

The Damaged Areas (Disposal of Debris) Rules, 1950

HARYANA

India

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Rule

THE-DAMAGED-AREAS-DISPOSAL-OF-DEBRIS-RULES-1950 of 1950

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The Damaged Areas (Disposal of Debris) Rules, 1950Published vide, Punjab Government Notification No. 8596-L-G-(A)-50/2-10115, dated 1st December, 1950.

1.

(1)These rules may be called be the Damaged Areas (Disposal of Debris) Rules, 1950.(2)They shall comes into force at once.

2.

In these rules, unless there is anything repugnant in the subject or context:-(a)"Building Compensation Fund" means the fund constituted by the money realized from the sale of debris in the manner hereinafter provided;(b)"Local authority" means the Town Improvement Trust, the municipal committee, the small town committee, the notified area committee or any other authority legally entitled to or entrusted by the Government with the control or management of a municipal or local fund; and(c)"Engineer" means the Engineer permanently employed by the Trust or the local authority, and shall include such other officer as may have been employed on or after 9th April, 1949, to discharge the functions of an engineer.

3.

(1)The local Town Improvement Trust shall cause all debris relating to its damaged areas to be stacked at such places as it may specify for the purpose.(2)All girders which may be found in the debris shall be stacked separately from the rest of the debris.

4.

In case of any doubt whether certain property is debris or not, a certificate granted to this effect by the Engineer in the case of the Trust or local authority and an Executive Engineer of the Public Works Department of the State Division concerned, in the case of any other urban area, shall be final.

5.

All debris, other than girders, stacked as provided hereinbefore shall be sold by the local Town Improvement Trust and the proceeds thereof shall be made over by it to the Claims Commissioner of the damaged area to which the debris relates, for being credited to the Building Compensation Fund of the urban area.

6.

All girders stacked as provided hereinbefore shall be examined by the Engineer, who shall certify in respect of each girder, either that it is capable of other use forthwith or that it is not so capable until it has been re-rolled.

7.

An application for return of a girder claimed by the applicant may be made to the Claims Commissioner of the damaged area concerned within such time as may be fixed by him after the examination of the girders by the Engineer as provided in the last preceding rule, has been completed.

8.

If after such enquiry as the Claims Commissioner may deem fit to hold, the Claims Commissioner is satisfied that a girder which has been certified by the Engineer to be fit for immediate use belongs to the person claiming it, he shall make over such girder to the claimant or his authorised representative on the basis of a written receipt

9.

If after such enquiry as he may deem fit to hold, the Claims Commissioner is satisfied, in respect of a girder which is certified by the Engineer to require re-rolling, that it belongs to the claimant, the Claims Commissioner shall cause the girder to be weighed and measured and furnish a certificate to the claimant or his authorised representative in form I.

10.

(1)A girder in respect of which a certificate has been granted by the Claims Commissioner, as required by the last preceding rule, shall be sold by the Claims Commissioner to an appropriate re-rolling mills and the proceeds thereof, after deducting therefrom fifteen per cent be made over to the person holding the certificate in form I in respect of such girder.(2)The amount deducted, as provided in sub-rule (1), shall be credited to the building Compensation Fund of the urban area concerned.

11.

. On the expiry of the period specified in rule 7, all unclaimed girders shall be caused to be sold by the Claims Commissioner and the proceeds thereof shall be credited to the Building Compensation Fund of the urban area concerned.

12.

Any person claiming to be entitled to any portion of the debris disposed of under the rule shall within such period as may be specified by the Claims Commissioner of the damaged area concerned, present a claim to him in form II.

13.

. After receipt of all claims under the last preceding rule, the Claims Commissioner shall apportion the amount standing at the credit of the Building Compensation Fund after deducting therefrom all other sums which are payable or which have been paid under these rules, between such claimants as appear to him to be entitled thereto in accordance with the approximate value of their buildings which were destroyed, damaged or demolished. Form ICertificate under Rule 9 of the Damaged Areas (Disposal of Debris) Rules, 1950Whereas I am satisfied after due enquiry that a girder, the specification of which are given in the schedule hereto attached, belongs to

_____. And whereas the said girder is certified by the Engineer to require re- rolling. Now, therefore, this certificate is granted to

in pursuance of rule 9 of the Damaged Areas (Disposal of Debris) Rules, 1950. The girder shall be sold to an appropriate re-rolling mill and the sale proceeds, after deducting fifteen per cent therefrom, shall be made over to _____ on the presentation of this certificate.

Schedule

General description Weight Length Cross Section

Dated _____ Claims Commissioner

Form II Application for claim under rule 12 of the Damaged Areas (Disposal of Debris) Rules, 1950

Name of applicant with full address

Particulars of the building from which debris has been removed

Particulars of claim

Value of claim

Grounds in support of the claim

I solemnly declare that the particulars given above are true to the best of my knowledge. Signature of the Applicant (Orders passed by the Claims Commissioner).