

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 2743

DATED 31st May

[Despatch Abstract.]

Recording is being made of the various
circulars relating to prospecting minerals for
use in the Colonies.

BACK PAPERS.

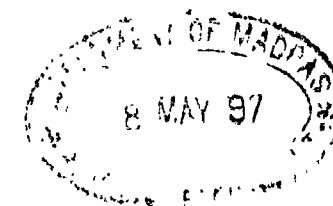
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cp	2653	Row	25.5.97				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
~~C No 5974/97~~	~~3913~~			So	125	Rev	13-2-97
	287-97						
~~C No 2792/97~~							
2018	Rev		6-6-99				

Revenue (1897) Department.

CURRENT No. 3886.



From The Board of Rev;
Land Rev;

Order No. 2743 of 31st May 97

Recorded.

No. 130.

Dated 21-4-97

Received 2-5-97

Registered 1-5-97

Enclosures

Spare copies

SUBJECT.

To the Board (L.R.)-No. 5-6-97

1/2
17/5

Approving the revised
Circular relating to prospec-
ting and mining for
mica in the Kallur St.

1/2
17/5

BACK PAPERS.

G.O.	No.	Department.	Date.
	5330		
	1220		
	613		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

REVENUE DEPARTMENT.

1897.

Board of Revenue

(Land Revenue),

MADRAS.

Printed May th.

Proceedings, No. 130, 21st April 1897.

APRIL.

Approving, with remarks and modifications, the revised circular relating to prospecting and mining for mica in the Nellore district and requesting any one interested in the industry to favour the Board with any remarks he may have to offer on the italicised portions in the circular which are still open to criticism.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

READ—again Proceedings of the Board of Revenue (Land Revenue), No. 108, dated 1st April 1897:—

READ—the following Government Order, Mis. No. 1716, Revenue, dated 30th March 1897:—

Read—Proceedings of the Board of Revenue (Land Revenue), Mis. No. 335, dated 26th January 1897.

ABSTRACT.—Approving, with remarks, circular relating to prospecting and mining for mica received from the Collector of Nellore and requesting the Collector to furnish the Board with 200 copies of the same for distribution to such persons as may apply to the Board for rules relating to mica mining

Order—Mis. No. 1716, Revenue, dated 30th March 1897.

In addition to the alterations and additions suggested by the Board of Revenue the following modifications appear desirable in the circular which it is proposed to distribute:—

Paragraph 1.—This should run as follows:—“Licenses to prospect for mica in the classes of lands specified in paragraph 3 of Board's Standing Order No. 15 (of which the principal are reserved forests, reserved lands and unreserved lands at the disposal of Government) will be issued by the Collector in the Forest Branch, to whom applications should be addressed.

Paragraph 17.—For the words “license is issued” should be substituted the words “lease is granted”.

Paragraph 21.—This paragraph should be amplified so as to cover the case of mica occurring in unenfranchised shrotriems and minor inams of the class referred to in clause (c) of paragraph 2 of Board's Standing Order No. 15, unless no such lands exist in the Nellore district.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue), with letter.

RESOLUTION—No. 130, dated 21st April 1897.

The revised circular relating to prospecting and mining for mica received with the Collector's letter of the 6th March 1897, read in Board's Proceedings, No. 108, dated 1st April 1897, is approved subject to the following remarks and modifications:—

Paragraph 1 of the Circular.—This will be revised as follows with reference to Government Order, No. 1716, dated 30th March 1897:—

“Licenses to prospect for mica in the classes of lands specified in paragraph 3 of Board's Standing Order No. 15 (of which the principal are reserved forests, reserved lands and unreserved lands at the disposal of Government) will be issued by the Collector in the Forest Branch to whom applications should be addressed.”

The following will be inserted between paragraphs 9 and 10:—

“9-A. Neither the licensee nor any one claiming through or under him shall grant or assign any interest under the license to any person without the previous consent in writing of the Local Government or to any company without the previous sanction of the Governor-General in Council.”

Paragraph 14 of the Circular.—This paragraph will be amplified as shown below with reference to Board's Proceedings, No. 108, dated 1st April 1897:—

“Fees (1) Royalty.—A royalty of 5 per cent. *ad valorem* shall be charged on all mica removed from any mine. Estimates of the value of mica according to the size of the plates in which it is removed will be framed from time to time and each lessee shall be liable to pay the amount of royalty due as calculated on the assumption that all the mica removed from his mine is the best of its size and will fetch the estimated value. If any lessee prefers to defer payment of royalty until the actual sale price is known, he will be allowed to do so on furnishing a deposit sufficient to cover the amount of royalty payable at the schedule rates. If a lessee who has paid royalty at the schedule rates produces within six months from the date of despatch from the mine a shipper's certificate in the prescribed form showing the actual receipts for sales of mica under each dimension, he will be allowed to recover any royalty paid in excess. Where the removals are in the first instance covered by deposits, royalty at the schedule rates will be levied if the certificate above referred to is not submitted within the prescribed period of six months.

On application being made to the Board, any house of business of assured standing in the City of Madras will be authorized to grant shippers' certificates in the annexed form (Appendix C).

As a tentative measure, royalty will be calculated on the scale (Appendix A) drawn up by the Board.”

For “Annexure A,” the valuation table appended to Board's Proceedings, No. 108, dated 1st April 1897, should be substituted.

Paragraph 19 of the Circular.—For the words “license is issued” occurring in this paragraph, the words “lease is granted” will be substituted—*vide* Government Order, No. 1716, dated 30th March 1897.

In connection with this paragraph, it is to be observed that the peculiar conditions of mica mining have made it necessary to insist on a deposit in the case of mining leases as well as prospecting licenses, but it is not intended to compel the lessees of successful mine to fill up excavations which have led to the payment of royalty up to Rs. 200.

Paragraph 20 of the Circular.—For the form of daily account, Appendix B to Board's Proceedings, No. 108, dated 1st April 1897, will be substituted.

The words “liable to be” will be inserted between the words “be” and “cancelled.”

The following addition will be made at the end of this paragraph:—

“An account with respect to each mine shall be kept in the Collector's office, and on the 1st March and September of each year an account in the form (Appendix D) will be forwarded to every lessee from whose mine mica has been allowed to be removed during the preceding half-year on the security of deposits. If the amount of royalty shown to be due under that account is not paid within the 15th of the month, the Collector will be at liberty to proceed to realize the amount by the adjustment of the deposit.”

Paragraph 21 of the Circular.—The following additional clauses will be inserted in this paragraph:—

Between clauses (2) and (3):—

(3) Neither the lessee nor any one claiming through or under him shall assign the lease, or underlet the whole or any portion of the premises comprised in such lease, without the previous consent in writing of the Local Government; and no such assignment or under-lease shall be made to a company without the previous sanction of the Governor-General in Council.

(4) The lessee shall commence operations within two years from the date of the execution of the lease, and shall thereafter carry them on effectually in a proper, skilful and mininglike manner unless prevented by unavoidable cause.

(5) The lessee shall allow any officer authorized by the Local Government in that behalf to enter upon the premises comprised in the lease for the purpose of inspecting the same.

Rule 23 (x) of the Government of India Mining Rules.

3. The draft circular as revised with reference to the foregoing remarks will be printed as an appendix to these Proceedings, the portions therein which are still open to criticism being printed in *italics*. Any one interested in the industry is requested to favour the Board with any remarks he may have to offer on the italicised portions.

(True Copy and Extract.)

Secretary.

To the Collector of Nellore.
 " the Secretary to Government, Revenue Department.
 " Messrs. Best & Co.
 " the Conservator of Forests, Central Circle.
 " the Forest Section
 " all other Collectors.
 " the Madras Chamber of Commerce.
 " Messrs. H. Md. Badsha Sahib & Co.
 " Messrs. Leighton & Co.
 " Eales & Co.
 " Mr. Waljee Laljee Sait, Madras,
 " Mr. Sargent, Nellore,

with a copy of Board's Proceedings, No. 103,
 dated 1st April 1897.

APPENDIX.

MICA MINING RULES.

The following revised rules for prospecting and mining for mica based upon the proposals approved in Government Order, No. 618, dated 13th November 1896, are published for information:—

Prospecting.

1. *Applications.*—Licenses to prospect for mica in the classes of lands specified in paragraph 3 of Board's Proceedings Standing Order No. 15 (of which the principal are reserved forests, reserved lands and unreserved lands at the disposal of Government) will be issued by the Collector in the Forest Branch to whom applications should be addressed.

Article 1 (b) of schedule II to the Court-fees Act VII of 1870.
 Rules 10 (1) and 11 (3) of the Government of India mining rules.

2. Each application should bear a Court-fee stamp of As. 8 and be accompanied by a certificate of approval of Government under sections 10 (1) and 11 (3) of the Government of India mining rules, and should contain the following particulars:—

(a) the name, residence and profession of the applicant.

Rule 11 (2) of the Government of India mining rules.

land with respect to which the license is required. The position of the plot required must be determined in the sketch with reference to known points.

3. *Period of license.*—The term for which the license shall be granted shall be one year or such shorter term as the applicant may desire. The license may be renewed by the Collector for a further term not exceeding one year whenever he is satisfied that the licensee has been prevented from completing his search of the land by any cause other than his own default.

4. *Fees.*—A surface rent equal to the land assessment in the case of all classified and assessed lands, and in other cases to the rate at which corresponding lands in the neighbourhood are assessed for land revenue, shall be paid for the land covered by the license.

Paragraph 3 of Government Order, No. 618, Revenue Department, dated 13th November 1896 (Board's Proceedings, No. 436, dated 23rd November 1896).

5. The licensee will be allowed to remove free 1 cwt. of mica from the land covered by his license and on all quantity removed in excess thereof a royalty of 5 per cent. *ad valorem* shall be levied.

Government Order, No. 368, Revenue Department, dated 28 July 1896, communicated in Board's Proceedings, No. 334, dated 3rd September 1896.

6. *Size of blocks.*—No licensee shall be granted a prospecting license over any area either in excess of one square mile or less than 10 acres. The length of any block shall not exceed 4 times its breadth.

Rule 8 (2) of Government of India mining rules. Paragraph 6 of Government Order, No. 618, Revenue Department, dated 13th November 1896, communicated in Board's Proceedings, No. 436, dated 23rd November 1896.

7. *Distance between grants to the same person.*—No licensee shall, while his license is in force, be granted a prospecting license with respect to any other land which is within 4 miles from the land covered by his license.

Rule 14 of the Government of India mining rules.

8. *Deposits.*—No prospecting license shall be granted unless the licensee shall, before the license is granted, deposit security in respect of each license such sum as the Collector may determine or give security to the like amount to the satisfaction of the Collector, the minimum deposit in any case being Rs. 500. The security deposit will not be refunded until the licensee has, on the expiration or resignation of his license, filled in all pits excavated by him to the satisfaction of the Collector and if he fails to do this himself within six months the work will be done at his expense. Should the licensee convert his prospecting license into a mining lease the deposit will, subject to such deduction as the Collector may order on account of damage done to the land, be credited as a mining deposit under paragraph 19.

Rule 10 (1) of the Government of India mining rules.
 Rule 16 (ix) of the Government of India mining rules.

9. No licensee shall cut or injure any tree on unoccupied and unreserved land or reserved forests without the permission of the Collector in writing. But it will be open to him to acquire any such trees at prices fixed by the Collector.

Rule 16 (vi) of the Government of India mining rules with a slight addition.

9A. Neither the licensee nor any one claiming through or under him shall grant or assign any interest under the license to any person without the previous consent in writing of the local Government or to any company without the previous sanction of the Governor-General in Council.

Rule 16 (vii) of the Government of India mining rules.

10. In case any breach on the part of the licensee of any of the conditions of the license the Collector may summarily revoke the license and thereupon all rights conferred thereby or enjoyed thereunder shall cease.

Rule 16 (viii) of the Government of India mining rules.

Mining.

11. *Applications.*—Applications for the grant of mining leases in reserved forests, reserved lands and unreserved lands at the disposal of Government should be presented to the Collector in the Forest Branch, who will, if he sees no objection to granting them, submit them through the Board of Revenue for the orders of Government.

Board's Proceedings, Misa. No. 5580, dated 7th November 1896.
 Rule 16 (1) of the Government of India mining rules.

Article 1 (b) of schedule II to the Court-fees Act VII of 1870.

Rule 19 (a) and (c) of the Government of India mining rules.

(b) a map of the area over which the proposed lease is to extend. The map should be prepared to scale and the position of the plot determined with reference to known points.

13. *Period of lease.*—The maximum term for which a mining lease will be granted is 30 years.

Rule 22 of the Government of India Rules and Board's Proceedings, Misa. No. 335 (paragraph 1), dated 26th January 1897.

14 *Fees (i) Royalty.*—A royalty of 5 per cent. *ad valorem* shall be charged on all mica removed from any mine. Estimates of the value of mica according to the size of the plates in which it is removed will be framed from time to time and each lessee shall be liable to pay the amount of royalty due as calculated on the assumption that

Paragraph 2 of Government Order, No. 618, Revenue Department, dated 13th November 1896, communicated in Board's Proceedings, No. 436, dated 23rd November 1896.

all the mica removed from his mine is the best of its size and will fetch the estimated value. If any lessee prefers to defer payment of royalty until the actual sale price is known he will be allowed to do so on furnishing a deposit sufficient to cover the amount of royalty payable at the schedule rates. If a lessee who has paid royalty at the schedule rates produces within ~~one year~~ ^{one year} from the date of despatch from the mine, a shipper's certificate in the prescribed form showing the actual receipts for sales of mica under each dimension, he will be allowed to recover any royalty paid in excess. Where the removals are in the first instance covered by deposits, royalty at the schedule rates will be levied if the certificate above referred to is not submitted within the prescribed period of ~~six months~~ ^{one year}.

On application being made to the Board, any house of business of assured standing in the City of Madras will be authorized to grant shipper's certificates in the annexed form (appendix C).

Paragraph 3 of Board's Proceedings, No. 436, dated 23rd November 1896.

As a tentative measure royalty will be calculated on the scale (appendix A) drawn up by the Board.

Paragraph 4 of Government Order, No. 618, Revenue Department, dated 13th November 1896, communicated in Board's Proceedings, No. 436, dated 23rd November 1896.

15. (ii) *Dead-rent*.—The lessee shall also pay for every year after the first year an annual dead rent of one rupee per acre provided that no lessee shall pay both royalty and dead-rent in respect of the same lease but only such one of them as may be the greater in amount.

Rule 23 (ii) of the Government of India mining rules.

16. (iii) *Surface rent*.—The lessee shall also

Paragraph 3 of Government Order, No. 618, dated 13th November 1896, communicated in Board's Proceedings, No. 436, dated 23rd November 1896.

pay for all land which he may take up, use, or occupy for the purpose of the mine a surface rent equal to the land assessment in the case of classified and assessed lands and a uniform rate of one rupee per acre in the case of unassessed and poramboke lands.

Rule 21 of the Government of India mining rules.

Paragraph 6 of Government Order, No. 618, dated 13th November 1896, communicated in Board's Proceedings, No. 436, dated 23rd November 1896.

18. *Distance between grants to the same person*.—No lessee shall be granted either in the same lease or in separate leases more than one block unless the distance between each two of such blocks is not less than half a mile. It will however be open to the Collector to allow a lessee to give up his original lease and take the prescribed limits as regards time and area

Rule 21 of the Government of India mining rules.

Board's Proceedings, Mis. No. 335, dated 26th January 1897, paragraph (4).

out a new one embracing a larger area provided are not exceeded.

19. *Deposits*.—No mining lease shall be issued unless the lessee shall, before the lease is

Paragraph 8 of Government Order, No. 618, dated 13th November 1896, communicated in Board's Proceedings, No. 436, dated 23rd November 1896.

granted, deposit as security in respect of each lease such sum as the Collector may determine or give security to the like amount to the satisfaction of the Collector, the minimum deposit in any case being Rs. 500. Each lessee shall

be responsible for filling up pits excavated by him unless the royalty paid in respect of each excavation exceeds Rs. 200.

20. *Form of lease accounts, &c.*—The forms of licenses and leases will be published on receipt

Board's Proceedings, No. 436, dated 23rd November 1896, paragraph (4).

from Government. Pending such publication every lessee shall maintain an account in the form annexure B, and furnish ~~extracts~~ ^{abstracts} therefrom to the

Collector (monthly or fortnightly as the Collector may determine) within three days of the expiration of the period to which each return relates failing which the lease shall be liable to be cancelled. An account with respect to each mine shall be kept in the Collector's office and on the 1st March and September of each year an account in the form (appendix D) will be forwarded to every lessee from whose mine mica has been allowed to be removed during the preceding half year on the security of deposits. If the amount of royalty shown to be due under that account is not paid within the 15th of the month, the Collector will be at liberty to proceed to realize the amount by the adjustment of the deposit.

21. The following will be insisted on as necessary conditions of a lease:—

(i) The lessee shall at his own expense erect and at all times maintain and keep in repair boundary marks and pillars according to the demarcation to be shown in a plan annexed to his lease.

Rule 23 (iv) of the Government of India mining rules.

(ii) The lessee shall not cut or injure any tree on the land covered by his lease without

Rule 23 (vi) of the Government of India mining rules, with a slight addition.

the permission of the Collector in writing but it will be open to him to acquire any such trees at prices fixed by the Collector.

(iii) Neither the lessee nor any one claiming through or under him shall assign the lease or underlet the whole or any portion of the premises comprised in such lease, without the previous consent in writing of the Local Government; and no such assignment or under-lease shall be made to a company without the previous sanction of the Governor-General in Council.

Rule 23 (vii) of the Government of India mining rules.

(iv) The lessee shall commence operations within two years from the date of the execution of the lease, and shall thereafter carry them on effectually in a proper, skilful and mining-like manner unless prevented by unavoidable cause.

Rule 23 (viii) of the Government of India mining rules.

(v) The lessee shall allow any officer authorized by the Local Government in that behalf to enter upon the premises comprised in the lease for the purpose of inspecting the same.

Rule 23 (x) of the Government of India mining rules.

(vi) The lessee shall without delay send to the Collector a report of any accident which may occur at or in the said premises, and also the finding therein of any mineral not specified in the lease.

Rule 23 (xi) of the Government of India mining rules.

(vii) Should the royalty or rent reserved or made payable by the lease be not paid within 28 days next after the date fixed in the lease for the payment of the same the Collector may enter upon the said premises and seize and sell

Rule 23 (xii) of the Government of India mining rules with "Collector" substituted for "Local Government."

any minerals or moveable property therein and if the royalty or rent cannot be so obtained, it may be recovered under the provisions of Madras Act II of 1864. Thereupon the Collector may determine the lease and take possession of the premises comprised therein.

(viii) Any breach on the part of the lessee of the conditions of the lease renders the lease cancellable by Government.

Rule 23 (xiii) of the Government of India mining rules.

22. *General provisions as to licenses and leases*.—Subject to the limitations mentioned in paragraphs 7 and 18 *supra*, there is no objection to the same person having a prospecting and a mining block adjacent to each other or within the prohibited degrees of distance.

Paragraph 7 of Government Order, No. 618, Revenue Department, dated 13th November 1896, communicated in Board's Proceedings, No. 436, dated 23rd November 1896.

23. In ordinary cases no mica operations will be permitted within a minimum distance of 70 yards of any irrigation source or channel. In the case of jungle streams, however, each case will be decided on its own merits. In any case 25 yards is however an irreducible minimum and that only on condition that no stone or earth is thrown into the course of the streams.

24. Should the applicant for a prospecting license or mining lease desire the Collector to prepare for him the sketch required by paragraph 2 (b) or the map required by paragraph 12 (b), the Collector may prepare the sketch

Rule 25 of the Government of India mining rules slightly modified.

or map required and recover the cost from the applicant at 4 annas per acre, or Rs. 3 per sketch or map, whichever is greater. All insufficient sketches will be rejected.

Patta lands.

25. *Prospecting and mining for mica in patta lands*.—A further circular will issue in regard to prospecting and mining in patta lands.

Note.—The above rules are mainly an amplification of the Government of India mining rules in so far as they relate to mica.

APPENDIX A.

Classes						Colored mica.			White mica.		
						RS.	A.	P.	RS.	A.	P.
I	under	4 inches	...	...	...	0	2	0	0	3	0
Do.	above	4 inches and under	8	...	...	0	4	0	0	6	0
Do.	III	do.	8	do.	12	...	0	10	0	1	0
Do.	IV	do.	16	do.	32	...	1	8	0	3	0
Do.	V	do.	32	do.	48	...	3	0	0	5	0
Do.	VI	do.	48	do.	64	...	4	8	0	7	0
Do.	VII	do.	64	do.	80	...	6	0	0	9	0
Do.	VIII	do.	80	do.	96	...	7	8	0	11	0
Do.	IX	do.	96	do.	112	...	9	0	0	13	0

and so on.

vide B.P. 214 (2R)

28.6.97

no 5974/97.

vide revised list in B.P. 130/50 8.5.97 CMO 4042/97.

in 80 873
19.2.28.
for revised forms please see 730214 (2R) En 597437
R.P. No. 214 + 30110 32 28.6.97
28 647 63.78

8

BOARD OF REVENUE (LAND REVENUE), No. 130, 21st APRIL 1897.

APPENDIX B.
account showing the quantity of mica mined and the amount of royalty payable.

Taluk.	Village.	Name of the licensee or lessee, his residence and profession.	Name of mine and area covered by the lease, with particulars of survey number or boundaries.	Dead-rent.	Surface-rent.	Weight of slabs removed from the mine to store.	Size and weight of plates removed from the premises classified as per schedule prescribed.	Name of the place to which the plates are sent.	Name of the consignee.	Estimated value of the plates as per schedule prescribed.	Royalty due at 5% on scheduled rates.
1	2	3	4	5	6	7	8	9	10	11	12

APPENDIX C.

STATEMENT of proceeds realized by sale of mica from — mine shipped by — on — 189 .

Name of mine.	Name of lessee	Class and size of mica as per schedule prescribed by the Board of Revenue.	Price realized at sale as per broker's certificate annexed.	Deduct.			Net proceeds.	Royalty at 5%.
				Freight.	Insurance.	Home charges.		
1	2	3	4	5	6	7	8	10

BOARD OF REVENUE (LAND REVENUE), No. 130, 21st APRIL 1897.

9

APPENDIX D.

HALF-YEARLY statement of royalty due on mica despatched from — mine before the
1st March
September 189 .

Name of mine.	Name of lessee.	Royalty due.
....		As per shippers' statement of proceeds, dated 1st May 1897.
....		As per shippers' statement of proceeds, dated 3rd June 1897.
....		Royalty at scheduled rates on mica removed before 1st March 1897, for which no statement of proceeds has been received— As per return, dated 3rd January 1897. Do. dated 3rd February 1897.

N.B.—It is requested that the amount entered in column 3 may be remitted before the 15th March failing which the amount will be recovered in the deposit.
September

When given for copying _____
 When copied _____ } 189
 When examined _____
 When signed _____

READ AGAIN G.O., No. _____
 189

CURRENT No. _____

ENCLOSURES TO G. No. _____

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

B.E.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only
- Q = Copy heading only