

# **U.P. Rules Regulating the Transport of Timber by Water along the Small Hill Streams of Pargana Jaunsar-Bawar in the Dehradun District, 1936**

UTTAR PRADESH

India

## **U.P. Rules Regulating the Transport of Timber by Water along the Small Hill Streams of Pargana Jaunsar-Bawar in the Dehradun District, 1936**

### **Rule**

### **U-P-RULES-REGULATING-THE-TRANSPORT-OF-TIMBER-BY-WATER- of 1936**

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U.P. Rules Regulating the Transport of Timber by Water along the Small Hill Streams of Pargana Jaunsar-Bawar in the Dehradun District, 1936 Published vide Notification No. 1026 (6)/14-309 dated 22nd December, 1936

### **1.**

(a)The rules shall apply to all streams in Pargana Jaunsar-Bawar with the exception of the Yamuna, Tons and Pabar rivers.(b)They shall apply only to persons floating or otherwise conveying timber under a pass issued in accordance with Rule XI of the rules published under Notification No. 672/XIV-42, dated 30th September, 1915.

### **2.**

Transportation of timber along such streams shall be permitted only during the months from the August to January inclusive.

### **3.**

The owner of any timber who desires to transport it by water, or his agent or servant may, upon giving ten days notice in writing (through the Divisional Forest Officer or officer-in-charge of the Forest Range in which the timber is to be transported) demand that any weir, bund or other obstruction made for any purpose in the bed of a stream, be either opened sufficient to allow the timber to pass through or be entirely removed for a period not exceeding 9 days.

### **4.**

If his demand is not complied within 5 days of the expiry of the period of 10 days given in the notice prescribed by Rule 3, the owner of the timber or his agent or servant, may himself either remove the obstruction or open a passage through it for hill timber, and the owner of the obstruction shall not offer any resistance to his so doing.

### **5.**

Any person who offers resistance to the owner of the timber or his agent or servant, when removing any obstruction or opening a passage through it for his timber, as provided for in Rule 4, shall be liable to a fine which may extend to Rs. 100.

### **6.**

In all cases the owner of the timber shall pay the cost of removing or opening a passage through the obstruction, and shall immediately after passing his timber through, replace or repair the same at his own expense. In the event of his failing to do so, the owner of the weir or bund shall be at liberty to replace or repair it himself and to recover the cost of so doing as compensation from the owner of the timber.

### **7.**

If floating operations are not completed within six days, they shall thereafter be carried on only between the hours of 6. a.m. to 4 p.m. and the owner of the timber shall replace or repair the obstruction at his own expense not later than 4 p.m. each day, so as to make the water available for the purpose for which the obstruction was made.

### **8.**

No compensation shall be payable by the owner of the timber to the owner of any mill or irrigated land by reason of the water supply to his mill or land being cut off for a period not exceeding six days owing to the removal or opening of any weir or bund.

**9.**

In the case of a mill, the working of which has been stopped for more than six days, owing to the water supply being cut off, the owner of the timber shall be liable to pay compensation for the whole period during which the mill was idle at the rate which shall be 10 times the rent for which such mill could be rented for such period.

**10.**

In the case of land of which the irrigation has been stopped for more than 6 days owing to the water supply being cut off or after the sixth day has been restricted by reason of the owner of the timber failing to replace or repair the obstruction by 4 p.m. each day, the owner of the timber shall be liable to pay compensation for loss incurred.

**11.**

Any claim for compensation against the owner of the timber under Rule 6, 9 or 10 shall be made, within 6 months of the claim accruing, to the Superintendent of the Dun, who shall determine the amount of compensation after such inquiry as may be necessary and whose decision shall be final.