Proceedings of the Madras Government, Revenue Department,
17th October 1873.

No. 154. Read the following Proceedings of the Board of Revenue, dated 12th July 1873, No. 1,274 :—

Read the following letter from J. B. PENNINGTON, Esq., Acting Collector of Trichinopoly, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Arealore, 18th March 1873, No. 48 :—

WITH reference to Government Proceedings, dated 14th October last, No. 1,421, I have the honour to request the Board will be pleased to lay down some rules with respect to fixing the rate of seigniorage for quarrying stones from rocks which are the property of Government.

2. This district abounds with rocks on all sides, and most of them Government property, as they stand entered in the village accounts as Government reserves. The Great Southern of India Railway Company have frequently been availing themselves of these resources for the supply of stones for the buildings on the line without any charge whatever.

3. I have written to the Chief Engineer, requesting him to pay for the stone that the Company is now taking from the rocks near Yedaimalaipatti, some three miles to the west of the town. I, however, feel some difficulty in fixing the rate of seigniorage in the absence of any rules to guide me.

4. My own opinion in the matter is that seigniorage should be charged on the number of cart-loads, irrespective of the size, etc., of the stones; the quarrying party defraying all the expense of blasting and working the stones, etc. I would, at first, fix a very low rate to see how it works, and it need not, I think, be above six Pies per cart-load for the present. It may, however, be left to the discretion of the Collector to raise the rate up to one Anna, should circumstances render it necessary, subject, of course, to the confirmation of the Board of Revenue. A certain percentage of the collections, say 10 or 15 per cent., may be fixed as remuneration for the Munsif of the village, within whose limits the rock lies, and who has to issue the Pass, and for a watchman to assist him.

5. There is another point on which I wish to have Board's orders, and that is, the right which the villagers have hitherto been exercising of taking stones for their own private use. This prescriptive right, I think, must be allowed in the same manner, and subject to the same conditions as the communal right to fuel and materials to make ploughs and build houses, etc.

6. I beg also to be informed if I am to charge the Railway Company for stones taken by them retrospectively, *i.e.*, from the date of the said Government order.

SUBMITTED for the orders of Government.

2. The Collector applies for instructions as to carrying out the order of the Government of India that some royalty, however small, should be levied on quarries of valuable stone. He points out that the district abounds with rocks suitable for quarrying; that the Railway Company use the stone for building purposes; and the people have a prescriptive right to use it. He recommends that he should be authorized to charge the Railway Company six Pies a cart-load, and to increase the charge to one Anna at his discretion.

Proceedings of the Madras Government, Revenue Department, 17th October 1873.

3. It will be remembered that, when the inexpediency of leasing quarries in North Arcot was discussed in 1869, it was pointed out that the chief effect of granting such leases would be to increase charges in the Survey and Public Works Departments, which were the chief consumers of stone.

4. Similarly, if the Railway Company are charged a seigniorage, it will, in the end, be paid by the State.

5. The Board question the expediency of going further in this direction at present than is prescribed in Circular Order, No. XLIV. of 1867, (No. 132-1,) and are in doubt whether common building stones come under the description of the term "valuable stone," as used by the Government of India. If they do, the Board would keep the seigniorage as low as it can be, say one Pie per cart-load, but it will be difficult to secure the collection.

No. 155. ORDER THEREON, 17th October 1873, No. 1,125.

Miscellaneous.

WITH respect to the quarrying of ordinary building stone, the Government are of opinion that all that is now necessary is to secure its not being undertaken in any district without a written permit from the Collector, who will be at liberty to propose to the Government, through the Board of Revenue, the levy of a royalty in any case of real importance. In the present instance the Collector of [illegible] instructed to require all parties, including the Railway Company, to apply for a license. Seigniorage need not be charged, but the right to levy it after one month's notice must be distinctly reserved and acknowledged.

3. The Acting Collector should also be informed that the Government approve of his suggestion that any right of taking stone for their own private use, hitherto exercised by the villagers, should be continued to them without restriction in unobjectionable localities.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.
,, the Public Works Department.

Revenue Dept. 2

Memo for Orders on No. 2147.

Re: Board of Revenue.

Proposal of Collr. of Trichinopoly that a Seigniorage of 6 pies per cartload, at present be charged on stones quarried from rocks by Railway Co.

12 July 1873, No. 1274

Board's Standing Order No. 132

directed that no one should excavate gravel in his own or in Govt waste land without permission, and this rule was extended by Board's Standing Order † No. 132/1 so that waste should not be used in any way without permission; while an opinion was expressed that a small charge might be levied where brick fields, quarries or gravel pits are near

† 19 Oct. 1867.

The only limits to instances are that quarrying (as distinguished from merely gathering) stone on pvt. land should not be carried on without permission

near a large town, but
The Board's orders were however
to be first obtained. Board's
Standing Order No. 132/2 laid
down rules as to D. P. W.
officers quarrying in Govt.
waste or private lands
but no fresh orders affect-
-ing the grant of permission
to quarry to persons other
than Govt. servants appear
to have been issued.

2. In 1872 the Govt.
of India expressed an
opinion that a royalty
however small should
in all cases be levied
"on minerals or quarries
of valuable stone", and

the

© This S.O. was under G.O.
(D.P.W) 10th June 72. No. 1433

and that at a beginning
in be enquiries for
the big lots of the
State. I should
think the best
way would be to
require a licence to
be taken out from
the Collector into a
charge of one anna
for each village.
The rights of the
villagers should be
not be clear of Custom
and thus being free

G.O. No. 1421,
4 Oct. 87

it will be found
that all the
Stone Cutters
valley for the first
& that we shall
only be turning
out others. The
Collector must take
care that Quarry
ing is not allowed
in dangerous or
Marlow the boundaries.

I. O.

No royalty should
be allowed - merely
leave to Quarry in
certain sites.

the Collector of Trichinopoly
now reports with reference
to that opinion that the
G. S. I. Railway Engineers
have been quarrying stone
without any charge and
(apparently) without first
obtaining leave. He desires
to know what "seignorage"
he should charge. He
expresses his opinion that
villagers should be allowed
stone free in the same way
as they are allowed wood
for building, ploughs &c.
and fuel: but he would
fix a seignorage of six
pies a cartload for
others with discretion to
a Collector to raise it to

one

one anna

3. The Board remark that as already pointed out with reference to the Public Works and Survey Depts if the Railway Company are charged Seigniorage the State will in the end pay it. They would go no further than already prescribed by them in Boards Standing Order 132/1 above referred to as they do not consider that common building stones come under the Govt of India term 'valuable stone'. Should it however be thought otherwise they would fix the seigniorage at as low a rate as possible viz: 1 pie per cart load.

Sd

The Govt. of I. order was evoked [illegible] the correspondence relating to quarrying valuable minerals does not relate to quarrying the granite & other rocks found over many parts of the country - & ordinarily used for building purposes. The use of unproved building material should be encouraged when it can be obtained and its use does not affect the State is concerned so far as the State is concerned in such cases as a rule - It is also the practice of Mr Coll. to move the Board of Govt. for sanction a seigniorage in any really important case -

As regards the matter under reference - I would direct the Coll. to permit all parties - the Railway inclusive - to take out a licence (seigniorage fee) to be prescribed - and with a collector [illegible] stipulate that he should at the option of the State a seigniorage after one months notice - In the meantime no tax should be levied.

2/9

I would instruct the Collector as proposed by the Revenue Member and Secy that

The Govt. entirely approve of his suggestion that any right settlements exercised by the villagers of taking stone for their own private use be continued

D Rao - without restriction of any kind

Sd

Revenue Dept.

No 1125.

Proceedings of the Madras Govt
Under date the 17th October 1873.

Read the following
Pro: of the Board of Revenue

Submitting to Govt proposal of Coll: of Trichinopoly that a Seignorage of 6 pies per cart load, at present, be charged on stones quarried from rocks by Railway Co: &c.

H. E. 12 July 1873, No: 1274.

With respect to the quarrying of ordinary building stone the Govt are of opinion that all that is now necessary is to secure its not being undertaken in any District without a written permit from the Collector who will

Revenue for Orders

Seignorage on Stones quarried from rocks.

Under Secy

Order accordingly

C. 12 Sept 73 K. 25 Sept K.C. 2/10 K.C. 2/10 K.C. 13/10/73

will be at liberty to pro-
=pose the levy of a royalty
in any case of real
importance.

2. In the present
instance the Ag: Collector
of Trichinopoly should
be instructed to require
all parties including the
Railway Company to
apply for a license -
Seignorage need not be
charged but the right to
levy it after one months
notice must be distinctly
reserved and ~~[illegible]~~ acknowledged

3. The Ag: Collector
should also be informed
that the Govt approve
of

C. 12 Sept

To the Govt. through the Board of Revenue

This is too wide in my opinion - we shall have them making holes in all directions - there should be a reservation, I think - such as "in un-objectionable localities" or the like - JGL

I do not object 13/10 WL

There can be no harm in the addition if the words proposed

JGL

of his suggestion that any right of taking stone for their own private use hitherto exercised by the villagers should be continued to them without restriction in unobjectionable localities.

JGL

14 To the Bd of Rev 21 Dec 1875 } Rec 29 Oct 75

20-5-18

Govt. of {1873} Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c, &c, &c.

Dated October 17th.

Recd. &c.

G. O., 17th October 1873, No. 1,125.

OCTOBER.

Nos. 154—155.

Quarrying Stones from Rocks in the Trichinopoly District.—Directing the Board to instruct the Acting Collector to require all parties, including the Railway Company, to apply for a license for —, but the right to levy seigniorage after one month's notice should be served, and approving the suggestion of the Collector to allow villagers to take stone for their own private use.

c. 2 Oct 73 R. 9 Oct R. C. 10 Oct 73 R. 17 Oct