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(2) Date of repair 26.10.38

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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 847

Press ☒

Mis. ☐

Dated 13.8.1892

847 *Re*
13.8.1892.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Land Revenue), dated 3rd June 1892, Forest No. 274:—

THE HON. MR. H. BLISS.

Read—G.O., dated 20th May 1892, No. 508, Revenue.

ABSTRACT.—Passing orders on the question of alleged hardship caused by the rules requiring the levy of seigniorage on stones and earth.

Resolution—dated 3rd June 1892, Forest No. 274.

Communicated to all Collectors and Conservators for information and guidance.

2. The Collectors of Bellary and Kurnool are requested to withdraw their orders adverted to by Government in paragraph 1 of its order.

3. With reference to the remark in paragraph 2 of the Government Order that "in unreserved lands quarrying should be left absolutely free, save in respect of any quarries of stone, gravel, and laterite, which are of sufficient importance to be reserved for the use of Government or of Local Boards and Municipalities," the Board begs to inquire whether it is right in presuming that the concession of free quarrying contemplated by Government is to be restricted to the public and more particularly to the villagers in respect of removal of small quantities of stone, gravel, and minerals required for domestic use and not for sale or barter, all minerals for special purposes and those for the use of Local Municipalities being charged for as Government will be invited to its orders stated in the margin which prescribe that Local Boards, Municipalities, &c., must pay the prescribed seigniorages. Before proceeding to prepare the draft the Board begs to be favored with definite orders on

report with reference to paragraph 3 of the

begs to suggest that the extent to which river beds should in each case be reserved is a matter of opinion. A few cart-loads taken here and there for the removal of large quantities, especially over the rivers, may so affect the soil that the Board therefore thinks that it will be better to point out before the removal of

3t.)

RAJARATNA MUDALIAR,
for Acting Secretary.

4t.

READ—G.O., dated 6th July 1892, No. 492, Local and Municipal.

ABSTRACT.—Transferring letter from the President of the District Board, North Arcot, submitting a copy of a memorandum on the subject of exempting District Boards from payment of seigniorage on road materials taken from Government quarries and requesting that the orders of Government on the subject may be obtained at an early date.

ORDER—dated 13th August 1892, No. 847, Revenue.

Forest, No. 179.

In issuing G.O., dated 20th May 1892, No. 508, the intention of Government was that quarrying in unreserved lands should be left absolutely free to the general public and to Departments of Government, Local Boards, and Municipalities subject to the proviso that quarries of any particular importance and value should be closed against the general public and reserved for the use of Government Departments or public bodies, the object of this proviso being to prevent private individuals from making a profit out of such quarries and to restrict their privileges to the collection of such small quantities of stone, &c., as might be required for *bona fide* domestic use. The Board will accordingly be informed that its presumption in paragraph 3 of its Proceedings forming the first of the papers read above is incorrect and that no change should be made in the case of Public Departments, Local Boards or Municipalities, or contractors employed by them for quarrying in *unoccupied unreserved* lands, which with all their forest produce vest in the Secretary of State for India in Council under Rule 10 of the Forest Rules. The wording of Rule 12 (1) of those Rules which should have been altered to correspond with the alteration in Rule 10 ordered in G.O., dated 21st January 1890, No. 54, will now be altered and for the words "vested in the Forest Department" in that Rule the words "vested in the Secretary of State for India in Council" will now be substituted. The Board has been directed in G.O., No. 997, dated 8th December 1890, to revise the Rules under section 26 of the Forest Act and it will now be requested to submit with the revised draft a list of exceptions to Rule 10 of the Rules under that section.

2. With reference to the remarks contained in paragraph 5 of the President's Proceedings read above, the Government observes that the term "excavation" includes the excavation or removal of stone. It is certainly to be retained to stop quarrying. It may be thought objectionable; it may be Engineering Departments to prevent the same may be considered dangerous, but it is advisable to insist on the prior consent obtained in every case before such removal.

(True E

To the Commissioners of Land Revenue.

Copy to the Public Works Department
" to the Local and Municipal Department
" to the Commissioner of Revenue

Exd. A. Aubert.

80 Copies.

Original
Govt. of {1892} Madras
REVENUE.

Issued

Recd.

Encl.

G.O., 13th August 1892, No. 847

15-2-75
6-2-06
21-4-09. 3/1/09

22/1/09
11-7-11 ✓

22-7-12 ✓

16-10-12 ✓

23-3-14 ✓

9-11-14 ✓

11-11-15 ✓

30-12-16 ✓

23-6-18

26/1/19

17-3-25 II ✓

11-12-37 II

BOARD OF REVENUE (LAND REVENUE), 3RD JUNE 1892, FOREST NO. 274.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

THE HON. MR. H. W. BLISS.

READ—the following Government Order, dated 20th May 1892, No. 508, Revenue:—

Read—Proceedings of the Board of Revenue (Land Revenue), dated 15th February 1892, Forest No. 66.

ABSTRACT.—Submitting to Government, with remarks, papers in reply to a reference in respect of a complaint contained in the issue of the "Hindu," dated 17th January 1891, regarding the alleged hardship caused by the too stringent working of the rules requiring the levy of seigniorage on stones and earth.

Read—Proceedings of the Board of Revenue (Land Revenue), dated 18th March 1892, Forest No. 128.

ABSTRACT.—Submitting to Government, in continuation of Board's Proceedings, dated 15th February 1892, Forest No. 66, the views of Collectors on the question whether seigniorage may be charged on sand taken from river beds, with the opinion of the Board regarding the matter.

Order—dated 20th May 1892, No. 508, Revenue.

It is clear from the papers read above that there has been considerable misapprehension as regards the application of the rules framed by Government to regulate mining and quarrying for minerals and that the grievance complained of in the "Hindu" is not an imaginary one. The rules in question were never intended to be applied in the case of loose stones and surface mud or turf, and the orders issued by the Collectors of Bellary and Kurnool, directing the levy of seigniorage on these articles, are therefore *ultra vires* and must be immediately withdrawn. The Government has never contemplated that ryots should be required either to pay for these articles or to take out free permits for collecting and removing them.

2. The operation of the rules should, in the opinion of Government, be confined to minerals which have a commercial value, except in the case of *reserved forests*, from which it is advisable to exclude the public; so that not only mining and quarrying but even the removal of surface mud and turf without a special permit must be prohibited. In reserved lands fees should be limited to building stone, gravel, laterite and any particular clay which has a commercial value; and in unreserved lands (including poramboke) quarrying should be left absolutely free, save in respect of any quarries of stone, gravel and laterite, which are of sufficient importance to be reserved for the use of Government or of Local Boards and Municipalities. The restrictions should be as few as possible and should be precise, clearly defined and applicable to all districts. The Board of Revenue is requested to prepare a set of draft rules in the light of the above remarks and submit the same at an early date for the approval of Government. The rules should be applicable only to minerals other than coal and should be distinct from those already prescribed in respect of gold and other metals and precious stones.

3. As regards lands in which the right of the State to minerals is limited, the Government considers that the orders contained in paragraph 2 of the Board's Standing Order No. 15 are sufficient; the rates of seigniorage which the Board proposes to levy should, however, be submitted for the approval of Government.

4. With reference to Board's Proceedings, dated 18th March 1892, Forest No. 128, the Government is of opinion that sand taken from river beds comes under the same category as surface mud and turf and that the same rules should apply to its removal.

(True Extract.)

(Signed) C. A. GALTON,
Secretary to Government.

To the Commissioners of Land Revenue, with enclosures returned.
" Commissioner of Revenue Settlement, Land Records and Agriculture.

RESOLUTION—dated 3rd June 1892, Forest No. 274.

Communicated to all Collectors and Conservators for information and guidance.

2. The Collectors of Bellary and Kurnool are requested to withdraw their orders adverted to by Government in paragraph 1 of its order.

3. With reference to the remark in paragraph 2 of the Government Order that "in unreserved lands quarrying should be left absolutely free, save in respect of any quarries of stone, gravel, and laterite, which are of sufficient importance to be reserved for the use of Government or of Local Boards and Municipalities," the Board begs to inquire whether it is right in presuming that the concession of free quarrying contemplated by Government is to be restricted to the public and more particularly to *bona fide* ryots or villagers in respect of removal of small quantities of stone, gravel, laterite, &c., actually required for domestic use and not for sale or barter, all minerals quarried in Government waste lands for commercial purposes and those for the use of other Government Departments, Local Boards and Municipalities being charged for as usual. In this connection the attention of Government will be invited to its orders noted in the margin, which prescribe that Local Boards, Municipalities, &c., must pay the prescribed seigniorages. Before proceeding to prepare the draft rules called for by Government, the Board begs to be favored with definite orders on this point.

* Government Order, dated 22nd September 1890, No. 758.

Government Order, dated 1st May 1891, Mis. No. 2681, recording Board's Proceedings, dated 13th April 1891, No. 2523, Mis.

Government Order, dated 28th January 1892, Mis. No. 589.

4. The Board will submit a separate report with reference to paragraph 3 of the order.

5. With reference to paragraph 4, the Board begs to suggest that the extent to which sand may be allowed to be removed from river beds should in each case be referred to the Public Works Department for opinion. A few cart-loads taken here and there can make no difference; but it is possible that the removal of large quantities, especially in the neighbourhood of the bridges over the rivers, may so affect the course of the rivers as to imperil the bridges. The Board therefore thinks that it will be safest to have a professional opinion on the point before freeing the removal of sand from river beds from all restrictions.

(A true Copy and Extract.)

M. J. Munisawmy
for Acting Secretary.

To the Collectors of all Districts, except Madras.

" Conservators of Forests.

" Secretary to Government, Revenue Department. ✓

" Copy to the Examiner of Forest Accounts.

Exd. C. A. Munisawmy.

REVENUE DEPARTMENT.

1892.

Board of Revenue

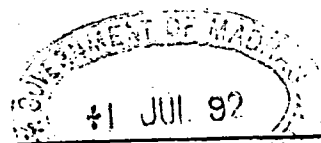
(Land Revenue),

MADRAS.

5055
Current Number 5884.

Printed June 28.

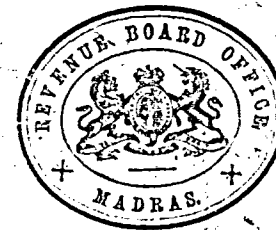
Read July



Proceedings, dated 3rd June 1892,
Forest No. 274.

Communicating, with remarks, to all Collectors and Conservators, for information and guidance, Government Order regarding levy of seigniorage for stones and minerals quarried on Government lands, and requesting Government to furnish the Board with definite orders on certain points connected therewith.

State for which the original is
G.O. 12-8-92 in 847



Proceedings of the Board of Revenue

(Land Revenue),

Dated 3rd June 1892.

Forest No. 274.

The Hon. Mr. H. W. Bliss.

READ G.O. dated 20 May 1892, No. 508.

Resolution.

Communicated to all Collectors and Conservators for information and guidance.

2. The Collectors of Bellary and Channarayana are requested to withdraw their orders issued to by Government in para 1 of its order.

3. With reference to the remark in para 2 of the G.O. that in reserved lands quarrying should be left absolutely free, save in respect of any quarries of stone, gravel, and laterite, which are of sufficient importance to be reserved for

the use of Government or of Local Boards and municipalities, the Board begs to inquire whether it is right and presuming that the concession of free quarrying contemplated by Government, is to be restricted to the public and more particularly to bonafide ryots or villagers in respect of removal of small quantities of stone, gravel, laterite, actually required for domestic use and not for sale or barter, all minerals quarried in Government waste lands for commercial purposes and those for the use of other Govt. Departments, Local Boards and municipalities being charged for as usual. On this connection the attention of Government will be invited to its orders noted in the margin which prescribe that Local Boards, municipalities &c. must pay the prescribed Leigniorages. Before proceeding to prepare the draft rules called for by Government,

+ G.O. 258
22-7-90
G.O. 2681
1-5-91
G.O. 589
28-1-92

Board begs to be favored with definite orders on this point. 11/12

4. The Board will submit a separate report with reference to para 3 of the order.

5. With reference to para 4, the Board begs to suggest that the extent to which sand may be allowed to be removed from river-beds should in each case be referred to the C.W.D. for opinion. A few cart loads taken here and there can make no difference but it is possible that the removal of large quantities, especially, in the neighbourhood of the bridges over the rivers, may so affect the course of the rivers as to imperil the bridges. The Board therefore thinks that it will be safest to have a professional opinion on the point, before freeing the removal of sand from river-beds from all restrictions.

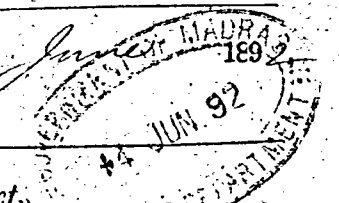
(True Extract) Pard

Registered
for Agt. Secretary
The Secretary to Govt. R. D.

Revenue 1892. Dept.
Board of Revenue
(Land Revenue),
MADRAS.

Current Number 5055
To
The Secretary to Government,
R. S.

Recd 4 June
Proceedings, dated 3rd June 1892
Forest No. 274
Subject: Communicating with remarks
to all Collectors and Conservators
for information and guidance
by. &c. regarding levy of
seigniorage for stones and
minerals quarried on Govt
lands and requesting
Govt to furnish the
Board with definite
orders on certain points
connected therewith.



15
A short memorandum prepared with reference to the
recent Order of Government No. 589 Mis. Revenue, dated
28th January 1892, declining to exempt District Boards
from payment of seigniorage rates on road materials taken
from unreserved lands.

Before dealing with the question at
issue, a brief outline of the history of the
roads of the Presidency in general, and of
the roads of this district in particular, may
not be out of place.

2. When the British Government took
possession of South India, there were
hardly any roads available for wheel traffic.
Rough roads to connect military arsenals,
cantonments &c. were originally formed
and a corps of Pioneers were then employed
for the extension of these roads. They did
not do much work. Various attempts were
subsequently made to extend the formation
of roads not only for military but for com-
mercial purposes, but the agency employed
did not fulfil what the Government aimed
at. In 1845, the Trunk Road Department
was formed. This department set to work
to form trunk roads. The selections from
the records of the Madras Government
containing the "Reports on District Roads"
are very interesting, and they show that
portions of the trunk roads lying within
the limits of this district, such as the Madras-
Calicut, the Madras-Bombay via Palmaner
and Punganur, and the Madras-Hydrabad
roads, were formed by this Department.
Mr. Best, the Superintendent of Roads,
has issued some general instructions regard-
ing the formation of these roads. This
Department was probably abolished in 1857
or 1858, as no reports of its operations are

forthcoming in the records subsequent to 1855-56. The D. P. W. then came to the field, and continued the work done by the Trunk Road Department. All this time, the necessary funds were provided by the Government from Imperial Revenues. Subsequently, the necessity for providing more roads in the district arose, and, as the India Government did not allot the necessary funds to meet the increased expenditure for these roads also, which were required more for local than for Imperial purposes, it was arranged to raise funds locally. It was then "The District Road Cess Act III of 1866" was passed. This was the nucleus of the later Act IV of 1871. From 1866 to 1871, the Government maintained the Imperial roads from Government funds, and the District roads were maintained from the Cess of half-anna per rupee levied under Act III of 1866. Under Act IV of 1871, the rate of Cess was increased to one anna, and gradually the maintenance of the roads was defrayed from the proceeds of the Cess and from contributions made by Government. Rule 8 of the Local Fund Rules framed under the provisions of Act IV of 1871 provides "Provincial Service Grants" as one source of Revenue to Local Funds. The amount of contribution from Government funds made to this district is detailed in the margin. Besides this, a sum of Rs. 23,653 was contributed by the Government in 1878-79 to wipe off the deficit balance of the Chittoor Circle. Finally, in its order No. 1436, Financial, dated 15th August 1878, Government remarked that it is not in a position to say what grant-in-aid, if any, could be made to Local Funds for 1879-80, and ordered that the Budget should be prepared irrespective of this consideration. Ever since, no contributions were paid from Government, and the entire charge for the maintenance of the roads was borne from Local Funds. When there was a reduction in the staff of the Public Works Department from April 1880, the D. P. W. Engineers were

1873-74	Rs. 54,860	made to this district
1874-75	" 54,860	is detailed in the
1875-76	" 1,15,448	margin. Besides this,
		a sum of Rs. 23,653

relieved of the execution of Local Fund works, and the Local Fund Boards employed their own Engineers. In short, from the earliest time down to 1866, the trunk roads and the local roads were constructed and maintained from Imperial Revenues, from 1866 to 1871, the Trunk Roads and some of the important district roads were also maintained from Imperial Funds—the other roads which are of local importance being maintained from Local Funds—from 1871, all the roads were maintained from Local Funds and from the Grant-in-aid paid by Government, and from 1879-80, they are maintained exclusively from Local Funds.

3. The materials required for the maintenance of the roads—metal and gravel—were, from the earliest times, taken from the quarries in the Government waste lands, without any charge. When the control and the maintenance of the roads were transferred to the Local Fund Boards, it was presumed that these quarries also were made over to the Boards, though no specific orders on the subject are forthcoming. It is, however, beyond doubt that the quarries were used by the Local Fund Department, and no charge was ever made for them, till the Forest Reserves were constituted. The Forest Department objected to the taking of road materials from within Reserved forests, without payment of the authorized seigniorage. The question came up before Government, who passed the following order thereon (G. O. No. 702 Revenue, dated 10th October 1888).

"The Government do not admit that the Local Boards have any right to the quarries from which they have been in the habit of taking materials for the repair of the roads under their charge, but His Excellency the Governor in council can see no good reason for reserving quarries which are situated at the sides of the roads. Such quarries and the roads themselves should, accordingly, be excluded from Reserved forests. District Boards

must formally claim that this be done, and the officer who represents Government at the inquiry should not object to the exclusion. Quarries at a distance from a road and new quarries yet to be opened are, of course, on a different footing, but, as regards the former, the Government are of opinion that, when already used by a District Board, their claims should be treated with consideration, and that, when access can be allowed without prejudice to forest conservancy, arrangements should be made accordingly."

4. Before this order came, most of the reserves in this district were settled. In a few cases, the quarries were excluded. Seigniorage was paid for road materials taken from quarries in reserved lands from 1888-89. The marginal figures show the amounts so paid. No seigniorage was ever

1888-89 Rs. 142-3-0	paid for road ma-
1889-90 Rs. 117-13-0	terials taken from
1890-91 Rs. 130-0-0	quarries in unre-
	served waste lands

at the disposal of Government. Within the last 2 years, this question cropped up now and then, but the Forest Department did not insist on the payment of seigniorage, evidently with reference to the discretion vested in the Collector in clause 3, Para 15, of the Revised Standing Orders of the Board of Revenue which says that quarrying may be allowed to the general public free for such limited period as the Collector may prescribe.

5. The question, however, came up for settlement before Government in connection with the Administration Report of the Chingleput District Board. In reporting on the condition of roads in his district, the President, District Board, Chingleput, remarked that the payment of seigniorage rates under the orders of Board and Government was telling much on the finances of the Board, and requested that Government might be pleased to forego them. The Government invited the opinion of the Board of Revenue on the subject. The Board's resolution on the matter, approved of by Government,

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is the subject of this note. In G. O. No. 702 Rev: dated 10th October 1888, Government, while holding that Local Boards have no right to quarries from which they have been taking materials for the repair of roads, remarked that there was no object in reserving roadside quarries and that the claims of the Local Boards should be treated with consideration. The Board now says that this concession has been superseded by the subsequent orders of Government and that the stones in quarries, whether reserved or unreserved, vest in the Forest Department, which, as a quasi commercial Department, is entitled to charge fees for its use. In support of its view, the Board refers to G. O. No. 758, dated 22nd September 1890, and Board's Proceedings No. 2,523, dated 13th May 1891, recorded in G. O. No. 2,681 dated 21st May 1891. In the first order, the Board itself recommended the transfer, free of assessment, to the Madras Municipality, of certain waste lands in the Chingleput District for quarrying purposes, as they will not be a source of income to the Municipality. The Government has remarked that it cannot accept the Board's argument that the land required for quarrying will not be a source of income to the Municipality. "The saving of seigniorage, which has to be paid for quarrying in Government land, is equivalent to income, and the Government sees no reason why the Municipality should be exempted from this charge at the expense of the general revenues. The Municipality must, accordingly, pay seigniorage, if it wishes to quarry in the lands applied for". The Board's Proceedings No. 2,523 dated 13th April 1891 (and not 13th May 1891) is a Miscellaneous Proceedings, which has not been printed in the monthly volume in *extenso*. It seems to refer to the question of levying seigniorage on gravel quarried by the Gun Carriage Factory, Madras. The Board further says, in support of its present contention, that seigniorage should be paid on road materials taken from Government quarries (whether reserved or unreserved); that, if Government

chooses to forego it, it may be done by a contribution, from Provincial Revenues to the several District Boards, of the amount equivalent to the seigniorage amount and that the Forest Department should not be deprived of its revenue. It argues that the seigniorage amount in Chingleput District in 1890-1891 was only Rs. 1,674, against Rs. 1,36,103 spent on communications, and that this sum is very small. The Government, in its order No. 589M dated 28th January 1892, "agrees with the Board and is not prepared to exempt District Boards from payment of seigniorage on road materials taken from Government quarries."

6. The question of payment of seigniorage, for quarrying in reserved forests by the Madras Railway Company, came up before Government in March 1891. This was disposed of in G. O. No. 222, dated 19th March 1891, Revenue. The correspondences embodied in this G. O. show that Mr. Trevithick, the Agent, urged that payment of seigniorage rate per ton would amount to a large sum of money and suggested that a small fixed annual payment for the ground only might be levied without reference to the quantity of ballast taken. The Consulting Engineer supported this view and remarked that this would simplify keeping of accounts too. The Conservator remarked that payment of seigniorage was quite a secondary consideration and that he "would much rather the Railway Company arranged to get their ballast free from outside reserved forests or lands". His idea was that the lands should not be burrowed or unsightly pits dug up. The Board of Revenue pointed out that quarries for ballast came under clause C of Standing Order No. 12 and should be paid, and remarked as follows:—

"As the Conservator points out, however, what is wanted when the company must take its ballast from inside reserves is control, more than revenue, and provided that the areas selected are approved of by the Collector, the quarrying is

uniform and that due precautions are taken against fire and theft, the Board considers that a small rent per acre only need be charged. Attempts to charge by the output have almost always led to friction."

The Government agreed with the views of the Board and the Consulting Engineer and remarked that the question of rates to be charged should be submitted for the orders of Government. Thus, in the case of the Madras Railway Company, Government has approved (i) of the payment of a small rent per acre irrespective of the quantity of metal and gravel quarried, and (ii) of the *dictum* that control, more than revenue, is the object aimed at. The effect of the above G. O. was understood to strengthen the position that quarrying in unreserved lands might be done free of cost, and in fact, this was what Colonel Campbell Walker himself stated in his letter quoted *supra*.

7. From the history of the roads detailed at the beginning of this note, it will be seen that the Local Fund Boards deserve to be treated with as much, if not greater consideration than the Madras Railway Company.

8. So far as this district is concerned, there were 842½ miles of road in 1873-74 when Government was paying a grant-in-aid. They rose to 1020 miles in 1883-84 and to 1435 miles in 1890-91. In fact, nearly 600 miles of road have been formed within the last 17 years. Owing to the opening of the Villupuram—Guntakal Railway last year, many feeder roads were formed, the mileage of which has not been taken into account in this figure. The average Land cess receipts and the expenditure on the construction and maintenance of roads for the 11 years from 1873-74 to 1883-84, and for the 7 years from 1884-85 to 1890-91 are given below:—

	Land cess receipts inclusive of Government Contribution.	Expenditure on communications.
1873-74 to 1883-84.	Rs. 2,55,815.	Rs. 1,63,230.
1884-85 to 1890-91.	Rs. 2,76,668.	Rs. 1,58,619.

Thus, with an increase of nearly 400 miles of road to maintain during the last 8 years, the maintenance allotments have fallen off owing to want of funds. A statement, prepared with reference to the actual quantity of metal and gravel used for the maintenance of the roads during the last 3 years, shews that a sum of Rs. 9,000 will have to be paid as seigniorage every year. Materials are taken in this district from Government and Zemindary quarries. At present, no seigniorage is paid to any of the Zemindars for road materials taken from the Zemin quarries, though the Zemindars of Karvetnagar and Kalahasti have been claiming it. Payment is made to the Bungari Zemindar alone at 2 annas per 100 c. ft. and not at $2\frac{1}{2}$ annas, the Government seigniorage rate. If the Government insists on the payment of seigniorage, the Zemindars too will follow suit and they should also be paid at the authorized rate of $2\frac{1}{2}$ annas. About a third of the roads lie within Zemin limits and Rs. 3,000, out of Rs. 9,000, will have to be paid for them. It is a matter for serious consideration whether the sum of Rs. 9,000, which will have to be paid as seigniorage under the recent order of Government, out of the yearly allotment of Rs. 1,58,000, will not affect the material condition of the roads. The allotment for 1892—93 is reduced to Rs. 1,48,900 for want of funds. The resources of the Board are just enough to meet the actual requirements. Public Officers and private gentlemen very often complain of the unsatisfactory state of the roads here and there, and, if this sum of Rs. 9,000 is to be paid, it can be done only by reducing the maintenance allotment still further. Government is as much interested in the proper maintenance of the roads as the Local Boards are, and, when roads get into bad order, Government makes special contributions. For the Chingleput District alone, Government seems to have made a contribution of Rs. 40,000 on two occasions during the last 2 years, for putting in thorough order some of the Trunk roads in that District.

9. Gravel lands are not generally taken up for cultivation, and they are not of much use to the Forest Department. If the Local Boards do not quarry therein, they must remain as they are, as private parties will not require a large quantity of gravel for their purposes. For this and the other reasons detailed in the previous paragraphs, the Resolution arrived at requires reconsideration.

Refce Govt No 286 of 92
Norman District Board
Camp. Judg. Jan 13 1892

From
H. Le Franc Esquire
President District Board
Norman.

To
The Chief Secretary
to Government
L. & M. Department.

Sir,

I have the honor to forward
herewith a copy of a memorandum
presented by me to His Excel-
lency the Governor at Calcutta
during his recent visit, on the
subject of exempting District
Boards from payment of
seigniorage rates on road materials
taken from unreserved lands,
and to request that the orders
of Government on it may be

obtained at an early date.

I have the honor to be

Sir,

Your most obedient servant

McLain

President

M

1410 2 3 4 5 6 7 8 9 10 11 12
Department ⁹⁸

From

THE COLLECTOR AND ^{President}
DISTRICT MAGISTRATE,
^{of Board}

North Arcot.

To

THE CHIEF SECRETARY

TO GOVERNMENT,

Local Municipal Department

No. of enclosures. 1

Letter, dated 23rd June 1892

Refce No. 286 of 1892
Govt

SUBJECT.

Submitting a copy of
of a memorandum on
the subject of exempting
District Boards from
payment of ^{road material taken from Government}
sales and requesting ^{that} the orders of
the Government
on the subject may be obtained at an early
date.

24 JUN 92

47 JUL 92

No. 492
transferred to the
Department -

Don't

1.11.92
21/7/92
To The Revenue Department
Ag Assistant Secretary
This is now under
consideration

(1892.)

4

REVENUE DEPARTMENT.

ABSTRACT.

Current Number 1029

Ends of the
From
Local and Municipal
Department.

Dated 6 July
Received 7 in
Enclosures/

No. 492.

SUBJECT.

Transferring letter from
the President of the District
Board North West, submitting
a copy of a memorandum on
the subject of exempting Dist.
boards from payment of signi-
fied on road materials taken
from Govt. quarries and request-
ing that the orders of Govt. on the
subject may be obtained at an
early date.

REVENUE DEPARTMENT.

No 2630/92

19
31

From The Board of Revenue

Dated 15th Feby
Recd 18th March.
FOR ORDERS.

1892.

The attention of the Board
was drawn some time ago
to a letter in the "Hindu"
of the 17th Jan'y 1891 headed
"Another obnoxious law" in
which the writer complained,
with special reference to the
ceded districts, of the levy
of "seigniorage fees for quarrying
stones" in all Perambur
lands" stating that the term
"quarrying stones" had been
interpreted by the District officers
not only to mean quarrying
loose stones metal & gravel
but also to include collecting
loose stones on the surface
and soil mud, and pointing
out that this wide interpretation
of the term operated very harshly
on the ryots who are obliged
as the ryots who are obliged
to pay fees for collecting loose
stones mud & turf, which are of no
value.

the Board on receiving this letter called on the Collector of the Ceded Districts to report whether any hardship was being caused by the too stringent working of the rules requiring the levy of Seignorage on Stone, Earth, & the Current Proceedings are based on the replies received from the Collector in question.

2. ~~Seignorage~~

~~Seignorage~~
Para 3 of Board's Standing order no 15. declares that the State claims the full right to mines & minerals in unreserved waste lands after disposal of Govt. If a person wishes to mine for gold & other metals, or to prospect for the same or to mine for diamonds & other precious stones in unreserved waste lands, his application is disposed of under special rules which need not be here discussed.

It however he wishes to

* The inclusion of Coal in this enumeration of minerals for which the Government may dispose of the right to mine is a mistake as the Govt of India has reserved to itself the right to grant or refuse applications for mining for coal. The mistake is due to the fact that the rules of the Govt of India have not been communicated to the

or other minerals or to quarry for marble, building stone, 33 gravel laterite clay or other earth for the manufacture of pottery bangles bricks &c the rules allow of his application being disposed of in the following ways

- (1) the right to mine or quarry may be allowed free to the general public for such limited period as the Collector may from time to time prescribe
- (2) quarrying etc may be allowed on payment of the authorized Seignorage rates
- (3) the right of collecting the authorized Seignorage rates from the general public using the quarries may be leased out.
- (4) the quarries themselves may be leased out to the general public retaining the right of quarry for themselves on payment of the authorized Seignorage rates & the license
- (5) In special cases the applications may be dealt with under rules similar to those relating to mining for gold & other metals.

The Collector has full discretion

By order of the Secretary to the Government of India
15/4/92
The Secretary to the Government of India

the standing rules to
 dead, which of them for
 ways of permitting quarrying
 shall be adopted in each
 district, and in what
 areas quarrying shall be
 permitted.

The same rules apply
 to lands which have
 been constituted Reserve
 Forests or reserved as Reserve
 Lands or fuel & fodder reserves
 or grazing grounds, or placed
 under special fire-protection.

3. It also being the
 standing order in the subject
 of Quarrying, G.O. no 352
 of 17th May 1886
 & no 733 of 23rd Aug. 1886
 prescribed the rules of Quarrying
 to be observed in the case of Forest
 lands, the first order relating
 to the Southern & the second
 to the Northern circle.

Subsequently in G.O. no 577
 of 10th July 1889 the Govt
 ordered that Quarrying
 rules for stone quarried
 on Poramboke should be
 the same as those prescribed
 in the case of Forest lands
 and it is the working of
 this G.O. that the writer in the
 hands takes objection

FOR ORDERS

REVENUE DEPARTMENT.

No

35

Dated

18

FOR ORDERS.

In view of the Collector's
 reports as to the working of
 the rules in the case of
 Poramboke lands it will
 be seen that according
 to the standing orders of
 the Pudukkottai District:-

No person can quarry or
 collect stone, gravel, clay or
 earth of any commercial
 value from Poramboke land
 without obtaining a permit
 from the District Officer
 and he has to pay levy
 at the following rates before
 obtaining the same:-

- (a) for rough or broken stone 1 anna per cartload
- (b) for chiselled stone 2 annas do.
- (c) for metal gravel 6 pices do. do.
- (d) for clay or earth 6 pices do.
- (e) for turf 6 pices do.
- (f) for iron or ore 10 pices do.

2) any person found quarrying
or removing mineral from
Porembke land otherwise than
in accordance with their
rules, will be liable to
be prosecuted for theft under
the Indian Penal Code.
The Collector, Porembke, reports
that the above Standing Order
has been in force for only
4 months, although complaints
have been received of its having
been worked too stringently.
The Collector states in a
subsequent letter (No 1461
of 13th April 1891) that
prohibitions permits should
in his opinion, be granted
freely for the bona fide
purpose of building houses,
whether also persons to
except the general
public from the payment
of fees for the use of
rough stone, earth or
mud of all kinds, clay,
sand & turf, as all
these articles are most
useful to the Ryots, and
as the enforcement of
stringent rules in respect
of them would cause great

x a letter No 104
of 14th March 1891

ships. In the case of Porembke
the Collector has been
in a fishyious permit
to Ryots only for the bona
fide purpose of building their
houses, and to empower
Reddies of Villages & Revenue
Inspectors to grant permits.
The Collector points out that
under Board's Standing
order No 15 he has the
authority to make these
alterations himself, but
he prefers to obtain the
orders of the Board as he
thinks it desirable that
the practice should be uniform
at least in the Ceded Districts.
The Collector submits
that the District Standing
order is as it stands.
Apprehension likely to cause
great annoyance & disquiet
if strictly enforced that
it goes beyond the Standing
order G.O. No 577 of 10th July
1889 which are intended, it
is thought, to cover ably
only cases of regular
quarrying & not to the
removal of loose stones from
the surface
of turf from Porembke land.

No.

39

Dated

18

FOR ORDERS

From

xxx
 have written me it &
 desired it to be changed
 to a fine for time
 immemorial because his
 father in the habit of picking
 up the stones on it 1874

I agree with the collector's opinion. It
 is generally thought that the system should be
 continued in this way.

Wm
 Gordon

as he considers that the delay
 (with the risk of the inconvenience
 and annoyance) which must
 accrue in going through the
 several formalities prescribed
 when the property is seized
 is very small, must be
 incompatible with the urgency
 with which these necessities
 (stone, latish clay &c) are
 sought.

g. The Collector of Anantapur
 reports that fees are collected
 in his District only for
 quarrying stones &c
 rough stones, chiselled
 stones &c. &c. The
 amount of fees collected in
 this way between October
 1890 & January 1891 was only
 Rs 78 and odd. His opinion
 is that the tax is not
 oppressive.

In the Cuddapah District
 Seepung appears to be
 levied only on stones
 & chanda earth used
 for making bangles. It
 would seem that Seepung
 is levied only in the case
 of actual quarrying of stones
 & turf & ordinary need are
 allowed to be taken free &
 that the rules are not
 therefrom worked, stringently
 in that District.

7. The Collector of Kurnool submits with his report
 the District Standing order sheet
 in which the rules on the subject
 of Seepung are embodied
 and it will be seen that the
 rules are practically identical
 with those issued by the Collector
 of Bellary. A statement is
 submitted by the Collector of
 Kurnool showing the amount
 collected under the rules before
 January & July 1891 - the
 amount is Rs 999 and odd.
 The Collector says that his
 Divisional officers are unanimous
 of opinion that the rules are
 very stringent and that they
 speak to the inconvenience &
 annoyance of the ryots & that
 of the same opinion

The Board in receiving the report from the Collector of Ceded Districts does not consider it advisable to abolish altogether the levy of seignorage or stones search. From the Board's remark that the quarries need protection of some sort it would appear that it does not contemplate charging fees for the mere collecting of loose stones turf &c. but only collecting bona fide quarries, but then again the Board's remarks in para 5 to the effect that the fees on turf have been introduced mainly to regulate the taking of the article at all implies an entirely different view.

The Board admits that the rules as they are now being worked require amendment & proposes that so far as Porumboko land is concerned the quarries or areas which require protection or which ought to pay revenue should be

This order is not the
 order of the Secretary
 S. O. of 10th Feb / 1891 N. 577 refer
 only to quarrying for stone
 & is no authority for the rule
 which has been promulgated
 in the Portory & Keenwood
 No 5, and which goes too far.
 The rule then should be modified
 as suggested by the Secy &
 the Bd might be told to submit
 rules to regulate quarrying
 which should only attack
 D. 5. While reviewing the
 present clause from a
 revenue viewpoint it is
 evident as far as from the
 present revenue that no
 one is doing the public good
 their interests in the future
 & not to acquire from
 can business on a foolish
 sentimentality - right which
 may be of the present
 greatest value of revenue
 to the State. One of the
 my several square miles
 of open did improve from
 here lost to the State owing to
 the removal of a collection
 40 years ago in allowing
 privileges to a Zambian in
 which he has ^{afterwards} ~~been~~ ^{been} ~~been~~ ^{been}
 rights of ownership of the
 claims of the present themselves
 No is the picking up of pieces
 of stone in the surface along
 the workless privilege which it
 at first right appears. In
 fact? even of a considerable
 track of land has been dis-
 covered large quantities of
 nodules of phosphate of lime
 which are from of the present
 value as manure. The
 has been ordered to be removed
 but otherwise, directly it is
 known, any system

100 is clear that the Indians have
 been actually dispossessed not
 at any rate in Belknap &
 Klamath & that the
 previous occupancy
 in the tribe is not so
 unifying as to keep
 them together. It is
 about that people that
 be required to pay for a
 license to fish permits
 even for shooting loose
 it was a moving paper
 land & that from unresisting
 lands. The Indians are not
 intended to be expelled in this
 fashion & the Indians
 should be compensated to the extent
 which has a commercial
 value. Rights in the land
 of the United States
 lands. When it is desirable
 to keep the people removed
 even of the paper land & that
 without a permit right to
 prohibited. In the case of
 reserved lands for the purpose of
 limited to having the land
 to be a very particular
 clay which has a commercial
 value. As regards the land
 land. It is the policy of
 higher to be kept absolutely free

localized reserves in the rest left free. The Board points out that what worries the right is the fact that he can take stone or earth from anywhere without giving some Subadark official the opportunity to attack him, and that a system of localizing the areas protected would avoid this & give the poorer rights a chance of supplying their wants after a fashion, from the unprotected areas, from the hindrance, and that at the same time the consideration of the way of Revenue would be appreciable.

To this I submitted that the Standing orders in the Polling, Kerasol District go beyond the Board's Standing order No. 15 of 1889, which are only meant to apply to the ~~the~~ like of quarrying of metals & minerals that it is to be regretted that the

The Board asks whether Govt
intended in G.O. No 508 of
20th of May 1892 that the
Conservation of free quarrying in
unreserved lands should be
^{than particular bond for rights}
restricted & the public in respect
of removal of small quantities
of stone etc required for domestic
use, and that all minerals quarried
for Commercial purposes or taken
by Govt Departments, Local Boards
& Municipalities should be charged
for as usual. The attention of Hon
Members, in connection with this
reference, is invited to a D.O
letter from H.E. the Governor's Private
Secretary enquiring whether the G.O
above mentioned will enable Local
Boards & Municipalities to collect
metal & grant fee in unreserved
land & mentioning that a good
many complaints are being made

The G.O. is not clear on the point but it is thought that it is the intention of Govt. Mining quarries in unreserved lands should be absolutely free both to the public and to Dept. of Geol., Local Boards & Municipalities ^{subject to the proviso that} - i.e. ~~and that the stone quarries of any particular importance should be closed to the general public & reserved for the use of Dept. of Geol. Local Boards & Municipalities~~, the object of the last proviso being to prevent private individuals from making a profit out of such quarries & restricting their power of collecting stone for the ~~use of the~~ collection of such small quantities as may be required for home & domestic use. The G.O.'s regarding the collection of screenings from Local Boards Municipalities passed by the Board at the close of June of the Prog. has reference solely to quarries situated in

I don't doubt as to the fact that they
 have brought to the attention of the
 Council a number of cases of
 land which the Council have
 not been able to deal with. It is
 now time to consider whether
 [defining that exception
 which is made to Rule 10,
 to give any body leave
 to pick up stones or dig
 or work on unreserved
 land within the
 limits of the
 Port. The fact is also,
 if they choose, at once
 for each Local Ind. Bd.
 or Municipality in each
 Dist. ~~of the~~ find pits
 for which ~~the~~ find
 may be made for improving
 roads - but if they do this
 they must go back on their
 now regarding the Indian
 Municipality - (No 22/5/50
 No 750.) - I don't find the 2
 the No 2 further of the Port
 in the present ~~and~~ ~~don't~~
~~think~~ the whole of the
 the corporate area, but
 as public bodies must be
 treated alike - if the Govt.
 choose to make a present
 of a parcel of ground to

The excavation in the corner
 of the corner - I have been
 at the D.P. to do - but
 control is very much wanted
 if it exists it is unreserved
 entering my property
 reserved -

The P.M. R. continues to
 claim the land & to take
 control which from Rule
 10 of the Trust Rules gives it
unreserved land - This
 is a most useful & valuable
 power & unreserved land
 should on no account be
 excluded from the power
 of Rule 10 - all that is
 wanted is an order being
 done in exception to the general
 rule & granting in
public privileges.

Granting as the term is
 used by the D.P. requires
 definition & I think some
 D.P. be allowed to 'grant'
 on unreserved land
at his own will.

If the bank had no more
 to make except that he
 D.P. pay for the privilege &
 to the public bodies if they
 want to see their pockets
 to bring to front the land
instead of paying to front
Revenue.

J.H.G.
 23/6/52

public bodies requiring laterals
from it. should pay for the same,
same, but the tax of waste lands is different
the suggestion made by the Board
para 5 seems to be a
good one. Hence it is submitted
to be adopted.

Done
16. 6. 92

The suggestion made by the B.
in para 2 is the result of
the suggestion of the
S. C. 20 May 92 to S. C.
I sent the Private Secretary's
letter on to the Board Secy.
I suggested that he should raise
the question of the
existing Rules. He is to give
a definite order. The S. C.
further down was lost in a way
later & by then was then
too cheap should be made for
paying a unreserved land
but that is not the point.

Ca

(a) The timber and trees (except Reserved trees) on the lands set apart for free felling under rule 7

(b) The pasturage on all lands set apart under rules 7 and 9 for free grazing

(c) Palmyras and topes or trees held on tree-pattas in the Tanjore and Tirunelveli Districts

(d) The toddy of Palmyra, date and other palm-trees generally, except when they grow in plantations made by or belonging to the Forest Dept, or on areas which have been fenced or demarcated & duly notified as Fuel and Fodder Reserves, or as grazing grounds or as placed under special fire protection.

(e) The trees growing by the sides of roads (and commonly known as avenue trees) and all topes or trees belonging to Local Fund Boards, Communities or individuals.

(f) Trees growing on the banks of tanks or channels under the charge of the Public Works Dept.

(g) All minerals.

3. The Govt had however in G.O. 982 of 15th Aug 1903 called

37 49
called for detailed information regarding the question of crediting the revenue derived from trees in Govt lands to the Forest Dept. while, therefore ^{approving} ~~advising~~ in principle the rule 10 proposed by the Board, the Govt thought that it should not be allowed to stand until the information above referred to was submitted, adding at the same time that there was, however, no objection to the immediate promulgation of the other rules - G.O. 1446 of 22.11.03.

4. Accordingly the Board, in again submitting the rules to Govt. substituted the following for its original draft rule 10:-

"All the trees and other natural produce of Reserved and unreserved lands shall vest in the Forest Dept, subject to such exceptions as may hereafter from time to time be notified by the Governor in Council."

This rule was approved, subject to the addition of the word 'unoccupied' before 'unreserved'.

- reserved' and the whole rules
with a few modifications in some other places
were ordered to be published in the
Gout St George and the District
Gazettes — G.O. 234 of 18th Feb '84.

5 In June and July 1884,
the Board again brought to the
notice of Gout. the necessity for
publishing the exceptions to rule
10, but the Gout declined to take
up the question until the report
called for in the G.O. of August
1883 was received by it — G.O.^s

2283 of 2nd June 1884, & 934 of 12th
Aug. 1884.

6 In Sept 1884, it was found
that under Rule 10 (and 19) as
it then stood, all revenue, other
than Land Revenue derived from
waste lands at the disposal of
Gout, whether under protection
or not, had to be credited to the
Forest Dept. This, the Gout
said, was not its intention in
laying down the rules, and for
the words "Reserved or unoccu-
pied reserved lands" in rule 10,
the words "Reserved lands and
the trees ^{and timber of} on unoccupied reserved
lands" were accordingly
substituted

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substituted, (omitting the words
or unreserved" from rule 19) —

G.O. 987 of 4th Sept '84.

7 It may be noted here
that in para 2 of the first R.P.
read in the last mentioned G.O.,
the Board gave it as its opinion
that "the Forest Dept should not
levy any charge on other Dept or
on State Railways for stone, lime
or gravel, quarries from waste
lands," adding that "at the
same time, no other Dept than
the Forest should be allowed to
make a revenue out of such
quarries by subletting or renting
them out after once being put in
possession of them by the Forest
Dept." The Gout agreed in this
opinion but considered that the
claims of the Forest Dept should
be limited as stated above in con-
nexion with the modification
made in rule 10.

8 In Aug 1884, the Board
proposed an exception to rule 10
in connexion with the question
as to what head, the revenue
derived

denied from trees &c in tank bed
lands should be credited; the Govt
apparently ~~however~~ thought that no exception
to rule 10 was at the time necessary
and decided that "although the rules
framed under Sec 26 of the Forest
Act do not apply to poramboke
lands, and therefore not to tank-
bed lands, Collectors should man-
age such lands, when necessary,
upon similar principles to those
upon which lands reserved under
Forest Rules are managed" and
that "any revenue which may be
derived from surplus produce, after
meeting the legitimate wants of the
villagers should be credited ~~to~~ as
hitherto to Forests and not to
Land Revenue" — G.O. 260 d/2nd
March 1885.

9. About the same time
in discussing the question of the
abolition of ~~the rights~~ under the
Forest Rules, of the rights of the
vyls to a supply of wood and
leaves for agricultural and do-
mestic purposes free of charge,
the Govt proposed certain alter-
ations in the several rules, and
these

44 53
were

these alterations, after consultation
with the Board and the Conser-
vators, carried out in July 1885,
rule 10 being modified by the
addition of the words "and sub-
ject to the exercise of the pri-
vileges secured by rule 7" at its
end — G.O. 295 d/10th Mar '85
and 817 d/14th July 1885.

10. In Sept 1885, the
Board submitted its reply to
the G.O. of Aug 1883. It re-
marked that under the spirit
of the several orders issued by
the Govt subsequent to 1883,
revenue derived from scattered
trees on reserved lands and from
those on unoccupied unreserved
lands, whether assessed or
unassessed and from trees on
tank beds would be credited
to forests, while all trees on
village sites, burial grounds,
cattle stands, tank bunds,
road sides, &c would be ex-
cluded from the operation of
the rules." The conclusion
at the
committee

at which the Board arrived after carefully considering the respective claims of the Land Revenue and Forest Depts to the revenue derived from ~~the trees on the lands~~ ^{the trees} was that "the rent of all topes and gardens, whether the rent is fixed or not should be credited to Land Revenue, except where the topes have been planted from Jungle Conservancy or Forest Funds, or where they are situated within reserved forests or lands." The Govt agreed with the Board and forwarded its proposals for the sanction of the Govt. of India (G.O. 1347 of 5th Dec 85). The Supreme Govt accepted the above proposals but having apparently misunderstood their exact import sanctioned the transfer to "Forests", only the revenue derived from all reserved lands and forests under the control of the Forest Dept. A further reference had therefore to be made to the Govt of India.

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India on the subject, this Govt clearly stating that the test by which it proposed to decide whether the revenue derived from forest produce should be credited to 'forests' or 'Land Revenue' ^{did} ~~did not~~ not depend upon the control of the lands, for all reserved lands are under the control of the Land Revenue officers, the natural forest produce only being under the control of the Forest Dept., that the Land Revenue is entitled to the proceeds of the Govt share of profits from cultivation and Forest Revenue is considered to have no claim to so much of the tree revenue as represents such profits" and that the adoption of the principle enunciated by the Govt of India "will necessitate the crediting to Land Revenue of a considerable amount of revenue which may fairly be claimed by the Forest Dept for it is the officers of that Dept who exercise the necessary supervision although

Although they neither collect the revenue nor exercise control over the land - G.O. 812 and letter thereunder, of 21st Sept 1886.

11. In reply the Supreme Govt wrote to say that the meaning intended to be conveyed by it was "that all revenue derived from forest produce on reserved lands, and over which produce the Forest Dept exercises supervision, should be credited to 'Forest'". This letter was simply communicated to the Board of Revenue - G.O 904 of 10th Jan 1887.

12. It will be seen from para 3 of the present note that the Govt promised to take up the question of the exceptions to Rule 10 proposed in the B.R. under G.O. 1446 of 22nd Nov 1883 as soon as the Board submitted the report called for in G.O. 982 of 15th Aug 1883, and the reason why no mention of it ^{was} made when final orders were passed on the Board's report seems to be this, as far as

FOR ORDERS.

45 57
At the time of the submission of that report, Rule 10 with the several modifications from time to time introduced into it stood as follows:-

"All the trees and other natural produce of Reserved lands and the trees and timber of unoccupied reserved lands shall vest in the Forest Dept, subject to such exceptions as may hereafter from time to time be notified by the Governor in Council and subject to the exercise of the privileges secured by rule 7; and the several orders issued by Govt on the subject (vide para 10 above) modified to such an extent the circumstances under which the Board in 1883 proposed its exceptions to rule 10, that at the time of issuing G.O. 1347 of 5th Dec 1883

1885 or G.O. 9 of 10th Jan 1887, no necessity existed for publishing any one of those exceptions, except perhaps the one relating to ~~the municipal~~.

13. In Feb 1887, the

Board recommended that a committee might be appointed to consider the question of the rights of the Forest Dept as against toddy-contrabactors in respect of toddy-yielding trees situated in Govt lands. The Govt however thought it unnecessary to appoint any committee and directed the Board to submit any suggestion which it might have to offer for the consideration of Govt. The Board accordingly suggested the issue of a general exception to rule 10. This was accepted by Govt and the following 'exception' was published in June 1887

"This rule shall not apply to the drawing of juice (toddy) from any cocoanut, palmyra, date, or any other kind of palm-tree growing on any reserved or unreserved

reserved land, excepting areas under special protection"

G.O. 597 of 21st June 1887

14. About the same

time the Board proposed that all types of fruit trees not planted by the Jungle Conservancy or the Forest Dept should be excepted from the general rule, but this was disallowed by Govt on the ground that the Govt of India ruling on the subject was clear and that the publication of an exception like the one suggested by the Board would bring on unnecessary loss to 'Provincial Revenue'. — G.O.

530 of 1st June 1887

15. The rules under Sec 26 were again revised in 1890 and were issued with the approval and sanction of the Hon Member. Rule 10 was among those rules, the wording of which was altered, the chief change

15 All the embers
under Sec 26 are now under
further revision with the Board
(B.O. 997.4/8.12.90); and
cf.

This novel stands - the
sketch is illuminated by the
telling of Paul's life down in
the 80's. I 10/8/52

No. of fol. - This district
take any any persons noted
right in the front Dist. -
L.H.

Under my order the ~~property~~^{former} pastoral rights of the First Dist. have been sold and sold to the State for use in the District of Columbia.

Write in accordance with my views
but kindly Germans to take under
the Trust Act.

then Rule 10 was altered by § 10
of Law. 21st/91 No. 52 & the
former by clause 7 into right
of the first dyt. in unincorporated
unincorporated land was taken from
it & declared to be in the first.
the wording of Rule 12(1) No.
has been altered since early 6
consolidated - as the last parts
out there is no overlooked - the
first to be old? to bring it now
by rule 8- No I H S
10 / 092

Not at all - see previous page
EHT

The Anti Slavery, I think
he expressly tried to embody
in the United States 2 rules
a list 2 questions to Rule
10.

if ordered, the Board will be called upon to propose exceptions to rule 10 when it submits its draft ^{rules} for the approval of Govt.

The above rules which I have carefully checked find a free of the considerations connected with the proposed exceptions to Rule 10 of the Rules under § 26 of the Forest Act. Several of the exceptions originally proposed in the B & P read in G.O. No 1446 dt 22.11.8 have become unnecessary owing to subsequent modifications in the rule itself. The late modification made in G.O. dt 21. Jan'y 1890 No 54 has ~~been~~ as is pointed out in the above ~~note~~ from the Forest Dept control over Minerals in reserved lands and a exception will therefore have to be made to the rule in the light of the G.O. regarding quarrying a draft of which is submitted with this note for the Secretary's approval with Hon Member's informality.

13 Aug. 1892
 Please see also Dep't. 20th May 1892, the intention
 here on description to
 Rule 10.
 The view was taken by H.L.
 for the H.L. for the H.L.
 that the Dist. Board &
 Municipalities should be allowed
 to pay for of charge from
 for premises on which land
 is included in a trust
 union, is at discretion
 with respect to the
 contrary in the local & the
 Dept. & in the local (the
 L.S. of 22/1/91 No. 750 &
 of 16/2/92 No. 396 L.)
 If the for. choose to take
 from the local view, I shall
 not object. I should like
 to see that if they did so
 they would have to go back on their
 previous view. The only
 other point on which I have
 & I disagree is as to whether
 the premises should be
 on land and not on the
 obtained by digging and
 at of view. I am
 quite sure that I am right
 in the H.L. view. I do
 I see the draft with an
 addition to para 1. I think
 also that the H.L. view is

2. With reference to the remarks contained in para 5 of the Board's Prog. report above the Govt observes that the term "Quarrying" means & includes the excavation or removal of Stone, ~~bedrock~~ Earth, turf sand or gravel. Power should certainly be retained to stop quarrying in ^{any} ~~any~~ particular place where for any reason it may be thought objectionable; but it may ~~be~~ be left to the Public Works & Local Land Engineering Depts to prevent the removal of sand from river beds when the same may be considered dangerous, ^{in the opinion of Govt.} It does not seem advisable to insist on the prior consent of the officers of these Depts being obtained in every case before such removal is permitted.

To be inserted into the volume
 at the end of the
 xx Submit a specific list
 of questions to Rule 10 of the
 First Rules when submitting
 a new or different called for
 L. 09974/8-1290¹⁰/5/92

The Board has been directed to go
No. 997 of 8-12-90 to revise
the rules under § 26 of the Forest
act & it will now be
required to submit with the
revised draft a specific list
of exceptions to rule 10 of the
rules under that Section.

1318

2. 11.

No. 10000 enclosed in
a blue paper envelope
from the length of
+ comes at the end of
para 10.

To The Court^{rs} of U.S. ~~17/18~~
copy to the P.W. D. ~~17/18~~
..... Lt on leaflet: ~~17/18~~
..... Comm^r of this U.S. ~~17/18~~
..... In answer leaflet: ~~17/18~~

Print
Mistake
13/11/14
Draft. G. O.

Re quarrying in
unreserved land

Re Mr W. G. G. G. G.

(from order)

with a note on the
exceptions to Rule 10
of the rules framed
under § 26 of the Forest
Act.

erratum with reference
to the permit to cut in
para 1 of the G.O. issued on
8th Sept. 92 published in
the Forest Gazette Gazette
of 13th Sept 92 page 1118
JMM
8.9.92

C. G. G. 13 Aug. 1892, no. 847.

C. G. G. 13/11/14