Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 5023-24

DATED 22nd Dec. 98

[Despatch Abstract.]

Concurring with the Board of Revenue
views regarding the grant of a prospectorial right
a mining lease in the Chanda district to Messrs
& Co. and addressing the Govt. of India accordingly
Letter.

Submitting for the favourable consid
sion of Govt. the Governor-General in Council a
communication from Messrs. Burn & Co. with regar
the conditions subscribed by the Govt. of India

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (189 8) Department.

CURRENT No. 2[illegible]

Office

Please dft for approval accepting the Board's recommendations. If it is necessary to make a representation to India, dft & Index also

S/A 14/12/98

Dft please see
Draft below
14
15/12/98

1 HM
21 H.

Drafts below for approval
S/A 15/12/98

From

The Board of Revenue,
Land Revenue,
Madras.

No. 3528 / 98-1 Rec.

Dated 13th December 1898

Received 14 Dec
Registered

Enclosures /

Spare copies.

SUBJECT.

Submitting for the favourable consideration of Government letter from Messrs. Best & Co. requesting that the preferential right of selection of the area for mining for coal in the Chingleput District may not be limited to the area actually prospected over, but may be extended in such directions as the explorations may indicate. c/16.12.98.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Reef and Co. Tairoa, 10th Dec. 1892.

To

The Secretary, Dr. of Revenue, Land Revenue, Wgarae.

Sir,

We have the honor to acknowledge the receipt a of the Proc. of the Board No.3428 Mis. dated 8th Dec. 1892. briefly re letter from the above,

1st.- That a prospecting licence in respect of coal, mineral oils, and mineral oils for a period of 2 years over an area already specified be sanctioned.

2nd.- That a mining lease for 20 years thereof of 20 sq. miles only be granted.

3rd.- That Rule 14 existing in the present case to allow a pre-ferential right to a mining lease of 3 sq. miles of the area prospected subject to the condition that if the 3 sq. miles selected by us be not for a compact block the minimum area of each block shall be one sq. mile.

We ~~ca~~ to submit the following reasons on the above for the favourable consideration of the Board.

No.1.- Requires no comment.

2 No necessity for the restriction.

3 Our application ~~for~~ being for the preferential right of selecting ten sq. miles in the Coromandel and Hauraki Colony. It is received that that reduces the area to 3 sq. miles and confines selection to the area prospected. We regret we are unable to accept such a restriction as it is possible we may only strike indications of coal on the extreme borders of the concession making it impossible throughout the remainder of it in which case a mining lease as proposed [illegible] could be obtained. We respectfully request therefore that this point may receive favourable ----------

...consideration. a ...n the concession to ...rmit on the conditions ...ated for in our letter of 26th ...., last or an accurate ...ion that we shall be allowed ...ve perpetual right of selection ...n each direction on our exploitations ...ng tenable on ...ce, ne- ...cessary for purposes of mining.

We hope also the Govt will not deem it necessary to curtail the area applied for as we venture to submit that the enterprise is of such a nature as to justify a liberal grant.

We further ask that the Govt may be pleased to pass very early orders on the scope as it will take 8 months to let the machinery ...rom time of ordering and so an ample water supply is necessary for ...certain it is the intense to be taken ...ctions which is little ... water as possible.

We have &c.

(Sd) Peek and Co.

TPK
23.12.98

2,000
6-10-98.

REVENUE BOARD OFFICE
MADRAS

10

Proceedings of the Board of Revenue

(Land Revenue).

No. ~~3518~~ 3528 Misc. Dated 12th December 1898

Read letter from Messrs. Peek & Co., Holmes, dated 10th December 1898, No. G.L.B.L

Resolution

Messrs. Peek & Co's. letter will be submitted for the favourable consideration of Government.

2. The request that the preferential right of selection of the area for mining should not be limited to the area actually prospected over, but should be extended in such directions as the explorations may indicate as most desirable for the purposes of mining, seems to the Board perfectly reasonable, and it is trusted that Government will see its way to give the assurance asked.

3. The Government of India having specifically limited the grant of a preferential right to a lease for mining for coal to an area of six miles, the Board sees no ground on which to ask for a reconsideration of the question at present. The point may be raised hereafter if in the words used by the Government of India in connection with the area to be allowed for iron-mining, the scheme is displayed and the explorations incurred by the applicants in prospecting are found to afford ground for a more liberal concession than that which has now been granted.

4.

4. Association is solicitous to the request for the issue of very early orders on the application.

/True Extract/

Lionel Dawdson

Ag. Secretary.

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

Copy to Messrs. Best & Co.

C.R.

Init.

16-12-98

To the Bd. of Rev. (L.R.) Dept. 23.12.98

16-12-98

Revenue Department

Read G.O. (G.C.) No.5523 Mis. dated 18th Nov. 1898 (C. No.5581 of 98).

-:-

G.O. No. 5023 Mis. 22-12-98

In Port, letters in the Fishing Harbours by the Board of Revenue in its Proceedings read above.

2. The following letter will be addressed to the Port of Madras.

(Sd.) C.R.

16-12-98

570

Letter No. 5024

To the Secretary to the Port of Madras, Harbour and Dock. Dept.

Sir,

I am directed to refer to the Collectors' letter No. 5307-SV-4, dated 8th Nov. 1898, soliciting the orders of the Govt. of India on the applications of Messrs. Best and Co. and Messrs. Burden and Co. for electric overhead lines.

I am now directed to submit for the favourable consideration of the Governor-in-Council a further representation from Messrs. Best and Co. with regard to the conditions prescribed by the Govt. of India in

— brief they may be granted a —
preferential right to a prospective lease
for area in the Schedule Dt.
2. In areas of "Petroleum" —
not known, Govt. of India re-
serves their willingness to allow —
Messrs. Burt and Co., as prospecting —
licensees, preferential right to a
prospective lease in respect of the
area specified, subject to the satisfa-
ction that the [illegible] of the
area is not less than a compact
minimum area of each block shall be
1 sq. mile, Messrs. Burt and Co. may
surrender their prospecting license
in respect of the whole or any
part thereof by giving notice of
such surrender. Right of relinquish-
ment for which the area covered by
the prospecting license may be
surrendered either in whole or
part before the expiry of the
term thereof by giving notice —
that they will be willing to enter
into a lease of prospecting li-
cense in respect of such area
as shall be left after such relinquish-
ment for which they may be entitled
to a lease of prospecting license
for the purposes of drilling, the Govt.
in consideration of all the covenants
of Messrs. Burt and Co's part will grant
reasonably

cancelled

reasonably and I am accordingly to
inquire whether the Govt. of India
have any objection to Messrs. Burt and
Co being given an assurance as de-
sired by them. The conditions that —
the total area to be covered by the
mining lease shall not exceed 2 sq-
miles, and that if the area selected
does not form a compact block the —
minimum area of each block shall be one
sq. mile will however still apply.

(Tel.) S.F.T.
15-12-98

Despd. 23-12-98.

Mr. Burt
may in the circumstances of the case, be
reasonably

$\frac{0}{1^{c}}$ 4,000—18-10-98.

Revenue (1899) Department.

CURRENT No. 3 /

Tel:

From

The Government of India
Revenue & agri: Dept.
Calcutta

Order

No. —

Dated 3rd January 1899

Received } 4th " "
Registered }

Enclosures —

Spare copies. —

SUBJECT.

Requesting to be informed as to whether the area of six square miles to be selected hereafter for mining purposes is to be comprised in the ten square miles prospected over.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

INDIAN TELEGRAPHS. Monthly Number. 1364

Code Class. DS

From (Office) Madras

Words 6779 Day Hour 1522 Official Instructions DS.

To (Person) Madras Revenue

From (Person) Revenue

4 JUL 90

3 Your letter 5024 Revenue dated 22 december the intention was to allow miners Best a prospecting license over the whole area available namely ten square miles if this is the whole area in which the State has full mineral rights must not the six square miles to be selected thereafter necessarily be comprised in the 10 Square miles prospected over please Explain

64 Word Form. F.C.2.

Rec'd from LN Sent to LN.

At Hrs Mins By At Hrs Mins By

MADRAS 4-7-90

Telegraph Master

P—No. 754 18 100000

D 2 1,000—7-9-98.

1 3

REVENUE DEPARTMENT.

Current No. 39 of 1899.

Telegram

From the Govt. of India, Rev. and Agr. Deptt.

Dated 3rd January 1899.

~~FOR ORDERS.~~

To Under Secretary.

In its letter printed in G.O. No. 728 d. 30.11.98, the Govt. of India sanctions the grant to Messrs. Best & Co. of a license to prospect for coal over an area of 10.84* square miles of land at the disposal of Govt. in 34 villages of the Conjeevaram and Sirruvallur taluks of the Chingleput district. The Govt. of India at the same time conceded to the firm the preferential right to a mining lease ~~one~~ of six miles of the area covered by the prospecting license. On a representation made by Messrs. Best & Co. that the

* Please see para 4 of G.O. No. 410 Rev. d 13.5.93.

the preferential right conceded to them would be valueless in case they find indications of coal only on the extreme borders of the area prospected, this Govt., in its letter No: 5024 d. 22.12.98, recommended to the Govt. of India that at Messrs. Best and Co. may be given an assurance, as desired by them, that they would be allowed to extend their right of selection in such directions as their exploitations might indicate as most desirable for purposes of mining. In connection with the above recommendation of this Govt., the Govt. of India, in its telegram noted above, inquires whether, if the area in which the Govt. has full rights to minerals in the 34 villages referred to is only ten square miles, the six square

FOR ORDERS.

3

square miles to be selected hereafter for mining should not necessarily be comprised in the 10 square miles prospected. With reference to the ~~above~~ above query, it is submitted that in case any lands selected by Messrs. Best & Co. happen to be lands in which the Govt. has not the full rights to minerals, they should themselves make the necessary arrangements with private owners or occupiers to acquire the surface rights in such lands, and can look to Govt. only for the grant of the minerals underneath. It is submitted that the assurance proposed to be given to Messrs. Best & Co. would of course be subject to the above condition. Orders are requested as to whether the Govt. of India

India may be informed accordingly by wire.

5.1.99. Secy

The following answer is suggested:-

Telegraphic
19-1-99.

For number 3 - Prospecting
in the ten square miles indicate
Existence (of) coal
adjoining
in area ~~outside~~
~~that area~~
~~the ten square mile,~~
they should have ~~liberty to grant~~
~~Best to ask~~
~~for~~ preferential
claims,
right to mining
lease for such
outside area; and
this Govt recommend

request
Messrs Rests' ~~etc~~ is that
in case

(Grant of) request on understanding
~~provided~~ that total area
covered by mining
leases (of) firm
does not
exceed six square miles.
~~Provide that such outside~~
~~be omitted~~ Such prefernential right
could only apply to
lands in which State has full mineral right.

(marginal)
as far as matters be
at the disposal of Govt
~~other than~~
actually prospected

Hon.

The telegram as revised by me may issue. It explains what we understand Messrs Rests object to be & what we affirmed.

S.H. 7-1-99

Secy

It struck me before that under the proposed assurance Messrs B & Co might argue that Govt was not at liberty to grant other prospecting licenses in the immediate neighbourhood of the ten Sq. miles -
It seems clear that Govt should retain the liberty to grant prospecting licenses in the surrounding tracts, but if it does so, what becomes of the assurance given to Messrs B & Co?
For instance, suppose A to represent the ten mile block -
On the margin between A + B the prospectors find indications of coal in B -
But B has meanwhile been granted an license to another firm -
What becomes of our assurance to the prospectors in A?

A	B

As I understand it the only assurance we can give is that if the prospectors reveal the existence of coal outside the ten mile limit

C 7-1-99
R. 11-1-99

D.

we will give Messrs B & Co. a preferential right of selection outside that limit in so far as ~~the lands~~ mining rights on the land then may be at the disposal of Govt — If Messrs B. & Co. should, I think, clearly understand that during the process of prospecting within the 10 miles, Govt will not bind itself not to grant similar prospecting licences within the surrounding areas.

If this view be correct the telegram can be made clearer —

HS —
10 — 1 — 95 —

Issue as amended by the HH (the corrections have been inked in)

SH 11 — 1 — 5

To HE the Governor before issue

SH 11 — 1 — 5

Issue sharp

SH 11/1/5

When given for copying ——
When copied ——
When examined ——
When signed ——
} 189 .

READ AGAIN G.O., No. DATED
189 ,

CURRENT No.

ENCLOSURES TO C. 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.

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