

- (1) Number of pages 26
(2) Date of repair 18-9-62
(3) Initials of the Referencer _____

MADRAS RECORD OFFICE

Government of Madras

Revenue

DEPARTMENT

G.O. No.	126	Press
B.P. No.		Mis.
Dated	1 - 2 -	1982

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

1st February 1882, No. 126.

READ THE FOLLOWING PAPER:—

No. 3. Proceedings of the Board of Revenue, dated 19th January 1882, No. 163.

Read the following letter from E. BARCLAY, Esq., Government Solicitor, Madras, to the Secretary to the Board of Revenue, dated Madras, 5th January 1882, No. 7:—

I BEG to acknowledge receipt of copy Proceedings of the Board of Revenue, under date the 21st ultimo, No. 3376, with copy of the Board's Proceedings, dated 17th October last, No. 2340, which I return herewith.

2. I have made (in violet ink) a slight alteration in the form of Notification set out in the last-mentioned Proceedings, but I have found it necessary to alter the wording of the form of license there set out so much, that I have prepared a fresh draft form of license showing my alterations in red ink. I have thought it better to insert in the form of license a recital to the effect that the rent has been already paid, as I see it is intended that the rent should be paid in advance on the granting of the license. The payment of the rent therefore ceases to be one of the terms on which the license is granted, and is rather the consideration for the grant.

3. I have, of course, made no alteration in any of the terms of the license, but I have altered the wording of it so as to make it somewhat more precise.

THE draft Notification, rules and form of license, as amended in communication with the Government Solicitor, will now be submitted to Government for approval with reference to G.O., dated 12th December last, No. 1916.

(True Copy and Extract.)

(Signed) C. A. GALTON,
Secretary.

No. 4. ORDER THEREON, 1st February 1882, No. 126.

Miscellaneous.

APPROVED with slight verbal modifications.

2. Ordered that the Notification, Rules and form of License, as approved, be published in the *Fort St. George Gazette*.

(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Board of Revenue.
„ the Government Solicitor.
„ the Superintendent of the Government Press.

APPENDIX No. I.

NOTIFICATION.

It is hereby notified, for general information, that persons desirous of obtaining the exclusive privilege to search for gold or for metals other than gold on Government waste land should apply to the Collector of the District, specifying distinctly

the situation of the land within which it is proposed to search, and its boundaries as accurately as possible, together with its estimated area. Every application should be accompanied by a rough sketch of the tract applied for, which must be a compact block not ordinarily exceeding half a square mile. Applications will be dealt with in order of receipt by the Collector. On an application being accepted by the Collector, a license to search for gold or metals other than gold will be granted on the following conditions:—

- (1.) That the license shall be in force for a term of six months, and shall be available for purposes of prospecting only and shall not justify mining proper.
 - (2.) That a rent of one rupee per acre shall be payable by the licensee in advance on the date of the grant of the license.
 - (3.) That there shall be no liability to any tax in addition to the rent specified in Clause 2, except in accordance with the provisions of the Local Fund Act No. IV of 1871 (Madras) or other similar Act for the time being in force.
 - (4.) That if the licensee satisfies the Collector that he has effectually explored the tract, he shall have the preferential right to a mining lease on the conditions laid down therefor if application be made within one month after the expiry of the license; it being understood, however, that if the blocks applied for are in small lots of inconvenient size, or are so situated that access to portions not taken up is barred, the Collector is to have full power to lay out the blocks in such manner as may be convenient. The application for the mining lease should state whether it is to mine for gold or for other metals. It is to be distinctly understood that the mining lease cannot cover more than the area stated in the rules for such.
 - (5.) If the licensee shall have caused any injury by digging pits or otherwise to any land in excess of the extent for which he can obtain a mining lease under the rules he shall pay to Government as compensation such sum as shall be required to repair the damage done provided however that the amount so payable shall not exceed twenty-five times the assessment on the portion of the area affected, if assessed, or of the assessment which the lands would bear if they were rated in the same way as similar assessed lands in the neighbourhood.
 - (6.) That in all questions or differences of opinion in regard to the observance or non-observance of the conditions of this license, the Governor in Council shall be the arbiter, and his decision shall be final.
2. Without the written permission of the Collector previously obtained the land applied for must not be entered upon, nor operations commenced.

APPENDIX No. II.

SPECIAL Rules for the disposal of Applications for permission to search for Gold or for Metals other than Gold.

IMMEDIATELY on receipt of an application for permission to search for gold or metals other than gold in a specified tract of country, the Collector shall ascertain whether the land is at the disposal of Government, and whether there is any objection to the grant of the permission sought, by reason of the land being required for public purposes or on any other ground.

2. If no such objection is known to exist, the Collector will accept the application and will, without loss of time, place the land in the possession of the applicant and grant him a license in the form prescribed.

3. After the expiration of the term of the license, if the Collector is satisfied that the licensee made *bona fide* efforts to search for gold or metals other than gold, he will prepare a mining lease under the rules prescribed therefor after having the land duly demarcated and surveyed at the cost of the licensee. It is to be distinctly understood that the mining lease cannot cover more than the area stated in the rules for such.

4. A register of applications to search for gold or metals other than gold shall be kept in the Collector's office in English in the accompanying form:—

REGISTER of Applications for permission to search for Gold or for Metals other than Gold.

Number.	Date of Application.	Name and Residence of Applicant.	Situation of the Land, i.e., Taluk, Village, &c.	Boundaries of the Land.	Estimated Extent.	Date of License.	Remarks.

Note.—In the Remark column it should be stated whether the application is for permission to search for gold or other metals, and whether a mining lease was eventually granted reference being made in such cases to the number of such lease in the Register.

APPENDIX No. III.

FORM of License to search for Gold or Metals other than Gold.

Whereas A. B. of _____ has applied to the Collector of _____, acting for and on behalf of the Right Honorable the Secretary of State for India in Council, for the grant to him the said A. B. of the full and exclusive license and authority to search for gold and metals other than gold in, under, and throughout the tract of Government land measuring about _____ acres in extent and particularly described in the Schedule hereunder written. And whereas the said A. B. has paid to the said Collector acting as aforesaid the sum of Rs. _____ being rent at the rate of one Rupee per acre of the said tract of land for such full and exclusive license and authority. Now these presents witness that the said Secretary of State in Council in consideration of the said sum of Rs. _____ so paid by the said A. B. as aforesaid hereby gives and grants to the said A. B. full and exclusive license and authority to enter upon and to search for gold and other metals for the period of six calendar months in, under, and throughout the said tract of land upon the following terms, that is to say,

1. That the said A. B. forthwith commences and during the aforesaid term continues to explore the said lands and search for gold and other metals therein in a skilful and workmanlike manner.

2. That A. B. shall not be liable in respect of any of the said land to any tax in addition to the rent so paid as aforesaid except in accordance with the Local Funds Act. No. IV of 1871 (Madras) or other, the Act in that behalf for the time being in force.

3. That if the said A. B. satisfies the Collector for the time being of at or before the end of the six months during which this license is in force that the said land has been effectually worked and explored the said A. B. shall have the preferential right to a mining lease in respect of such portions of the said tract of land as shall be selected by the said A. B. and as shall not exceed in area the total quantity of land for which mining leases may be granted according to the rules of the Government of Madras in that behalf for the time being in force and on the conditions prescribed by such rules if application for such lease be made within one month after the expiry of this license; Provided always that if the blocks of the said land in respect of which the said A. B. shall apply for a mining lease are in small lots of inconvenient sizes or are so situated that access to portions of the said land not to be included in such lease is barred, the said Collector shall have full power to determine which blocks of the said land shall be included in such lease and the said A. B. shall not be entitled to a mining lease in respect of any other portions of the said tract of land.

4. That if the said A. B. shall have caused any injury by digging pits or otherwise to any land in excess of the extent for which he can obtain a mining

lease under the said Rules he shall pay to the Government of Madras as compensation such sum as shall be required to repair the damage done Provided however that the amount so payable shall not exceed 25 times the assessment on the portion of the said lands so damaged, if assessed, or of the assessment which such lands would bear if they were rated in the same way as similar assessed lands in the neighbourhood.

5. That in all questions or differences of opinion on points connected with this license the Governor in Council of Fort St. George for the time being shall be the arbiter and his decision shall be final. This license shall be available for prospecting purposes only and shall not justify mining proper. Dated the
day of 18

SCHEDULE.

District.	Taluk.	Village.	Boundaries.	Estimated extent.

Exd. W. H. French.

120 Copes.

20-7-91

Original

Gobt. of (1882) Madras.
REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated February 1st.

Printed 1st.

Recd.

Exd.

G.O., 1st February 1882, No. 126.

FEBRUARY.
Nos. 3-4.

SENDER.

Gold and Metals other than Gold.—Draft notification, rules and form of license for permission to search for —. Approving with slight modifications the — and ordering their publication in Port St. George Gazette.

No. 163.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 19th January 1882.

Read the following letter from E. BARCLAY, Esq., Government Solicitor, to the Secretary to the Board of Revenue, dated Madras, 5th January 1882, No. 7:—

I BEG to acknowledge receipt of copy Proceedings of the Board of Revenue under date the 21st ultimo, No. 3376, with copy of the Board's Proceedings, dated 17th October last, No. 2340, which I return herewith.

2. I have made (in violet ink) a slight alteration in the form of notification set out in the last-mentioned Proceedings, but I have found it necessary to alter the wording of the form of license there set out so much that I have prepared a fresh draft form of license showing my alterations in red ink. I have thought it better to insert in the form of license a recital to the effect that the rent has been already paid, as I see it is intended that the rent should be paid in advance on the granting of the license. The payment of the rent therefore ceases to be one of the terms on which the license is granted, and is rather the consideration for the grant.

3. I have of course made no alteration in any of the terms of the license, but I have altered the wording of it so as to make it somewhat more precise.

ENCLOSURE No. 1.—Printed copy of Board's Proceedings, 17th October 1881, No. 2340, containing draft notification, &c., with amendments in MSS.

ENCLOSURE No. 2.—Draft form of License prepared by Government Solicitor.

THE draft notification, rules and form of license as amended in communication with the Government Solicitor will now be submitted to Government for approval with reference to G.O., dated 12th December last, No. 1916.

(A true Copy and Extract.)

[Signature]
Secretary.

To the Secretary to Government, Revenue Department, with 2 enclosures, in original, to be returned.

Copy to the Government Solicitor.
Exd. W. J. Lewis.

11-323
1882.
Board of Revenue,
MADRAS.

THE SECRETARY TO GOVT.,
REVENUE DEPARTMENT.

Printed January 1882.

Received

PROCEEDINGS, 19TH JANUARY 1882, No. 163.

Copy 19/1/82

SUBMITTING, for the approval of Government,
revised draft Notification Rules and Form of
License for permission to search for gold and
metals other than gold.

912860/1/1882

Proceedings of the Board of Revenue, dated 19th January 1882, No. 163.

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to the Secretary to the Board of Revenue, dated Madras, 5th January
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(True Copy and Extract.)

(Signed) C. A. GALTON,
Secretary.

APPENDIX No. I.

NOTIFICATION.

It is hereby notified, for general information, that persons desirous of obtaining
the exclusive privilege to search for gold or for metals other than gold on Govern-
ment waste land should apply to the Collector of the District, specifying distinctly
the situation of the land within which it is proposed to search, and its boundaries
as accurately as possible, together with its estimated area. Every application
should be accompanied by a rough sketch of the tract applied for, which must be a
compact block not ordinarily exceeding half a square mile. Applications will be
dealt with in order of receipt by the Collector. On an application being accepted
by the Collector, a license to search for gold or metals other than gold will be
granted on the following conditions:—

(1.) That the license shall be in force for a term of six months, and shall be
available for purposes of prospecting only and shall not justify mining proper.

(2.) That a rent of one rupee per acre shall be payable by the licensee in
advance on the date of the grant of the license.

(3.) That there shall be no liability to any tax in addition to the rent speci-
fied in Clause 2, except in accordance with the provisions of the Local Fund Act
No. IV of 1871 (Madras) or other similar Act for the time being in force.

(4.) That if the licensee satisfies the Collector that he has effectually explored
the tract, he shall have the preferential right to a mining lease on the conditions
laid down therefor if application be made within one month after the expiry of the
license; it being understood, however, that if the blocks applied for are in small
lots of inconvenient size, or are so situated that access to portions not taken up is
barred, the Collector is to have full power to lay out the blocks in such manner as
may be convenient. The application for the mining lease should state whether it is

to mine for gold or for other metals. It is to be distinctly understood that the mining lease cannot cover more than the area stated in the rules for such.

(5.) If the licensee shall have caused any injury by digging pits or otherwise to any land in excess of the extent for which he can obtain a mining lease under the rules he shall pay to Government as compensation such sum as shall be required to repair the damage done provided however that the amount so payable shall not exceed twenty-five times the assessment on the portion of the area affected, if assessed, or of the assessment which the lands would bear if they were rated in the same way as similar assessed lands in the neighbourhood.

(6.) That in all questions or differences of opinion in regard to the observance or non-observance of the conditions of this license, the Governor in Council shall be the arbiter, and his decision shall be final.

2. Without the written permission of the Collector previously obtained the land applied for must not be entered upon, nor operations commenced.

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2. If no such objection is known to exist, the Collector will accept the application and will, without loss of time, place the land in the possession of the applicant and grant him a license in the form prescribed.

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REGISTER of Applications for permission to search for Gold or for Metals other than Gold.

Number.	Date of Application.	Name and Residence of Applicant.	Situation of the Land, i.e., Taluk, Village, &c.	Boundaries of the Land.	Estimated Extent.	Date of License	Remarks.

Note.—In the Remark column it should be stated whether the application is for permission to search for gold or other metals, and whether a mining lease was eventually granted reference being made in such cases to the number of such lease in the Register.

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FORM of License to search for Gold or Metals other than Gold.

Whereas A. B. of _____ has applied to the Collector of _____, acting for and on behalf of the Right Honorable the Secretary of State for India in Council, for the grant to him the said A. B. of the full and exclusive license and authority to search for gold and metals other than gold in, under, and throughout the tract of Government land measuring about _____ acres in extent and particularly

described in the Schedule hereunder written. And whereas the said A.B. has paid to the said Collector acting as aforesaid the sum of Rs. being rent at the rate of one Rupee per acre of the said tract of land for such full and extensive license and authority. Now these presents witness that the said Secretary of State in Council in consideration of the said sum of Rs. so paid by the said A. B. as aforesaid hereby gives and grants to the said A. B. full and exclusive license and authority to enter upon and to search for gold and other metals for the period of six calendar months in, under, and throughout the said tract of land upon the following terms, that is to say,

1. That the said A. B. forthwith commences and during the aforesaid term continues to explore the said lands and search for gold and other metals therein in a skilful and workmanlike manner.

2. That A. B. shall not be liable in respect of any of the said land to any tax in addition to the rent so paid as aforesaid except in accordance with the Local Funds Act. No. IV of 1871 (Madras) or other, the Act in that behalf for the time being in force.

3. That if the said A. B. satisfies the Collector for the time being of at or before the end of the six months during which this license is in force that the said land has been effectually worked and explored the said A. B. shall have the preferential right to a mining lease in respect of such portions of the said tract of land as shall be selected by the said A. B. and as shall not exceed in area the total quantity of land for which mining leases may be granted according to the rules of the Government of Madras in that behalf for the time being in force and on the conditions prescribed by such rules if application for such lease be made within one month after the expiry of this license; Provided always that if the blocks of the said land in respect of which the said A. B. shall apply for a mining lease are in small lots of inconvenient sizes or are so situated that access to portions of the said land not to be included in such lease is barred, the said Collector shall have full power to determine which blocks of the said land shall be included in such lease and the said A.B. shall not be entitled to a mining lease in respect of any other portions of the said tract of land.

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5. That in all questions or differences of opinion on points connected with this license the Governor in Council of Fort St. George for the time being shall be the arbiter and his decision shall be final. This license shall be available for prospecting purposes only and shall not justify mining proper. Dated the day of 18

SCHEDULE.

District.	Taluk.	Village.	Boundaries.	Estimated extent.

So 12 Dec/81 No. 163. 64.
— 23 Dec — 338-39.

Revenue 1882 Department
1881.

Board of Revenue,
MADRAS.

No. 323.

To

The Secretary to Government
Revenue Dept.

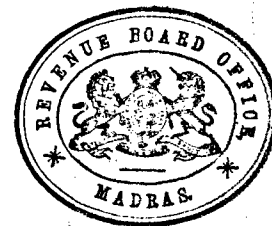
Print with sanction
of the Enclosures as
is marked No. 1, 2 & 3 below
Govt. Secretariat - 18 Dec
P. S. L. S. 23/1
Sent in post.

Recd 20 Jan 1882.

Miscellaneous Proceedings, dated 17 Jan
1882, No.

Subject.

Submitting for the approval
of Govt the draft Notification,
Rules & form of license for
permission to search for gold
& metals other than gold,
as amended in communica-
tion with the Govt
Solicitor -



Proceedings of the Board of Revenue,

Dated 17th January 1882.

No. 163 - Miscellaneous.

READ the following

From,
Ernest Barclay
Government Solicitor

Madras

To the Secretary
Board of Revenue
Madras

Sir,

1. I beg to acknowledge receipt of copy
proceedings of the Board of Revenue under date
the 21st ultimo No. 23376 with copy of the Board's
Proceedings dated 17th October last No. 2340
which I return herewith.

2. I have made (in violet ink) a slight
alteration in the form of Notification set out
in the last mentioned Proceedings, but I have
found it necessary to alter the wording of
the form of license there set out so much
that I have prepared a fresh draft form

of license showing my alterations in red ink
I have thought it better to insert in the
form of license a recital to the effect that
the rent has been already paid, as I see
it is intended that the rent should be paid
in advance on the granting of the license -
The payment of the rent therefore ceases to
be one of the terms on which the license
is granted, and is rather the consideration for
the grant.

3. I have of course made no alteration
in any of the terms of the license, but I
have altered the wording of it so as to make
it somewhat more precise.

Madras,
5th Jan/82

I am &c
(Signed) Ernest Barclay
Govt Solicitor

The draft notification, Rules
and form of license as amended in
communication with the Government Solicitor
will now be submitted to Government
for

102
for approval with reference to G. O.
dated 12th December last N^o 1916.

(True copy & Extract)

Secretary

To The Secretary to Government P.C.
with 2 Enclosures in original
to be returned -

23rd Jan 1882

Note

Dear Mr. ...
ascertain if they are
being put into the
Hon. Department of
the Press

Would not be better to
circulate the revised
draft notification etc
in proof?

may be sent
on the 10

The term of six months
does not seem to come
rightly in the preamble
of the licence in as

submitted with a proof much as it is not by
of the current paper, as desired of the applicant
corrected by myself, that licence to prospect
and a draft order on is limited to that period
the book.

They were young but as the form has
to print the Board's Prop been drawn up by a
only, without the forms
which require particularly professional Law Officer,
to be circulated in it must be accepted, I
print. So I got the
whole printed at my suppose, as conforming
Press. The Board to legal requirements.
having sent their Prop. The omission of the
in the first instance as words "in Council" after
Mr. S. do not seem particularly
by expedition about
printing of documents and
it will be some time before
we get printed copies of the line from the top), the
the Prop and those only.

insertion of the word
"minerals" instead of
"metals" (3rd line from the
bottom) and the omission
to score out the last
line - all in the second
page of the form of licence -
are presumably accidental, &c.
and may, I think, be
corrected.

71

[Faint, mostly illegible handwritten notes and scribbles in the lower left quadrant of the page.]

2. B. 12. 1882 / 17. 11. 84
28 - a - 338-39

REVENUE (1882) DEPARTMENT.

No. 323.

Pres. of the Board of Revenue.
From

Q. O. No 126

Approved with slight
verbal modifications.

11. 1. 82

2. Ordered that the
Notification, Rules and
form of License, as
approved, be publish-
ed in the Fort St.
George Gazette.

Dated 19th
Reed. 20th January

No. 163. Sec: 2.

11. 1. 82

SUBJECT.

Submitting for the approval
of Govt the draft Notification,
Rules & form of license for
permission to search for gold
& metals other than gold,
as amended in communica-
tion with the Govt Secy.

[Signature]

1st February 1882

- 1. To the O. Secy of Revenue
- 4. The Asst. Secy of Revenue
- 1. The Secy of the Govt. Secy

1882

C. O. 12 Dec. 1871 No. 163-64
23 - 338-39

REVENUE (1882) DEPARTMENT.

No. 323

Pres. of the Board of Revenue.
From

C. O. No. 126

Approved with slight
verbal modifications.

2. Ordered that the
Notification, Rules and
form of License, as approved,
be published in the Fort
Saint George Gazette.

Dated 19th January.
Recd. 20th

No. 163. Inc: 2.

SUBJECT.

Submitted for the
approval of Govt the
draft Notification,
Rules & form of License
for permission to search
for gold & metals other than
gold, as amended in
communication with
the Govt Solicitor.

With an order.

W. H. C. O. Master
1st July 1872
W. H. C. O. Master
" Govt. Solicitor
" Govt. Secy for Rev.

120.

4

C. O. 3-4