

River Conservancy Act, 1884

Section 12 - Power to prohibit cultivation Penalty

The Conservator of Rivers may, with the previous sanction of the Collector of the district, by an order in writing, require any owner or occupier of land usually cultivated or cultivated with permission under section "II, within such river-bed, to abstain from cultivations. Such land should, it appear, that such cultivation will tend to obstruct or divert the course of the river; and it shall be the duty of such owner or occupier to act in obedience to such order. Penalty. Whoever fails to comply with any order made by the Conservator of Rivers under this section shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs.5000/-, or in default of payment, to simple imprisonment not exceeding three months for every such offence.13.1) Constructions, plantations, etc., within river-bed without ion prohibited. Upon a survey being completed and the notification made as provided by this act any person intending to make or remove or extend any groyne building or construction of any kind, or plantation, grasses or trees, within such river-bed shall one month before beginning so to make, remove or extend, make an application in writing to the Conservator of Rivers for license make or remove or extend such groyne, building, construction, plantation, grasses or trees.2) The Conservator of Rivers shall, within one month after receiving such application, pass such orders in writing thereon as he may deem fit.3) If the Conservator of Rivers does not pass orders in writing within one month after receiving such application, the applicant may proceed to make, remove or extend such groyne building, construction, plantation, grasses or trees in compliance with the terms of such application.4) An appeal from any order passes by the Conservator of Rivers under clause 2 of this section shall lie to the Collector of the district, if the same be preferred within 60 days from the date of the receipt of such order.5) The appeal shall be in writing and shall set forth concisely the grounds of objection to the decision of the Conservator of Rivers, and shall be heard and disposed of by the Collector of the district.6) Penalty. Whoever does any act prohibited by this section shall be liable on conviction before a Magistrate to a fine not exceeding Rs.1000/-, or, in default of period not exceeding six months for every such offence.