

U.P. Rules Regulating the Transit of Timber on the River Ganga above Garhmukhteswar in Meerut District and on its Tributaries in Indian Territory above Rishikesh, 1938

UTTAR PRADESH

India

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Rule

U-P-RULES-REGULATING-THE-TRANSIT-OF-TIMBER-ON-THE-RIVER- of 1938

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U.P. Rules Regulating the Transit of Timber on the River Ganga above Garhmukhteswar in Meerut District and on its Tributaries in Indian Territory above Rishikesh, 1938Published vide Notification No. 908/14-220, dated October 15, 1938In continuation of Notification No. 644(1)/XIV-220/ dated June 30, 1938, it is hereby notified the Governor of U.P. in exercise of the powers conferred by Sections 41 and 42 I.F Act (XVI of 1927) and in supersession of Notification No. 903/XIV-131, dated December 13, 1915, has made the following rules to regulate the transit of timber on the river Ganga above Garhmukhteswar in meerut district and on its tributaries in Indian territory above Rishikesh. Nothing in these rules shall be held to affect the operation of the general rules for the transport of timber by river issue in Notification No. 672/XIV-42, dated September 30, 1915 or to exempt any person from any penalty which he may have incurred by discharged of the said rules.

1.

The transport of timber on the river Ganga above Garhmukteswar and on its tributaries in Indian territory above Rishikesh will be controlled as follows :(a)From Garhmukteswar to Rishikesh by the Divisional Forest Officer of the Saharanpur Division of the Western Circle.(b)On those portions of the river above Rishikesh an on those portions of its tributaries as aforesaid, which adjoin or are

within the Garhwal Division of the Kumaun Circle by the Divisional Forest Officer of that Division. These Officers are herein after referred to as the Forest Officer.

2.

The property mark required by Rule XVI of the rules made under Notification No. 672/XIV-42, dated the 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 of its end.

3.

All sawn timber to be floated must be marked before launching or in the case of timber coming from Tehri Garhwal before being floated on the Ganga be marked on one of its ends with a deeply cut or branded distinguishing mark to facilitate the handling and sorting of timber. These marks or brands must be first registered at the office of the Forest Officer but no fee shall be payable for such registration. The Forest Officer to whom the control of river pertains may order the registration of as many marks or brands as he considers necessary to the efficient control of transport operations.

4.

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

5.

Every registration under Rule 3 shall hold good until June 30 of the year following that in which registration is effected.

6.

At least one month before the timber is to be launched or in the case of the timber coming from Tehri-Garhwal at least one month before the timber will reach the Ganga river the owner shall notify in writing to the Forest Officer his intention to launch it or in the case of timber from Tehri Garhwal his intention to float it on the Ganga river. He must apply for permission to convey the timber down the river and do collect it. The application should contain the following information, viz.-(i) Name and address of the owner. (ii) His father's name. (iii) Description of the timber, including the number and dimension 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 will reach Laltarau or Jawalapur. On receipt of his application the Forest Officer may give a pass or permission in writing to collect and convey timber from the launching or upper river depot. The pass will recite the particulars above detailed and specify the place at which the timber may be stopped when required by Forest Officer, for the regulation of the traffic or its passage down the

river to Laltarau or Jawalapur. These passes shall be issued free of any fee.

7.

These passes will allow the lopping of trees other than those mentioned below for the purpose of making dams or channels to facilitate the floating of timber. The following trees may not be lopped under any circumstance :

<i>Cedrus libani</i>	... Deodar
<i>Cupressus torulosa</i>	... Surani
<i>Juglans regia</i>	... Akhrot
<i>Cedrela toona</i>	... Tun
<i>Cedrela serrata</i>	... Tun Darli
<i>Ougeinia didbergioides</i>	... Sanda
<i>Dalbertia sissoo</i>	... Shisham
<i>Terminalia tomentosa</i>	... Sain
<i>Anogeissus latifolia</i>	... Bakli
<i>Boehmeria pumila</i>	... Ganthi
<i>Pistacia integerrima</i>	... Kakar
<i>Pinus excelsa</i>	... Kali
<i>Pinus longifolia</i>	... Chir
<i>Shorea robusta</i>	... Sal
<i>Picea morinda</i>	... Rai
<i>Bauhinia retusa</i>	... Kandlau

Lopping is only allowed subject to the following conditions.-No trees may be lopped to more than two-third 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 under wood may be 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 koenigii</i>	... Kath Nim
<i>Nyctanthes arbor-tristis</i>	... Harsingar
<i>Prinosia utilis</i>	... Bhakal
<i>Randia dumetorum</i>	... Mainphal

Woodforia Floribunda ... Dhaula

Zanthoxylum alatum ... Tezbal.

8.

All rafts will be examined and timber checked at Laltarau or Jawalapur Depots. Rafting dues will be collected by the Divisional Forest Officer, Saharanpur, at rates sanctioned by the Government. Such dues will be collected on the timber entered in the launching permits and if the timber is found in excess of timber launched, further fees will be charged as laid down in Paragraph 12. No timber will be removed from the depots until it has been checked by the forest subordinates in charge of floating. The forest subordinates will issue a certificate in the following form :-"Certified that (in words) pieces of timber of launching, permit no..... dated..... of owner of division arrive at depot on.....The owner or his agent will also sign the counterfoil of the above certificate.

9.

Permission to remove timber from the river bank at the two depots named under Rule 8 will not be given for more than 50 pieces of timber in excess of the number mentioned in the launching permit without the production of a fresh pass, but excess quantities, upto 50 pieces may be removed on payment of the rafting fees mentioned in Rule 12.

10.

Should any timber in consequence of flood or from any other cause be carried away below Jawalapur the owner of such timber or the floating contractor exporting such timber on behalf of Government shall notify to the Forest Officer tire place or places at which he proposes to form such timber into rafts and he shall not move such rafts down or up the river before he has obtained a rafting pass and paid the fees as laid down in Rule 12. Thereafter Rules 8 and 9 shall apply to all such rafts. The rafting fees payable under these rules are additional to any liabilities which may be incurred by the owner for the salvage of such timber under rule notified under Section 51, Indian Forest Act.

11.

Any stacking grounds provided by Government, will be under the control of the Forest Officer who may issue orders, from time to time, as to such places where each owner may stack his timber and so to the manner in which it must be stacked. Owner who wish to keep their timber at any such stacking grounds for more than 12 months are required at the discretion of the Forest Officer to pay rent charge of 6 paise for each additional half year or part of a half year that it may remain there.

12.

The rafting fees payable on all timber for which a rafting pass is issued under Rule 10 and on timber found in excess of the quantity entered in the pass as permitted by Rule 9 shall be fixed, from time to time, by the Conservator of Forests. Western circle, subject to a maximum of one anna for each log or piece of timber.

13.

The owners of timber will report the names of their representatives in charge of floating operations to the Divisional Forest Officer, Saharanpur. Rules under Section 42 of the Act

14.

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.