

force relating to like disputes in the case of land needed for public purposes<sup>1</sup> and not otherwise; and for the purposes of such law the fairway from or in which such obstruction was removed or destroyed, or in which its creation was regulated or prohibited, shall be deemed to be a part of the district in which the port to which such fairway leads is situate.

11. \* \* \* \*

Saving of other powers possessed by President.

12. Nothing herein contained shall be deemed to prevent the exercise by the President of the Union of any other powers possessed by him in this behalf.

Extent of Act.

13. This Act shall not extend to any part of Upper Burma unless it is extended thereto by the President of the Union by notification.<sup>2</sup>

### THE DEFILE TRAFFIC ACT.

[BURMA ACT VIII, 1907.] (28th December, 1907.)

Extent.

1. This Act extends to the defile and waters of the Irrawaddy River between the village of Sinbo in the Myitkyina District and the town of Bhamo in the Bhamo District.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

- (1) "defile" means the defile and waters of the Irrawaddy River between the village of Sinbo in the Myitkyina District and the town of Bhamo in the Bhamo District;
- (2) "steam-vessel" includes a motor-launch or other vessel propelled by mechanical means; and
- (3) "vessel" includes a steam-vessel, boat, raft or timber.

Power to make rules.

3. (1) The President of the Union may make rules regulating the navigation of any traffic in the defile.

(2) Without prejudice to the generality of the foregoing power, such rules may contain directions as to all or any of the following matters, namely:—

- (a) prohibiting vessels or specified classes of vessels from entering the defile when the water is high or likely to rise or in other cases of special danger;
- (b) prohibiting or authorizing specified officers to prohibit specified classes of vessels from entering the defile or specified parts of the defile during specified periods or during a specified number

<sup>1</sup> See the Land Acquisition Act.

<sup>2</sup> This Act has been extended to the whole of the Union of Burma by Marine Branch Notification No. 124, dated 9th October 1950. [*Burma Gazette*, 1950, Part I, page 629.]

of days in each month or except on such days and between such hours as may be fixed in that behalf by an officer appointed for the purpose :

- (c) prescribing the earliest and latest hours at which steam-vessels may enter the defile, or any specified part of the defile, from above or below ;
- (d) prohibiting steam-vessels from entering the defile, or from passing specified places therein, without permission, and prescribing by what officer and on what conditions such permission may be given ;
- (e) providing for the stoppage, or the stoppage and reporting of the arrival or departure, of vessels or of specified classes of vessels at specified places in the defile or above or below the defile ;
- (f) restricting or prohibiting the stoppage of vessels or of specified classes of vessels in the defile or in specified parts thereof ;
- (g) prescribing the special precautions to be taken by vessels or specified classes of vessels when disabled or not under control or when compelled to moor or anchor in the defile, or when meeting or likely to meet other vessels or when navigating specified parts of the defile ;
- (h) prohibiting the passage of rafts through the defile or any specified part thereof without a pass, and prescribing the officer by whom and the conditions subject to which such passes may be issued ;
- (i) requiring the persons in charge of rafts to report the arrival of the rafts at specified places to officers appointed by the Deputy Commissioner of the district, and to produce such passes (if any) for inspection and signature, and to deliver up the passes on arrival at Bhamo ;
- (j) providing for the production of raft passes to village-headmen and police-officers on demand of such officers and for the inspection of such passes by them ; and
- (k) authorizing the detention of vessels in respect of which any breach of rules may have been committed or may be contemplated.

(3) All rules made under this section shall be made after previous publication, and, when made, shall be finally published in the Gazette and shall come into operation from the date of such publication.

4. Any breach of any rule made under this Act may, on conviction, be punished with fine which may extend to one thousand rupees. Penalty for breach of rules.

5. Nothing in this Act shall affect the operation of the Inland Steam-vessels Act, the Forest Act or any other enactment relating to vessels. Saving of Acts.

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