... Matai
<i>Helicteres isora</i>	... Marorphali
<i>Murraya koenigia</i>	... Kath NIm
<i>Nyctanthes arbortrisits</i>	... Harsingar
<i>Prinsepia utilis</i>	... Bhakal
<i>Randia dumetorum</i>	... Mainphal
<i>Woodforia Floribunda</i>	... Dhaula
<i>Zanthoxylum alatum</i>	... Tezbal.

9.

As soon as timber in transit down the river has passed a pillar situated on the Kali river about 10 miles above Baramdeo it will be sent down by the working gang under the direct control of the Forest Officer of his duly authorised subordinate, so as to avoid risk of damage to the Baramdeo boom by excessive quantities of timber reaching it simultaneously. If the working gangs employed by the contractors are not strong enough to manage the timber affloat, the Forest Officer or his subordinate duly authorised, may employ additional men to work the timber down, and the owner of timber shall be required to pay for their hire before he remove, his timber from Baramdeo.

10.

The Forest Officer will maintain a boom and an establishment at Baramdeo from about November 15 to about May 1 in each year, for the purpose of catching timber coming down to that place.

11.

Owners whose timber has been stopped at the boom are required to collect it there and will either form it into rafts or stack it on the river bank expeditiously so as to avoid an accumulation of timber behind the boom. Should any owner neglect to do this timber will be removed from the water way by the Forest Officer incharge and placed upon the river bank, where it remain at the said owner's risk and charge. It will be detained there until the cost of its removal from the water has been paid. Appeals on orders passed in this matter will be dealt with by the Conservator of Forest, Kumaun Circle. In special circumstances, such as a flood on unmanageable accumulation of timber above the boom owing to the carelessness of timber contractors, the Forest Officer, or his subordinates duly authorised may cause the boom to be opened and the timber to be allowed to pass Baramdeo.

12.

No raft may proceed down the river from the boom until a relating pass has been issued under the authority of the Forest Officer after payment of the fees mentioned in Rule 19. The rafting pass will contain the following information-(i)Serial number of pass.(ii)Date of pass.(iii)Name of the owner of the timber or the name of the contractor exporting the timber on behalf of Government.(iv)Quantity, and description of timber.(v)Property mark and distinguishing mark or brand.(vi)Rate of fee.(vii)Amount of fee paid.(viii)Place of destination(ix)Date of expiry of pass.(x)The places at which the raft may be stopped and examined.Each raft, or batch of rafts going down the river together must be accompanied by a separate pass, which will be handed to the man-in-charge who becomes responsible for it. He must always carry it with him and must produce it if called to do so by any Forest Officer.

13.

All rafts will be examined and checked on the river bank at the destination mentioned in the pass or, if the destination is below the Oudh and Tirhut railway bridge in the Kheri District, at the Government depot just above the bridge called the Bhira depot. After the realization of any sums found by such check to be still payable by the owner, removal from the bank of further raftering will be permitted under a pass issued under the authority of the Forest Officer.

14.

Any raft, the destination of which is below Tankpur may be stopped and broken up for examination at any depot (to be mentioned in the rafting pass) above the destination of the raft.

15.

Permission to remove timber from the river bank Rule 13 or to proceed down the river after check under Rule 14 will not be given for more than 50 pieces of timber in excess of the number mentioned in the rafting pass without the production of a fresh pass, the but excess quantities upto 50 pieces may be removed of further rafted on payment of the rafting fees mentioned in Rule 19.

16.

Should any timber in consequence of flood or accident to the boom or any other cause be carried away below Baramdeo the owner of such timber or the contractor exporting such timber on behalf of Government shall notify to the Forest Officer the place or places at which he proposes to from such timber into rafts and he shall not remove such rafts down the river before he has obtained a rafting pass and aid the fees as laid down in [Rule 12] [G.O. No. 6 A.F. XIV--7 A.F. 44, dated 29.4.1946.]. Thereafter Rules 13, 14 and 15 shall apply to all such rafts, the rafting fees payable under this rule are additional to any liabilities which may be incurred by the owners for the salvage of such timber under rules notified under Section 31 of Indian Forest Act.

17.

Any stocking ground provided by Government will be under the Control of the Forest Officer, who may issue from orders time to time, as to such place where each owner may stock his timber and as to the manner in which it must be stacked. Owners who wish to keep their timber at any such stacking ground for more than twelve months are required at the discretion of the Forest Officer to pay a rent charge of 6 paise per piece for each additional of half year or part of a half year that it may remain there.

18.

The following boom fees are payable, on all timber caught at the Baramdeo boom :

For all longs and broad gauge sleepers 8' 6" long and over	... 9 pies each
For all other timber	... 6 pies each

19.

The following rafting fees are payable on all timber for each a rafting pass is issued under Rules 12 and 16 and on timber found in excess of the quantity entered in the pass as permitted by Rule 18 :

- | | |
|---|------------------------------|
| (a) On all longs and broad gauge sleepers 8' 6" long and over | ... 2 pies each. |
| (b) On all other pieces of timber | ... 1 pies each. |
| (c) All timber proceeding to Tankpur only | ... half of the above rates. |

20.

The establishment maintained by the Forest Officer at the boom will do its best to collect timber that reaches it, but the Government is not responsible for any timber that its establishment may fail to collect. Under Section 42

21.

Any person who infringes any of these rules shall be liable to imprisonment of either description for a term which may extend to six months or to a fine which may extend to Rs. 500 or to both.