

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 2265

DATED 25th May

[Despatch Abstract.]

Sanctioning with remarks the grant of ^{Certain} lease for mining for
mica in the Briadanole village, Rajm TK, Nellore Dt.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
3/10 4208/98							

Revenue (1898) Department.

CURRENT No. 2209

Read B.P. Ref M 296 D 16 Mar 98 From the Board of Revenue

(Land Revenue)
Madras.

Order in

The Collector recommends
in the case of applicant No 1 A Subba Rao
to grant the land to the applicant

of three separate blocks close to
each other. Minimum such a
grant would contravene the
provisions of Rule 18 of
the revised Mining Rules. The applicant
thinks therefore he requests to rein
his application.

Dated 16 March 1898.

Received 18

Registered 19

Enclosures 3

Spare copies

SUBJECT.

2. The grant of leases to
applicants nos 2 & 3 as
recommended by the Collector is
sanctioned.

Submitting for the orders
of Government with the Board
to support certain applications
for mining for iron in Dira-

3. The Board is requested - Davole village, Rapur Taluk,
to report at an early date when Kellore D.

The Draft-forms of leases

forwarded to B.P. 10632 D 26 Sep 96

has been made to be submitted

BACK PAPERS.

G.O.	No.	Department.	Date.
	8051	For	5-6-77

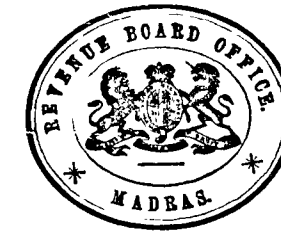
FURTHER PAPERS.

G.O.	No.	Department.	Date.

Reference on No. of 1898.

In replying the above should be quoted.

(LAND REVENUE.)



Read — letter from the Collector of Nellore,
 Ref. No. 1962 for, dated 24th February 1898; and
 endorsement thereon by the Conservator of
 Forests, Central Circle, No. 1435, dated 5th
 March 1898.

Reference — No. 296, dated 16th March 1898.

Submitted for the orders of
 Government.

2. The Board supports the Collector's
 proposals.

Recd
 Secretary.

To
 The Secretary to Govt., R.D.,
 with letter, sketch & application
 in original to be returned.

2nd Feb.

Read C no 2209 of 1898.
B. P. (L.R.) Ref no 296216.3.28

For orders

With the above current the Board of Revenue submits for sanction applications from the following persons for the grant of ~~leases~~ leases to mine for mica over the area and for the periods noted against their names:—

	Area acres	Period	Block in the sheet
1. A. Subba Nayudu of Indukarpet	119.72.	30 years	No I.
2. Illirra Hasheen Isphani of Madras.	3.48	3 years	No II
3. Mahomed Nazirud. deceased. alias Mia John Sahib of Pellor.	9.40	5 years	No IV

The grant of the leases to applicants 2 & 3. as desired by them is, as observed by the Collector, unobjectionable. As regards applicant no 1, however, the Collector says that the block applied for is intersected by a foot-path and a water course require

C16/5/98
15/5/98

An allowance of 350 links
 on either side thereof and
 he accordingly proposes to
 exclude an extent of 39
 acres and to grant the
 remaining portion ^(80.72 acres) to the
 applicant ~~and to the~~
 for 30 years. From
 the sketch submitted by
 the Collector, however, it
 will be seen that the
 Collector's proposal will
 result practically in
 the grant of three se-
 parate blocks close to
 each other and that ~~it~~
 would contravene the provision
 of rule 18 of the ~~mineral~~ mica ^x in page 6 of B.P. no 130
 Mining Rules which is based
 on rule [21] of the Govt of
 India's Mining Rules. ^a in the pamphlet put up.
 It is submitted that this
 may be pointed out to the
 Board of Revenue.

as long as the whole
 of 4/28 area is below $\frac{1}{2}$ sq mile
 I submit it is immaterial
 whether the block is intersected
 by path or water course.
 All these additional areas are
 in the same block.

in page 29 of the
 pamphlet.

G

Is there a form of the
 actual lease granted in
 such cases? I wd like to see it

J. H.
 27. 4. 8

It is submitted that ~~there is~~
~~no form of mining lease in~~
~~the present case~~
 respect of mica has not yet been
~~prescribed for the present~~
 prescribed. The Govt of India
~~have~~ have prescribed a standard form
 of lease as regards coal and
 observed that it may be adopted
 as far as possible in granting
 concessions for other minerals.
 In para 11 of B.P. no 632 dated
 24. Sep. '96 ⁱⁿ page 7 of G.O. 618
 dated the 13th November 1896,
 the Board of Revenue which
 submitted proposals for regu-
 lating prospecting and mining
 operations in respect of mica
 stated that if ~~the~~ its proposals
 should be approved, draft
 forms of licenses and leases
 would be prepared in commu-
 nication with the Govt Solicitor
 and submitted for the appro-
 val of Govt. The Board
 propose

proposals were approved in
 G.O. No 618 dated 13.11.96 and
 while communicating this
 order to the Collector of Nellore,
 the Board remarked in para
 4 of its Proceedings of 23.11.96
 No 436, that 'pending the
 revision of forms of licenses
 and leases as contemplated
 in each license or lease
 should be required to main-
 tain an account in the accom-
 panying form and furnish
 an extract therefrom to the Collector
 on the 15th and on the last day
 of each month.' Subsequently
 in B.P. No 130 of 21.4.97, at the
 instance of the Collector, the
 Board ~~forwarded~~ published
 a set of rules ^{about} prospect-
 ing and mining for mica and
 invited criticisms from those
 interested in the industry, on
 those portions of the rules relating
 to the method of levying royalty
 the form of accounts etc. Some
 of the firms in Madras came
 up with suggestions and the
~~forms appended to the~~
~~rules have been altered from~~
~~the original form as~~

G. page 7

* H in G.O. 5390
22.12.96.

G.O. 2743 K
31.5.97

time to time with reference to
them.

It seems to be now time for
 the Board of Revenue to have
 forms of licenses & leases
 for mica, prepared ^{as originally proposed} for
 Consultation with the Govt-
 Solicitor and in the light of
 the experience which has been
 gained and it is submitted
 that the Board may be
 asked to state when the
 forms may be expected.

Mc
28/4/98.

Say

This may be done.

2. As to the disposal of the
 cases in these two files I
 have submitted above a
 formula view of the matter
 is if the whole available
 area within the mtn
 boundaries is granted to
 one individual, it does not
 matter whether that available
 area is in more than
 bit. Rule 18 [21] does
 not however speak of any
 objection exception and it

yes [initials]
14/5/98

proper

is to be rigidly construed
these applications are
inadmissible.

Draft orders based
on the latter supposition
are put up on the current.

WLL
29/4/58

H.M.

The grant of the leases in
cases 2 & 3 may be approved.

As to case 1 where the
block applied for is intersected
by a footpath & a watercourse,
I do not think that any ob-
jection need be raised to
the leasing the block as a
whole notwithstanding the
existence of these intersecting
path & watercourse, provided
words are entered in the
lease making it clear that
no operations are to be ^{conducted} ~~carried~~
on the path or channel or
within a certain distance
thereof. In the model lease
of the Port of Hedra, para 1 Part
III p. 31 of the pamphlet of
rules it is stipulated

that "no building or thing shall be
"erected or set up or other surface operations
"carried on by the lessee by virtue of the liberties...
"above granted in or upon any... village into
"public road or other place in respect of wh. or
"public grounds it appears to the Port that
"objections exist to so doing".

This seems clearly to contemplate
the existence of public rights
within the block. And I think
the words "or other place in
respect of wh. or public grounds
it appears to the Port that
objections exist..." is to enable
the Port to decline proposed
operations not only on the
path or channel but a
certain distance thereof. If
not, such requisite distance
may be specifically entered
in the lease after the general
words.

No specific form of ^{lease} ~~lease~~
has yet been prescribed, &
the H. of Res. may now be
asked to submit a form
for use of such lease after
consulting the Port Engineer
8/2. 14/5/58

Please see Draft order
submitted for approval & signature

Read CNo 2209 of 1898
B.P. (L.R.) No 296
16.3.98

G.O. Misc no. 2265 d/25th May 98.

The Collector's

proposals which are supported by the Board of Revenue are approved and sanctioned.

2. In the case of plot no I which is to be granted to A. Subba Nayudu, ~~the area~~

~~to be excluded from mining operations on account of the foot path and the water course which intersect it, shall be specifically ^{reference} in that part or clause of the lease which will correspond~~

~~to the~~ para 1, Part III of the model form of coal mining lease prescribed by the Govt of India. ~~The clause will also~~

3. In this connection, the Board of Revenue is requested to report at an early date when the draft form of mining lease promised in para 11 of B.P. its Proceedings No 632 d/24.9.96 may be

Dh
25/5/98

of the foot path & the water course which intersect the plot, ~~and~~ together with such adjacent ground as may be necessary for the protection of the path & water course, shd

~~be~~

enable

prop

Inspected.

Me
73458

17-5/5/8

To the Board (L.R.) with Encls.
Desp/1-6-48

Me
73458

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

READ AGAIN G.O., No.
189 ,

DATED

CURRENT DO.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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