

The Bihar and Orissa Aerial Ropeways Rules, 1928

JHARKHAND

India

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Rule

THE-BIHAR-AND-ORISSA-AERIAL-ROPEWAYS-RULES-1928 of 1928

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The Bihar and Orissa Aerial Ropeways Rules, 1928Published vide Notification No. 2168-C.RNo. 2168-C.R. - In exercise of the power conferred by Section 22 of the Bihar and Orissa Aerial Ropeways Act, 1924 (Bihar and Orissa Act III of the 1924) the Government of Bihar and Orissa are pleased to make the following rules:-

1.

These rules may be called the Bihar and Orissa Aerial Ropeways Rules, 1928.

2.

In these rules, unless there is anything repugnant in the subject or context,-(a)"the Act" means the Bihar and Orissa Aerial Ropeways Act, 1924,(b)"permanent structure" means a structure such as pit head, engine house, boiler house, electrical and mechanical installations and masonry buildings,(c)"mine" means a mine as defined in Section 3 of the Indian Mines Act, 1923.

3.

When an application is received under Section 5 of the Act, the local Government shall, in addition to the notice published and served under subsection (1) of Section 5 of the Act, send by registered post, acknowledgement due, to the owner, agent or manager of every affected property not belonging or appertaining to the promoter of the ropeway a plan and index showing the proposed position of the ropeway in so far as it affects the property in question.

4.

No licence to construct an aerial ropeway directly or within a lateral distance of 150 feet of any permanent structure situated on land (or "mineral property") not belonging to the intending promoter, shall be granted by the local Government save on the following conditions:-(a)that the promoter satisfies the local Government that the construction of the ropeway on the proposed alignment is unavoidable, and(b)that such safeguards are provided as may, in the opinion of the local Government, be necessary to prevent danger to such structure and injury to any person lawfully using or employed in such structure.

5.

In determining the compensation to be paid by the promoters under Section 8 of the Act, the Collector shall take into consideration any damage caused to any permanent structure standing on the land not belonging to the promoter on which it is proposed to construct or work an aerial ropeway or any interruption or interference with the getting of minerals from such land caused by the construction or working of such ropeway.

6.

If the owner, agent or manager of a mine intends to extend any mining operations under his control at or any point within 50 yards of any ropeway he shall, not less than 60 days before commencing to carry out his intention, give a notice in writing to the local Government in the Public Works Department and the promoter of the ropeway.

7.

If the operations in respect of which notice is given under rule 6 are not commenced within twelve months from the expiry of the period of 60 days mentioned therein, the notice shall be held to have expired, and a fresh notice shall be given by the owner, agent or manager of the mine, under Rule 6.

8.

The notice to be given under Rule 6 shall specify the position of the workings of the time in relation to the ropeway in question, the manner in which it is proposed to carry out the intended new operations, the limits to which it is proposed to carry the said operations, and shall state whether the operations are actually in progress, and shall include a plan showing the existing and the intended mining operations in so far as they affect the ropeway in question.

9.

When an accident of the description contained in Section 16 of the Act occurs on or about a ropeway, the promoter of the ropeway or his agent or manager shall, in addition to any notice required under

any other Act, within twenty-four hours of the occurrence of such accident, give a written notice of the accident to the local Government in the Public Works Department and to the Inspector, if an inspector has been appointed. The notice shall state the name, sex and occupation of persons killed or injured, if any, the nature of the injury, and if fatal, the cause of death, the date and hour of the accident, the place of accident, and a description of how the accident occurred.

10.

A ropeway shall be so aligned that in no circumstances shall a bucket or carrier be able to foul any post, structure, building, tree, telegraph or telephone line, electric supply line or another carrier. The minimum clearance shall be 5 feet except in the case of any post or structure forming part of the ropeway in which case the minimum clearance shall be 18 inches assuming a maximum wind pressure of 30 lbs. per square foot acting in a direction horizontal of the carrier.

11.

A ropeway shall be constructed with minimum factors of safety as follows:-

Minimum factor of safety at the point of maximum stress		
Ropes-		
Monocable	... ..	... 5
Bi-cable-		
Carrying rope	... ..	... 4
Hauling rope	... ..	... 5
Structural steel work	... ..	... 4
Other ropeway fittings	... ..	... 5

Trestles foundations must be sufficiently large to give a moment 50 per cent greater than the overturning moment due to a wind pressure of 15 lb. per square foot on the aerial line supports and 30 lb. per square foot on aerial ropeway supports. For tall trestles guy ropes may be used.

12.

Station gear and trestles sheaves shall be so designed that lubrication can be performed safely whilst the ropeway is in motion.

13.

Where a ropeway passes over a public road or a railway in which passengers are carried, a bridge under the ropeway shall be provided and maintained by the promoter, and such bridge shall be so constructed as to prevent persons from being endangered by anything falling from the ropeway. The minimum clearance under the bridge shall be 16 feet.

14.

Where a ropeway passes over a railway, tramway, canal or navigable river the minimum clearance under the load shall ordinarily be 16 feet. The local Government, however, may require the clearance to be such an amount as they think necessary.

15.

The clearance between the carriers on a ropeway and the ground shall not be less than 8 feet except at stations, which shall be so fenced as to prevent danger.

16.

All carriers shall be provided with appliances which prevent the container from discharging its contents except at points where it is intended to discharge them.

17.

Reliable devices, approved by the Inspector, for signalling between the terminal and junction stations shall be provided.

18.

A competent person appointed by the promoter or his representative, shall daily inspect all posts, ropes, machinery, gear and other appliances, and shall record in a book to be kept for the purpose of a true copy of the inspection stating what defects, if any, were noticed.

19.

The ropeway shall not be worked unless the posts, rope, machinery, gear and other accessory appliances are in proper order.

20.

For the purpose of giving signals on the ropeway the owner or his representative shall appoint in writing persons to give the signals, and shall satisfy himself that they are competent to give the signals and are familiar with the code of signals in use.

21.

No person shall remain under the ropeway while carriers are being moved.

22.

No person shall ride on an aerial ropeway without the written permission of the promoter or his representative and permits to ride on a ropeway shall be granted only to persons in lubricating, repairing or inspecting the ropeway.

23.

Persons travelling on a ropeway for the purpose of inspection, lubrication or repairs shall be securely fastened to the carriers.

24.

No person shall undertake repairs to the machinery or the line while the rope is in motion.

25.

No unauthorised person shall enter a ropeway station or climb up the posts carrying the rope.

26.

Where in an owner's premises there is a risk of a carrier or its contents falling on any persons, such adequate arrangements for safety from such risk as the Inspector thinks necessary shall be made.

27.

Every intending promoter, other than the Provincial Government, making an application under sub-section (1) of Section 4 of the Act, shall pay a fee of Rs. 500 (five hundred rupees) only, unless such fee is remitted wholly or in part by a general or special order of Provincial Government.

28.

A promoter, other than the Provincial Government, shall pay a fee of-(a)Rs. 50 (fifty rupees) only for every mile or part of a mile of its ropeway for every inspection under Section 11 of the Act subject to a maximum of Rs. 200 (two hundred rupees) only in each case; and(b)Rs. 25 (twenty five rupees) only for every mile or part of a mile of its ropeway for every periodical inspection under Section 12 of the Act subject to a maximum of Rs. 100 (one hundred rupees) only in each case:Provided that if any inspection referred to above, for which the fee prescribed in this rule has been paid, is made in any year, no fee shall be charged for a second or subsequent inspection made in that year unless such further inspection is made on an application by the promoter or is necessary as a result of the extension or alteration of the ropeway or is in the opinion of the Inspector necessitated by a breach of any of the provisions of the Act or of the rules there under or by the neglect or failure of the promoter to carry out within the stipulated time, any written order of the Inspector.

29.

All fees payable under rules 27 and 28 shall be paid into a Government treasury and credit to the head "XXXIX-Civil Works-Miscellaneous" the treasury receipt being submitted to the Provincial Government unless otherwise directed by a special or general order of the Provincial Government.

30.

The local Government may, by order in writing, direct that any of the provisions of rules 10 to 26 be relaxed in any particular case to such extent and subject to such conditions (if any) as they may deem reasonable and proper in the circumstances.