

Legislative (189 9) Department.

ORDINARY PRINTED.

G.O., No. 134

DATED 22-12-98 ✓

INDEXED.

3/4

[Despatch Abstract.]

Madras Tenancy Bill

Copy to the Select Committee on the —
Letter from the Madras Chamber of Commerce
offering
Pettani remarks on sec. 12 + 13 of the
Bill as ^{provisionally} amended by the Select
Committee ~~which relate to covering &~~
~~quarrying.~~

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Government {1899} of Madras. LEGISLATIVE.

Recd. } *Enclosures*
Regd. } 1899. *Spare copies*

G.O., No. 134, 22nd December 1899.

DECEMBER.

Madras Tenancy Bill.

Communicating to the Select Committee on the — letter from the Chamber of Commerce, Madras, offering certain remarks on sections 12 and 13 of the — as provisionally amended by the Select Committee.

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

READ—the following paper :—

From H. SCOTT, Esq., Vice-Chairman, Chamber of Commerce, Madras, to the Secretary to Government, Legislative Department, dated 19th December 1899.

I have the honour to acknowledge the receipt of the order of the Madras Government, R. No. 138, dated the 17th ultimo, and of the copies of the Madras Land Bill as provisionally amended by the Select Committee which accompanied it.

2. In chapter II, sections 12 and 13, which relate to mining and quarrying, have apparently been introduced for the first time, and as the Chamber considers that they are not sufficiently explicit, it begs to enquire what is their exact meaning, and to solicit a definition of the word "mining" and of its application to the rights to be conferred on ryots and landholders. In section 12, the "right to mine and to quarry"—for any mineral presumably—in waste lands and forests is vested in the landholders, while section 13 states that "a ryot possesses the right to mine and to quarry and to excavate gravel or clay in the ground vertically beneath his holding" wherever that may be. Does the former section apply solely to the excavation of gravel or clay, and is the latter section open to the construction that a ryot may mine for gold, coal, copper or other minerals? As stated above, the meaning of these sections is not quite clear, and the Chamber begs to suggest that they be recast so as to leave no doubt as to their exact meaning.

3. In the opinion of the Chamber it is undesirable that in a Bill of this nature anything which does not relate to agricultural matters, pure and simple, or to what may be described as surface rights in the land, should be included, all such non-agricultural matters being separately legislated for. The aim of the framers of the Bill has apparently been to make it as comprehensive as possible, but this the Chamber regards as an error of judgment and one which is calculated to further delay the passing of the Bill into law.

4. If sections 12 and 13 are open to the construction that it has been put upon them, the Chamber strongly protests against their adoption, as it is convinced that they would put an effective check upon mining enterprise of any magnitude. The adoption of the sections would mean that capitalists who contemplated mining over a large tract of country for gold, coal, copper or other minerals would have to seek out hundreds of ryots or tenants of small parcels of land distributed over the whole area of the tract, they would have to make an infinity of agreements any one of which might conceivably be the *causa causaris* of much future trouble and annoyance, and in other ways they would be seriously hindered in prosecuting their enterprise. The result would be that mining on any large scale would be scotched at its inception to the detriment of all concerned.

5. The Chamber is of opinion that in order to assist mining enterprise it would be far simpler and better if mining rights were vested in the owners of the land and not in the tenants, as capitalists would then have only a few parties to deal with instead of the innumerable claimants which will apparently exist under the Bill in its present form.

ORDER—No. 134, Legislative, dated 22nd December 1899.

Communicated to the Select Committee on the Madras Tenancy Bill.

(True Extract.)

H. TREMENHEERE,
Secretary to Government.

To the Select Committee on the Madras Tenancy Bill.

Exd A. Rangasawmy Aiyangar.

Legislative (1899) Department.

CURRENT No.

474

17/12/99

Order
P.S.

From The Chamber of
Commerce
Madras

Communicated to the Select
Committee on the Madras Tenancy Bill

22-12-99

Dated 19-12-99

Received 19-12-99

Registered 20-12-99

Enclosures

Spare copies

SUBJECT.

The Select Committee on the Madras Tenancy Bill

Stating that, with reference
to the Land Bill, it would be
better if mining rights were
vested in the Land holder
and not in the tenant

G.O.	No.	Department.	Date.
M 38917-118			

G.O.	No.	Department.	Date.

Then show proof
in the paper sockets

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Government {1899} of Madras.
LEGISLATIVE.

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