

Rules to regulate the navigation of the Twante Canal.

Revenue Department (Separate Revenue Branch) Notification No.55, dated the 25-2-1935 as subsequently amended by Notifications Nos. 157, 162, 353, 313, 6, 162 and 437, dated the 10-7-35, 17-7-35, 8-12-37, 7-10-38, 6-1-40 and 28-10-40 respectively.

In exercise of the powers conferred by Section 79 of the Burma Canal Act, 1905, the Governor in Council is pleased to make the following rules to regulate the navigation of the Twante Canal. The rules published in the Burma Public Works Department Notification No.95, dated the 13th October 1908 as subsequently amended are hereby superseded.

NOTE:- These rules are supplementary to the rules made under the Inland Steam Vessels Act 1917, which will continue to govern all matters for which these Rules do not specially provide.

1. Without the written permission of the Divisional Canal Officer no vessel shall navigate the Twante Canal whose capacity exceeds 400 tons or whose dimensions exceed the following limits:-
Length 170 feet.
Breadth 50 feet.
Draught 8 feet 6 inches. (but see rule 24).
2. Every vessel entering the Canal shall be liable to measurement and stamping for the purpose of ascertaining the tolls payable, and in case of any reasonable doubt arising, the Toll Collector at any Toll Station shall have the authority to re-measure a vessel notwithstanding that it was measured on entering the Canal.
3. The tonnage or carrying capacity in baskets of every vessel which has been surveyed by, qualified surveys shall, for the purposes of these rules, be determined from the Surveyor's figures of measurement, and shall be known as the "Registered tonnage" Vessels which have not been properly surveyed will be charged on estimated capacities.
4. The person in charge of a vessel entering or navigating the Canal shall pay the toll leviable to the Waterways Inspector or to the Toll Collector, and such vessel shall be detained until a receipt for such toll shall have been issued to the person in charge.

5. The toll ticket shall be kept on the vessel by the person in charge thereof so long as such vessel is in the Canal and shall be produced for inspection upon the demand of any Canal Officer, and shall be delivered up to a Canal Officer upon the vessel passing out of the Canal.
6. If a toll ticket is lost a fresh ticket must be obtained upon payment of the toll leviable in respect of such vessel; provided that if a claim is submitted at the Divisional Office for refund of the second payment the amount subsequently paid at the outgoing station will be refunded after necessary verification.
7. Except with the special sanction of the Governor in Council no boat used by a Government officer, whether Civil or Military, shall be exempted from payment of toll on the ground that such officer is travelling on public duty.

A department of Government may compound for the tolls for the use of the Canal by its officers by paying annually in advance, a lump sum to be fixed by the Local Government in consultation with that Department.

8. Every vessel entering or navigating the Canal, shall, where it is safe and practicable, keep to the side of the Canal which lies to the right or starboard side of such vessel.

NOTE:- All cargo boats, paddy boats, and other vessels under oars or sail shall keep out of the way of steam or motor vessels and avoid tacking across their bows so close as to cause the steam or motor vessel to manoeuvre to avoid collision.

9. No vessel shall proceed through the Canal at a greater speed than 8 miles per hour against the current and 12 miles per hour with the current or at slack water, both speeds being relative to the ground.

NOTE:- This speed restriction does not apply to speed boats less than 30 feet in length.

10. A vessel proceeding against the current shall where it is safe and practicable give way to a vessel proceeding with the current.

11. (i) During construction or survey warning flags by day and lights by night may be displayed at suitable positions upstream and downstream, and no vessel shall pass or attempt to pass such warning signals so long as they remain hoisted.

(ii) When the warning signals are lowered traffic may proceed dead slow.

12. No raft or loose logs shall be allowed to enter or to pass along the Canal.

13. (1) Anchoring is prohibited in the China Bakir River between the entrance to the Canal and the Notice Boards fixed on the bank to delimit the prohibited area.

- (2) Anchoring is permitted close in to the North bank of the Canal west of the Letpangon Toll Station between the Notice Boards fixed to delimit the anchoring area at that place.
- (3) Elsewhere in the Canal anchoring is prohibited except for the purpose of making fast to the bank.
- (4) Whenever possible craft will make fast to the bank on their own starboard side.
- (5) Paddy gigs or country craft making fast shall not lie more than two abreast.
- (6) Except as provided in rule 25 and in such special cases for which written permission has been given by the Divisional Canal Officer no vessel other than those specified in sub-rule (5) shall be moored abreast of another vessel.
14. A vessel shall not be placed or shall not remain in such a position as to endanger the safety of other vessels, or to obstruct their passage or to impede navigation and shall, if so ordered by any authorised Canal Officer, move from one berth to another.
15. The Divisional Canal Officer shall have power to prohibit the loading or unloading of passengers or cargo in the Canal at any place where he considers these operations inexpedient.
16. Every vessel when anchored or made fast to the bank shall at all times have one or more persons in attendance on board.
- NOTE:-** This rule does not apply to sampaus of capacity 100 baskets or under, or to dugouts.
17. No person shall place any bamboo, pole, fishing stake, fishing net, or obstruction in the Canal. Any Canal Officer may remove or destroy any such obstruction forthwith.
18. (1) If any vessel is wrecked, stranded, or sunk in the Canal so as to impede, or be likely to impede, the navigation thereof, the Divisional Canal Officer may cause the vessel to be raised, removed, or destroyed.
- (2) If any anchor, chain, rope, or any article whatever be left in the Canal so as to impede, or be likely to impede, the navigation thereof, the Divisional Canal Officer may cause it to be removed or destroyed.
- (3) If any property recovered by the Divisional Canal Officer acting under sub-rule (1) or (2) is unclaimed, or the person claiming it fails to pay the reasonable expenses incurred by the Divisional Canal Officer under that sub-rule and a further sum of twenty per cent. of the amount of such expenses, the Divisional Canal Officer may sell the property by public auction, if the property is of a perishable nature forthwith and if it is not of a perishable nature, at any time not less than one month after the recovery thereof.
- (4) The expenses and further sum aforesaid shall be payable to the Divisional Canal Officer out of the sale proceeds of the property, and the balance shall be paid to the person entitled to the property

recovered. or, if no such person appears and claims, the balance shall be held in deposit for payment, without interest to any person hereafter establishing his right thereto provided that the person makes his claim within six months from the date of the sale.

19. No dock, wharf, quay, stage, jetty, pier, erection, structure, or revetment of any kind shall be erected on, or moored alongside, of, or fixed to the bank of the Canal without the previous permission in writing of the Divisional Canal Officer. All such permitted structures shall be kept in a state of repair and may, if not properly maintained, be dismantled by the Divisional Canal Officer after due warning.

20. No laterite or stone shall be deposited on the banks of the Canal except with the previous permission in writing of the Divisional Canal Officer.

21. Nothing shall be thrown into the Canal either from the banks or from any vessel plying on or moored in the Canal which is likely to interfere with the navigation or to impair the utility of the Canal.

NOTE:- This rule does not apply to paddy husk.

22. A tug shall be any vessel propelled by mechanical means and used for towing purposes in the Canal.

23. Only tugs licensed for this purpose by the Canal Officer shall be permitted to tow, and shall in each case be sufficiently powerful to handle the tow at a speed of not less than 2 miles an hour against the current. Any licence may be withdrawn by the Canal Officer for sufficient reason stated to the owner of the vessel in writing. An appeal against an order of withdrawal or against an original refusal of a license, may be made to the Superintending Engineer who shall consult the Nautical Adviser in each case before giving his decision which shall be final.

24. No tug whose maximum draft any point exceeds 8 feet 6 inches shall be allowed to tow. No vessel whose maximum draft at any point exceeds 6 feet may be towed without the permission of the Divisional Canal Officer.

25. The maximum abreast tow allowed shall be three vessels including the tug which must in such case be the centre vessel. In no case may the total beam of any group of vessels exceed 75 feet except when proceeding through under control:

Provided that a tug may take two vessels on each side, one in front of the others, if the length of the tug is not less than three fourth of the combined length of the pair of vessels in tow on either side.

26. No tug shall, when moving against the tide or current have more than 6 paddy gigs or other craft in tow astern. These shall be lashed together in pairs, the tow rope between the tug and the first vessel towed shall not be over 50 feet in length, and subsequent lengths of tow ropes shall not be more than 25 feet.

With the special permission of the Divisional Canal Officer in writing an additional two boats may be towed alongside, one on either side of the tug.

27. Towing astern with the tide or current is prohibited, and vessels towed astern against the tide or current must be cast off immediately the tide turns, and poled or sailed through the Canal for the rest of their journey.

28. No towing shall be done between sunset and sunrise, or between such other times as the Canal Officer may determine on days when the tides will not permit of the through journey being made between sunrise and sunset, provided that the Canal Officer may permit vessels equipped with efficient searchlights to tow alongside between sunset and sunrise.

NOTE:- The Divisional Canal Officer has power to relax this rule in special cases.

29. Only vessels which have paid commuted tolls in advance may be towed, provided that cargo boats or paddy gigs belonging to well known firms which are clearly numbered and the capacity of which is registered may by arrangement with the Divisional Canal Officer be towed and charged for on a monthly bill at ordinary rates on payment of deposits, in which case firms must submit detailed monthly statements of all such vessels giving number of trips performed by each vessel; provided further that uncommuted vessels not using the Canal regularly may be towed, provided a permit is obtained from the Divisional Canal Officer and tolls at the usual rates are paid in advance at the office of the Divisional Canal Officer.

30. Tolls on tugs and tows shall be levied on their carrying capacity in accordance with the schedule of rates current.

31. All vessels shall obey the orders of any duly authorised Canal Officer Craft employed by Canal Officers shall fly a distinguishing flag by day, and shall exhibit, from sunset to sunrise, where they will best be seen, a white light over a red light, not less than 3 feet apart, so constructed as to shew a clear, uniform and unbroken light all around the horizon for a distance of at least one mile. All vessels shall facilitate the passage of draft carrying such distinguishing flag or combination of lights.

31A. The Divisional Canal Officer may issue general executive orders to which all vessels navigating the Canal shall be required to conform. Such orders may be communicated in any of the following ways:-

- (i) by notification in the local newspapers;
- (ii) by notice boards prominently displayed on the bank of the Canal;
- (iii) by signals operated according to a code published in the local newspapers;

(iv) by any combination of the means aforesaid;

(v) by any other means found desirable or practicable.

32. Vessels exceeding the dimensions given in rule 1, may proceed through the Canal only under special control in accordance with executive orders to be issued from time to time by the Canal authorities.

33. The following sub-rules concerning lights shall be complied with in all weather from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited:-

(1) A vessel under oars or sail, when under way, if it does not carry a red and green light shall-

(i) if there is a mast, carry thereon a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light visible all round;

(ii) if there is no mast, show continuously a similar white light from a conspicuous position so as to be visible all round.

(2) A vessel which is being overtaken by another shall show a white light from her stern to the overtaking vessel.

(3) Every vessel when at anchor, or made fast to the shore, shall carry, where it can best be seen, a white light in a lantern, so constructed as to show a clear, uniform and unbroken light visible all round the horizon at a distance of at least one mile.

34. The free board of any square-built open or decked river craft, which is ordinarily moved by oars or sail, shall not be less than as determined according to the following scale:-

Length of Craft.	Freeboard amidships.
50 feet.	2 feet 2 inches.
for any additional foot or part thereof .	an additional 1/2 inch.
for every foot or part thereof by which length is less than 50 feet.	1/2inch less than 2 feet 2 inches.

For the purpose of the above scale craft shall be measured from the after side of the stem post to the foreside of the stern post at deck level.

35. The freeboard of any mechanically propelled river craft or any iron or wooden deck river craft which is never moved except under tow by a mechanically propelled vessel, shall not be less than 2 inches for every foot of the craft's depth, with a minimum of 18 inches in the case of any wooden craft over 50 tons

capacity, or one foot in the case of iron craft with watertight hatch coamings which are not less than 6 inches in height above the deck, provided that any vessel possessing a certificate of survey issued under the Petroleum Rules shall not be required to conform to this rule ; provided further that the provisions of this Rule may also, in exceptional cases be relaxed by the Superintending Canal Officer after consultation with the Nautical Adviser and Principal Officer, Mercantile Marine Department, Burma, in respect of vessels possessing certificates of survey issued under the Inland Steam Vessel Act, 1917.

36. In obeying and construing these rules, due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.
37. All vessels not bearing a definite name painted, engraved or otherwise permanently marked on their hulls shall be registered and stamped with a Twante Canal reference number.
38. Any vessel detained by a Canal Officer for entering or navigating the Canal contrary to the rules may be released on payment by the person in charge of the vessel to the Canal Officer of a sum not exceeding Rupees ten as security for the appearance of such person before the Magistrate.
39. Vessels belonging to any firm which agrees, in writing to produce in Court, when called upon, the tindals of boats which break which break Canal rules, will not normally be detained nor will the person in charge be required to furnish security. The Canal authorities reserve the right to withdraw this concession in the case of any firm which fails to produce a tindal when called upon to do so.
40. The outbreak of fire on board any vessel using the Canal shall be indicated by a continuous sounding with any fog signal apparatus.
41. All tugs and other steam vessels using the Canal are prohibited from cleaning fires or adding wood fuel, or except when burning coal or oil fuel and fitted with efficient spark arresters, using forced draft when within a distance of 100 yards of any petroleum vessels: A petroleum vessel will exhibit by day the red petroleum flag, and by night one red light hoisted at the mast head and visible all round the horizon for a distance of at least one mile.
42. Bilge water contaminated by petroleum or other inflammable oil shall not be discharged in the Canal.
43. The penalty specified in Section 75 of the Burma Canal Act, 1905 shall attach to every breach of these rules.

----- Footnote -----

(1) Rule, 29. each vessel , * provided. = The proviso shall take effect from the 1st November, 1940. L67B

General

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