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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

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BACK PAPERS.

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REVENUE DEPARTMENT.

1899.

Board of Revenue

(Land Revenue),

MADRAS.

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ceedings, No. 197, 22nd August 1899.

AUGUST.

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ommunicating to all Collectors the revised mining rules of the Government of India, sub g to Government a revised draft of Standing Order No. 15 and expressing the Board's s on the subject of the compulsory acquisition of surface rights in occupied lands in which the te has full mineral rights.

PROCEEDINGS OF THE BOARD OF REVENUE

(LAND REVENUE).

The Hon'ble Mr. J. STURROCK, I.C.S.

READ—the following Government Order, No. 375, Revenue, dated 15th Jun

Read—the following letter from the Hon'ble Mr. M. FINUCANE, Officiating Secretary to the Government of India (Department Agriculture—Geology and Minerals), to the Secretary to of Madras, Revenue Department, dated Simla, the 20th M No. 19—17-3 :—

With reference to Circular No. 16, dated 13th December correspondence with regard to the mining rules in force in Britis to forward, for information and guidance, the accompanying Resolution of the Gove ment of India promulgating revised rules for the grant of exploring and prospecting licenses and mining leases, as approved by Her Majesty's Secretary of State for India, and to communicate the following remarks in connection therewith.

2. The revised rules are based on the principle that the Government, whil desiring to facilitate the development of India's resources for the public benefit, doe not undertake the duty of protecting the private interests of those who embark their money in Indian private enterprises. The rules also devolve on the Local Governments much of the duty which, under the rules of 1894, rested upon the Government of India. The rates of royalty have also been revised, and in the case of gold and silver and precious stones the royalty is placed on the net profits of the year.

3. With regard to *prospecting* licenses, it will be noticed that such licenses may now be granted to Syndicates and Companies as well as to single persons. Also, that the area with respect to which a prospecting license may be granted is not limited by the rules to blocks of specified dimensions, but will be determined in each case by the Collector subject to the control of the Local Government. Also, that with the consent of the Local Government the licensee may transfer or assign to another person, Syndicate, or Company, his rights and interests under the prospecting license. The old rule is retained that no prospecting license shall be granted except to a person (the term "person" includes a Syndicate and a Company) approved by the Local Government. In granting a certificate of approval the Local Government should satisfy itself that the person intends to carry out *bonâ fide* prospecting work, and has sufficient means at his disposal.

4. A prospecting license should be restricted to such area as is reasonably required for *bonâ fide* prospecting purposes. In determining this area, regard must be had the character of the minerals prospected for and the means at the disposal of the pector. Under the old rules a prospecting license was limited to one or more b each of a prescribed area and separated from each other by prescribed spaces. T prescriptions have now been abandoned, as they hampered the work of prospecting

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preventing the prospector from following up promising indications, and enabled others to reap the fruits of his enterprise. But as a prospecting license confers exclusive rights for a term which may be extended to three years, the area over which such a license should be granted is a matter of some consequence. The Collector's powers in this respect are made subject to the control of the Local Government, and the Local Government might suitably direct that, in cases in which a prospecting license is applied for over a large area, a previous reference to higher authority should be made by the Collector.

5. In the exercise of the power of granting or withholding sanction to an assignment or transfer of a prospecting license, the Local Government will, as a general rule, be justified in withholding sanction if no prospecting work has been done by the licensee, and there is reason to believe that he obtained the license solely with a view to mediately selling it out and out at a profit. On the other hand, sanction may with priety be given if the licensee requires further resources, or proposes to associate other sons, by way of a partnership, Syndicate, or Joint Stock Company, with himself in undertaking, if the assignment or transfer appears to be a *bonâ fide* arrangement he transferee is a person or Company whom the Government would be willing to a prospector. Hitherto, the practice has been to unfavourably regard or hibit transfers of prospecting licenses, on the ground that ordinarily there sured to transfer, that the transfer was proposed with the sole object of out of the public, and that, if the licensee was unable to work his oper course was to resign it. Under the new rules, the attitude of ll be less strict, but as its sanction to a transfer or assignment is rules, it must satisfy itself on certain points, as above indicated.

the right to a mining lease secured to the licensee on or before prospecting license, the right, it will be observed, is limited a mining lease of one block of land, which shall not exceed the area specified in chedule A. The Local Government is empowered to grant to an applicant more than ne block of land, if it considers this expedient. But the right of a prospector in spect of a mining lease is limited to one block. The granting of more than one block to him is entirely in the discretion of the Local Government. The number of blocks which may properly be granted under any one lease is a matter of importance, and will vary with the character of the mineral, the resources at the command of the applicant, the area of mineralised land in the locality at the disposal of the Government and the possibility of other capitalists being likely to engage in the same industry. It would ordinarily be unwise, for instance, to give a single applicant, a mining lease of ten square miles of gold bearing reefs or of an oil tract.

7. The previous assent of the Local Government to the transfer or assignment of a mining lease is required by the rules, and, before granting sanction the Local Government should satisfy itself that the proposed transfer is a *bonâ fide* transaction, that the transferee is a person or Company of substance, and can be relied on to fulfil, in relation to the Government, the conditions and stipulations of the lease. It is not however, intended that the Government should undertake responsibility towards the public for the accuracy of any prospectus which the transferees may intend to issue, or should closely examine the details of the proposed transfer or of the arrangements contemplated after it has taken effect. If in any particular case the Local Government feels a difficulty as to how its discretion should be exercised, a reference should be made to the Government of India.

8. A report of every concession made by a Local Government under these rules should be made to the Government of India, and a copy of every mining lease returned to them for information. The terms of mining leases should invariably be settled by the law officers of the Local Government, who should be required to see that they provide for all the obligatory conditions and stipulations of the mining rules.

9. It will be observed that under rule 4 and rule 15 (IV) holders of exploring and prospecting licenses are prohibited from entering upon and turning up the surface of occupied land without the consent of the occupier while under rule 22 (v) the

holder of a mining lease is bound to make reasonable compensation for all injury that may be done by him in exercise of the powers granted by the lease.

The property of the State in underlying minerals and its right to extract them has been declared in various enactments, but the point is deserving of examination whether in the cases referred to, where the Government does not itself extract minerals but grants the right to do so to another party it is sufficiently empowered by existing law or rule to afford reasonable facilities to licensees and lease-holders to enter on occupied land to break up the surface where necessary and to have the amount of compensation that may be paid assessed by public authority. If such facilities cannot be afforded under the law it is possible that the objects of the license or lease may be frustrated by obstruction or unreasonable demands on the part o the occupier or surface owner and to meet such cases some modification of the law ma be required. I am to enquire whether the law of your province affords sufficie facilities in this respect. In replying to this enquiry, I am to request that a referen may be given to the law or rule under which action would be taken by the L Government if the contingency indicated were to arise.

10. The rules apply only to British India.

Read—the following extract from the Proceedings of the Government th Jun
Department of Revenue and Agriculture (Geology and
Simla, the 20th May 1899, No. 18—17-2 :—

Read—the undermentioned papers—

Department of Revenue and Agriculture Resolution No. 1th M December 1894.

Department of Revenue and Agriculture Circular to Local Governments and Admi trations, No. 16—27-5, dated the 13th December 1894.

Department of Revenue and Agriculture Circular to Local Governments and Admi trations, No. 17—27-6, dated the 13th December 1894.

Despatch to Her Majesty's Secretary of State for India, No. 74, dated the 21st October 1897.

Despatch from Her Majesty's Secretary of State for India, No. 16 (Revenue), dated the 19th January 1899.

RESOLUTION.

The Governor-General in Council is pleased to prescribe the following revised rules for regulating the grant by Local Governments of licenses to explore and prospect for minerals and the grant of mining leases in British India.

RULES FOR THE GRANT OF LICENSES BY LOCAL GOVERNMENTS TO EXPLORE AND PROSPECT FOR MINERALS, AND OF MINING LEASES IN BRITISH INDIA.

The following rules regulating the grant by Local Governments of licenses to explore and prospect for minerals and the grant of leases of mines and minerals have been made by the Governor-General in Council, and sanctioned by the Secretary of State for India in Council.

No such license or lease can be granted by any Local Government otherwise than in accordance with these rules, except with the previous sanction of the Secretary of State for India in Council, of with that of the Governor-General in Council under any general or special authority which he may have received in this behalf from the said Secretary of State in Council.

In these rules—

Collector means the Revenue Officer in charge of the district;
Local Government includes a Chief Commissioner; and
Person includes any persons, syndicate, partnership, or Company.

A license or lease under these rules may be granted to any person; in case of the death of the person or any of the persons to whom it is granted it shall inure for the benefit of his legal representatives.

Exploring Licenses.

1. A license to explore land for minerals or mineral oil, called hereinafter an exploring license, will authorise the licensee to search the surface of the land specified in the license for minerals of every description and for mineral oil, and, subject to such restrictions as the Local Government may from time to time impose, to remove any specimens or samples found by the licensee in or upon such land.*

2. Such license shall only be granted with respect to land in which the mines, minerals, or mineral oils are the property of the Government, and (subject to the provisions of any law, or rule having the force of law, for the time being in force with reference to such land) shall not authorise the licensee to enter upon any land in the occupation of any person without the consent of the occupier.

3. Such license cannot be assigned, nor can any right or interest thereunder be transferred without the assent of the Local Government.

4. Such license shall not authorise the licensee to mine or quarry, but he may turn up to such depth as the Collector may sanction, and, subject to such conditions as he may impose, the surface of unoccupied land, or, with the consent of the occupier, that of land which the Government has granted f agricultural purposes, reserving only the right to minerals.

5. Such license may be granted by such person and under such rules as the Local Government may
scribe.

Every such license shall run for one year, but may be renewed for a further similar term by the
ity, and there shall be paid for each license or renewal such fee, not exceeding Rs. 10, as
rnment may prescribe.

shall be payable to Government on the value of all precious stones found and removed
hether he has taken out a license or not. In the case of licenses such royalty shall be
ceeding 15 per cent., as shall be fixed by the license, and in the case of an unlicensed
per cent. on the value of the stones removed. Neglect to report the discovery of
a reasonable time shall involve the forfeiture of the license and of all claim to
mining or prospecting lease favourably considered.

give no exclusive or preferential rights, but in considering rival claims for a
ng lease, due regard will be had to operations conducted under cover of an

Prospecting Licenses.

9. (1) A license to prospect for minerals or mineral oil, called hereinafter a prospecting license, shall confer on the licensee the sole right, subject to the conditions contained in the license, to mine, quarry, bore, dig and search for, win, work, and carry away any mineral or mineral oil specified in the license, and lying or being within, under, or throughout the land specified in the license.

(2) A prospecting license shall only be granted with respect to land in which the mines, minerals, or mineral oils are the property of the Government, and shall apply only to the area described in the license.

10. No prospecting license shall be granted except to a person approved by the Local Government, and such person shall, before the license is granted, deposit as security in respect of each license such sum, not being less than Rs. 100, as the Collector may determine, or give security to the like amount to the satisfaction of the Collector. Subject to such deduction on account of compensation for surface damage or otherwise as the Collector may order, the amount of any deposit made under this rule, should the depositor afterwards become the lessee of any mining lease, will be carried to his credit as part of the rents and royalties payable under his lease, and should he decline or fail to obtain any such lease as aforesaid, will be returned to him.

11. (1) Every application for a prospecting license shall, unless the Local Government shall in any case otherwise direct, be made to the Collector of the district, in which the land or some part of the land with respect to which the license is required is situate.

(2) Every such application shall contain the following particular [illegible] namely :

(*a*) the name, residence, and profession of the applicant;

(*b*) a description, as accurate as possible, and illustrated by a [illegible] ketch, of the situation, boundaries, and area of the land with respect to which th [illegible] se is required; and

(*c*) a specification of the mineral or minerals for which the app [illegible] desires to prospect.

(3) Every application shall be accompanied by a certificate that the applicant has been approved by the Local Government, under the signature of one of its secretaries.

12. On receipt of any such application, the Collector shall, as soon as practicable, inquire whether the grant of the license applied for is inexpedient either on the ground that the land described in the application is required for a public purpose, or otherwise.

13. (1) Should the Collector be of opinion that it is not expedient to grant the license, or should he find that the licensee has not been approved by the Local Government, he shall refuse to grant the license, and shall forthwith report the matter through the proper channel to the Local Government, which may pass such orders as it may think fit.

(2) Subject to the control of the Local Government, the Collector, if he finds that there is no objection to the grant of the license applied for, and if the applicant has been approved by the Local Government, may grant to the applicant a license in such form as may be prescribed, and shall report the matter to the Local Government or such other authority as the Local Government may direct.

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* *Note.*—The surface of unoccupied and unreserved land which is the property of Government may be freely searched without a license, but the Government does not object to granting a license to explore when one is applied for.

14. A register of applications for prospecting licenses shall be kept in English in the Collector's office, specifying—

(1) Name of applicant.
(2) Date.
(3) Residence of applicant.
(4) Situation of the land.
(5) Boundaries.
(6) Estimated area.
(7) Date of certificate of approval of applicant by the Local Government.
(8) Date of license.
(9) Rent and royalty payable.
(10) Period for which granted.

15. Every prospecting license shall contain such conditions as may in any particular case see necessary, and shall in all cases contain the following conditions :—

(i) The term for which the license shall be granted shall be one year or such shorter term the applicant may desire. The license may be renewed by the Collector for a furt term not exceeding two years, whenever he is satisfied that the licensee has b prevented from completing his search of the land by any cause other than his default.
(ii) A moderate rent not exceeding one rupee per acre shall be paid for the lan the license.
(iii) The licensee shall pay a royalty at a rate not exceeding 15 per cent. of precious stores won and carried away, and a royalty at the rates specif on all other minerals won and carried away over and above such quanti subject to the orders of the Local Government, may allow to be tak of experiment.
(iv) No land in the occupation of any person shall be entered upon wi occupier, and no trees, standing crops, or other private prope way injured without the consent of the owner thereof.
(v) The licensee shall make and pay reasonable satisfaction and which may be done by him in exercise of the powers gran indemnify the Government against all claims which may made by third parties i respect of any such damage or injury.
(vi) The licensee shall not cut or injure any tree on unoccupied and unreserved land without the permission of the Collector in writing.
(vii) Such license cannot be assigned nor can any right or interest thereunder be transferred without the consent of the Local Government.
(viii) In case of any breach on the part of the licensee of any of the five last preceding clauses, the Collector may summarily revoke the license, and thereupon all rights conferred thereby or enjoyed thereunder shall cease.
(ix) The licensee shall, within six months next after the determination of the license or the date of the abandonment of the undertaking, whichever shall first occur, securely plug any bores and fill up or fence any holes or excavations that he may have made in the land to such extent as the Collector may require, and shall to the like extent restore the surface of the land and all buildings thereon which he may have damaged in the course of prospecting: Provided that this clause shall not apply to any land held under a mining lease.
(x) Should any question of dispute arise regarding the license, or any matter or thing connected therewith, or the powers of the licensee thereunder or the amount or payment of the rent or royalty made payable thereby, the matter in difference shall be decided by the Local Government, whose decision shall be final.

16 On or before the determination of his license the licensee shall have a right, subject to the rules hereinafter contained—

(*a*) in the case of mineral oil or minerals other than precious stones, to a mining lease in accordance with the terms contained in rules for mining leases;
(*b*) in the case of precious stones, to the first offer of such mining lease as the Governor-General in Council may think fit to grant.

Such lease may include so much land, whether comprising the whole or a part only of the area for which the prospecting license was granted, as shall not exceed the area specified with respect to mining leases in schedule A annexed to these rules.

Mining Leases.

17. (1) Every application for the grant of a mining lease, not being a lease of a mine of precious stones, shall be presented to the Collector in whose district the land or some part of the land with respect to which the lease is applied for is situate. The Collector shall forward the application through the proper channel to the Local Government. The Local Government may by general or special order require a deposit of money not exceeding Rs. 500 to be made by the applicant in any case or class of cases before the application is taken into consideration.

(2) No mining lease shall be granted otherwise than with respect to land in which the mines, minerals, or mineral oils are the property of Government.

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18. Every application for a mining lease shall contain—

(*a*) the name, residence, and profession of the applicant;
(*b*) the name of the mineral for which the applicant intends to mine;
(*c*) a map of the area over which the proposed lease is to extend.

19. On receipt of any such application the Local Government may, if the applicant is entitled to a lease under Rule 16, or if it considers that the applicant should be granted a mining lease, grant the same in accordance with these rules over such one or more blocks, each not exceeding in extent the area specified in Schedule A annexed to these rules, as the Local Government may think fit:

Provided that no mining lease shall be granted by a Local Government under these rules so as to cause the total area held under mining leases by the lessee, or by those joint in interest with him, to exceed ten square miles.

No such lease shall be executed until it has been approved by the Advocate-General or other legal dviser, if any, appointed for the Province.

20. Without the previous sanction of the Governor-General in Council, the length of a block shall not be allowed to exceed four times its breadth.

21. The term for which a mining lease may be granted shall not exceed thirty years, and no nant for renewal may be inserted in the lease without the sanction of the Governor-General in ncil.

very such lease shall contain such conditions and stipulations as the Local Government may nsider necessary; but shall in every case contain the following conditions, namely:

essee shall pay a royalty at the rate specified in the lease, which rate shall be that d for the particular mineral in Schedule C; and if any other mineral shall be dis red by him, then the royalty shall be paid therefor at such rate, not being less than cent. of the value thereof, as the Local Government may determine, until a mining s been obtained in respect of such mineral; but the lessee shall be entitled to nd obtain such lease for the term then unexpired of his original lease upon the nbefore mentioned in Rule 16;

l also pay for every year after the first year a fixed yearly dead rent at a rate that laid down in Schedule B: provided that no lessee shall pay both ad rent in respect of the same lease, but only such one of them as may be of the g mount;

(iii) the lessee shall also pay for all land which he may take up, use or occupy for the purpose of the mine a surface rent at the rate specified in Schedule B;
(iv) 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;
(v) the lessee shall make and pay reasonable satisfaction and compensation for all injury which may be done by him in exercise of the powers granted by the lease, and shall indemnify the Government against all claims which may be made by third parties in respect of any such injury;
(vi) the lessee shall not cut or injure any tree reserved in the lease;
(vii) neither the lessee nor any person claiming through or under him shall assign the lease, or underlet the whole or any portion of the premises comprised in such lease, or transfer any right or interest thereunder, without the assent of the Local Government first had and obtained;
(viii) 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;
(ix) the lessee shall keep correct accounts showing the quantity and particulars of all minerals obtained from the mine and the number of persons employed therein, and also complete plans of the mine, and shall allow any officer authorised by the Local Government in that behalf at any time to examine such accounts and plans, and shall furnish the Local Government with such information and returns in respect of the aforesaid matter as it may prescribe; *
(x) the lessee shall allow any officer authorised by the Local Government in that behalf to enter upon the premises comprised in the lease for the purpose of inspecting the same;
(xi) 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;
(xii) should the royalty or rent reserved or made payable by the lease be not paid within two months next after the date fixed in the lease for the payment of the same, the Local Government may enter upon the said premises and destrain all or any of the minerals or moveable property therein, and may carry away or detain them until the rent or royalty due and all costs and expenses occasioned by the non-payment thereof shall be fully paid; and, if any royalty or rent remain at any time unpaid for six calendar months after the date on which it is due, the Local Government may determine the lease and take possession of the premises comprised therein;
(xiii) in case of any breach on the part of the lessee of any covenant or condition contained in the lease, the Local Government may determine the lease and take possession of the said premises;

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* *Note.*—All information and returns obtained or furnished under this clause shall be treated as strictly confidential.

(xiv) at the end or sooner determination of the lease, the lessee shall deliver up the said premises and all mines (if any) dug therein in a proper and workmanlike state, save in respect of any working as to which the Local Government may have sanctioned abandonment ;

(xv) should any question or dispute arise regarding the lease or any matter or thing connected with the mines and minerals leased, or the working or non-working thereof, or the amount or payment of the royalty or rent reserved or made payable by the lease, the matter in difference shall be decided by the Local Government, whose decision thereon shall be final.

23. No lease of a mine of precious stones shall be granted except by the Governor-General in Council. The procedure for obtaining and the conditions of such lease shall be those prescribed by Rules 17 to 22, read as if the Governor-General in Council were substituted for the Local Government.

General Provisions as to Licenses and Leases.

24. (1) All operations conducted under the authority of these rules within a reserved forest sh be subject to such conditions as the Local Government may by general or special order from time time prescribe.

(2) It shall be a condition of every license granted under these rules that, before the comme ment of exploration or prospecting (as the case may be) within a reserved forest, notice shall be to the District Forest Officer of the intention to commence operations, and that the operatic conducted subject to any conditions regarding the use of fire that he may prescribe.

(3) Every mining lease which includes any portion of a reserved forest shall, if lessee to fell timber for mining purposes, specify the area within which, or the qu and the terms and conditions upon which, he may exercise that authority.

25. Should the applicant for a prospecting license or mining lease desire the him the sketch required by Rule 11 (2) (*b*) or the map required by Rule 18 (*c*), map presented by the applicant be insufficient, the Collector may prepare the and may, if he so order, recover the cost from the applicant at a rate not If the Local Government has prepared a map of a tract of country spec intending applicants for licenses and leases under these rules, and if any map for the sketch or map aforesaid, it will be open to the Local Governr share of the cost of preparing the map as it may consider to be equitabl from such applicant.

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26. If a license or lease is not executed within six months after leave has been granted for it, the right of the applicant to such license or lease shall be held to have lapsed, unless the Local Government for special reasons consents to grant the same notwithstanding the delay.

SCHEDULE A.

(*Vide* No. 19 of Rules.)

Maximum area in square miles for mining-lease—

Coal	2
Oil	1
Gold or silver	¼
Metals	½
Precious stones	*

* Will be decided by the Government of India in each case on its merits.

SCHEDULE B.

(*Vide* Nos. 15 (ii), 22 (ii), and 22 (iii) of Rules.)

—	Prospecting.	Mining.	
		Surface rent per acre.	Dead rent per acre (minimum).
Rent charged for—			
Coal	A moderate rent not exceeding one rupee per acre.	The rent rate assessable under the revenue or rent law of the Province; or, if no such rent is so assessable, the rate which may be fixed by agreement, subject to a maximum of one rupee.	4 annas.
Oil			1 rupee.
Gold or silver			1 rupee.
Iron			1 anna.
Other metals			1 rupee.

SCHEDULE C.

(*Vide* Nos. 15 (iii) and 22 (i) of Rules.)

	Prospecting and Mining.
Royalty—	
Coal, exclusive of dust and coal used on the works.	1 anna per ton.
Oil	8 annas per 40 gallons or 5 per cent. *ad valorem* on gross value.
Gold or silver	7½ per cent. on the net profits of each year taken separately.
Iron	½ anna per ton of ironstone.
Copper, tin, lead, or other metals	2½ per cent. on the sale value at the pit's mouth or on the surface, of the dressed ore or metal, convertible at the option of the lessee to an equivalent charge per ton to be fixed annually or for a term.
recious stones	30 per cent. on the net profits of each year taken separately.

rdered that a copy of this Resolution be forwarded to all Local l Administrations for information and guidance, and that a copy be lepartments of the Government of India, to the Director, Geological d to the Inspector-General of Forests, for information.

at the Resolution be published in the supplement to the *Gazette* formation.

ernment of Madras.

Order—No. 375, Revenue, dated 15th June 1899.

Miscellaneous.

Communicated to the Board of Revenue for information and guidance. The Board should revise its Standing Order No. 15 (new edition) and the rules for the mining of mica in the Nellore district with reference he new rules now issued by the Government of India, and submit the revised drafts for the approval of the Government.

2. The Board is requested to report fully its views on the question referred to by the Government of India in paragraph 9 of its circular letter read above.

(True Extract.)

(Signed) N. E. MARJORIBANKS,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue).
Copy to the Board of Revenue (Revenue Settlement,
Land Records and Agriculture).

READ—also Government Order, No. 823, Revenue, dated 16th June 1899.

ABSTRACT.—Recording, with reference to Government Order, No. 375, Revenue, dated 15th June 1899, Board's Proceedings directing the insertion of a note under rule 18 of the Mica Mining Rules.

READ—also letter from the Collector of Kistna, dated 26th June 1899, requesting to be furnished with the new rules and conditions imposed by Government in the matter of the grant of exploring licenses.

RESOLUTION—No. 197, dated 22nd August 1899.

The circular letter from the Government of India and the revised mining rules received with the first of the Government orders read above will be communicated to all Collectors for information and guidance.

2. Standing Order No. 15 has been modified with reference to the new rules and the revised draft will be submitted to Government for approval. The Board deems it unnecessary to withhold from Collectors by a special rule the power of granting prospecting licenses on their own authority which is conceded to them by the Government of India rules, and has accordingly modified paragraph 14 of the Standing Order so as to empower Collectors to grant the licenses applied for exce ach in cases where the areas exceed certain limits. The form of coal mining le ense prescribed by the Government of India and printed as an appendix to the Stand rt o Order has been revised with reference not only to the new rules but also to ma verbal alterations made by the Government Solicitor in the draft leases rece cier forwarded to him for scrutiny.

erer

3. A revised draft of the Mica Mining Rules will be submitted separ he L early date.

4. In paragraph 9 of its circular letter, dated the 20th May 1 ment of India enquires whether in cases in which "Government does "minerals but grants the right to do so to another party, it is suffi "by existing law or rule to afford reasonable facilities to licensee nmenth Jur "enter on occupied land to break up the surface where nece and "amount of compensation that may be paid assessed by public ANE, "facilities cannot be afforded under the law," the Governm ment "possible that the objects of the license or lease may be fr y to ruction or "unreasonable demands on the part of the occupier or the surface-owner and to meet "such cases some modification of the existing law may be required."

5. The Board observes that occupied lands in which the State has full mineral rights fall generally under the three following classes:—

(1) Lands sold under the Waste Land Rules subsequent to the 7th October 1879.

(2) Escheat lands, the *janmam* right to which was sold by Government subsequent to the issue of Government Order, No. 809, dated 15th July 1880, but prior to Government Order, No. 1384, dated the 16th December 1884.

(3) Inam lands held on service tenure, *i.e.*, as wages for public service and unenfranchised.

The right to the minerals lying under lands falling within the first two classes is reserved to Government not by any statutory enactment but in the title-deeds issued, under which the Secretary of State and his assigns are empowered also to enter upon the land and use the surface in such manner as may be necessary or proper for working and getting the subjacent minerals, except in the case of land occupied by "any messuage or dwelling-house or its curtilage or by any enclosed "garden or orchard." The payment of compensation to the owner of the surface-rights for all damages which he may sustain is also provided for in the title-deeds, but there is no provision for the assessment of such compensation by any public authority in view to avoid litigation between the licensee or lessee of the mineral rights and the owner of the surface-rights. In the case of unenfranchised service inams, Government has consistently asserted its full mineral rights, but in such cases title-deeds are not granted and no express reservation of the rights of Government has been made any statutory enactment, nor is there any law or rule under which the compensation payable by the licensee or lessee for surface-damages can be determined by any public authority.

6. From the correspondence printed in Government Order, No. 68, dated 11th January 1872, it will be seen that so early as in 1872, the Secretary of State pointed out the expediency of amending the law of this Presidency to the extent of making it

obligatory on owners of surface-rights to afford the lessees of mines full facilities for working minerals on payment by the latter of such compensation as may be determined by public authorities. The Board as then constituted expressed the opinion in which Government also concurred, that the Land Acquisition Act (X of 1870) "appears to provide or could easily be shaped so as to provide a suitable procedure" for the compulsory acquisition of surface-rights and the award of compensation to the surface-owners for damages caused by mining operations; subsequently, however, it was found that the Act could not be applied to such cases inasmuch as the acquisition of surface-rights on behalf of mining lessees cannot be said to serve "a public purpose" and the Board held that the only means of solving the question without resort to legislation was to recognize the preferential right of all occupiers of land to obtain leases for their lands. In 1892, however, while dealing with certain questions Messrs. Binny & Co. in connection with the coal mining lease which it was proposed to grant to the Gódávari Coal Company, the Board observed that legislation had been resorted to in other provinces for the purpose of securing to Government the power to compulsorily acquire surface-rights in occupied erals vested in the State and therefore deemed it desirable to so as to provide generally for the acquisition of surface-rights ing purposes. On further consideration, however, the Board t the compulsory powers which the Land Acquisition Act le available when the interests of the State or of the public t accordingly dropped the proposal to make provision in Acquisition Act) which became Act I of 1894. Since then there have been no cases in this Presidency in which mining lessees have found themselves precluded from ca ying on operations in occupied lands on account of exorbitant demands made by the wners of surface-rights. Until such cases do arise and show that the interests of the State or the public will directly suffer if legislative provision is not made, the Board considers that lessees and licensees may well be left to make their own arrangements with the occupiers or owners of surface-rights.

Act XVIII of 1881, section
II of 1889, section 31.
I of 1877, section 3.
887, sections 41 and 43.

(True Copy and Extract.)

(Signed) LIONEL DAVIDSON,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with revised Standing Order No. 15.
,, the Collector of Kistna, with copy of revised Standing Order No. 15.
,, all other Collectors, do. do.
,, the Settlement Department.
,, the Court of Wards' Section.
,, the Forest Section.
al Conservators of Forests.

Exd. Md. Pahilwan.

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third parties in

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working of the
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Proceedings of the Board of Revenue

(Land Revenue)

No. 3525 Mis., dated 30th October 1899.

The Honourable Mr. J. Sturrock.

Read Government Order, Revenue Department, dated 11th October 1899, No. 697.

Slip 6

Resolution.

Slip 2

Recorded.

2. Para 14 of the revised Standing Order No. 15 will be amended as follows:-

1. Between the words " thereof" and "the" in line 23, of ~~the~~ this paragraph, insert the sentence:- " In the case of mica mining leases, however, no spare copy is required."

2. At the end of the last sentence of the paragraph add the words, "except with regard to prospecting or mining for mica."

(True Extract)

Swamikannu

For Ag. Secretary.

To the Collector of Nellore with copy of G.O.

" Secretary to Government, Revenue Department.

C.B.M.

PU
30.99

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

o. M. 328

Revenue (1899) Department.

CURRENT No. 7013.

UNDER SECY. TO GOVT.
1-NOV.1899
REVENUE DEPT.

From

The Board of Revenue
(Land Revenue)
Madras.

Order

No. 3525 Mis

Dated	30th October 1899
Received	1/11.
Registered	3/11.
Enclosures	
Spare copies	

SUBJECT

Amending para 14 of the revised draft of S.O. No. 15 with reference to the circular letter from the Govt of India stating that concession in respect of prospecting or ~~xminingx~~- mining for mica in this Presidency are excluded from the operation of the direction contained in para 8 of the Govt of India Circular No. 19-17-3, dated 20-5-99, regarding the revised mining rules.

3/11

---

worked. No charge will also be made where a pattadar may quarry a small quantity of laterite, &c., for his own use for a specific purpose without any intention of continuing operations indefinitely, provided that the land is not in any way rendered unfit× for cultivation. Nor do the rules affect in any way the right which all holders of lands in which the Govt. claims a share of the mineral output possess of digging wells in their lands and of disposing of the gravel and stones which may be thrown up in the course of ~~[illegible]~~ such excavation".

× The word "unfit" has been substituted for the words "less fit", with reference to the Secy's remarks

The Board of Revenue is requested to report whether ~~[illegible]~~ it sees any objection to the proposed substitution.

4/XI/99

the Board of Rev; LR Des. 6-11-99.

0. R. 828

Revenue (1899) Department.

CURRENT No. 7013.

UNDER SECY. TO GOVT.
1-NOV.1899
REVENUE DEPT.

From
The Board of Revenue
(Land Revenue)
Madras.

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4/XI/99

the Board of Rev:, LR Dro. 6-11-99.

V.2.

Dp today and send file intact to Coll. Clerk.

4.11.99

[illegible] submitted [illegible] on 4.11.99 was [illegible] only today - [illegible] [illegible]

6.11.99

Revenue Department

Official Memorandum No. $\frac{348}{4\text{-}11\text{-}99}$

Refce. Procgs. of the Board of Revenue, Land Revenue, No. 197 dated 22-8-99.

—

The Govt. considers that in the place of rule 4 of the revised draft Standing Order submitted with the Proceedings noted above, the rules recently approved in G.O. No: 607 Rev. d. 8.9.99 for regulating mining in patta lands may be substituted the notes to the rule being replaced by the following notes:-

"Notes (1) The provisions of this
" rule shall be applicable
" mutatis mutandis to the
" other classes of lands in
" which the Govt. ~~claim~~ claim
" a share of the minerals.
" (2) No charge will be made
" for merely exploring or
" prospecting for minerals
" in shared mines, if the
" mines are not regular

---

to Govt.

UNDER SECY. TO GOVT.
13 SEP. 1899
REVENUE DEPT.

Revised draft of Standing Order No: 15. Submitted with B.P. No: 197 Land Rev d. 22-8-99.

Current No: 5480/99.

respon
venants here

the lessor

3. If at the end or sooner de … *any of the*
shall be des … *set up or con-*
buildings … *such his desire*
structed by … *least before the*
by notice in writing to the lessee … *mi ed under the*
expiration of the said term (or if t … *three calendar*
power of re-entry hereinbefore con … *shall sell to the*
months after the determination of … *e which shall*
***lessor all** or any of the said b* … *uilgs or works as*
be fixed or ascertained by taking t … *ciation a sum*
at date of construction and ded … *iginal cost.*
equivalent to *per cent.*

Proviso for lessor to purchase.

4. If at any time during the … *ise the said mine*
shall become … *substantially and*
permanently … *his demise by*
fire tempest … *army or mob*
or other in … *its shall at the*
option of th … *at if the injury*
be occasioned by the wrongful act … *his servants he*
shall not be entitled to avail hi … *provision* AND
PROVIDED *also that if this l* … *eason of any*
of the causes aforesaid … *y re and*
remedies of the lesso … *the recovery*
of any rent or r … *respon of any*
breach which … *venants herein*
contained on the part of …

Right of lessee to determine lease of mines destroyed by act of God.

5. Whenever any doubt di … after arise
touching the construction of t … herein con-
tained or any matter or thin … mines and
minerals hereby dealt with or … thereof or
the amount or payment of a … d or made
payable hereunder the matter … d by the
Local Government whose decisi

B.P., 3
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Reverse draft of [illegible]

SO. 4970
21.9.97

(V)

REVISED STANDING ORDER No. 15.

15. RULES FOR QUARRYI NG AND MINING.

Claim of the State to Minerals.

1. The State lays **no claim** to mine rals—

(*a*) [a] In estates held on sanads of permanent settlement.[a]

(*b*) [b] In enfranchised inam lands. an d

(*c*) In religious service tenemen ts confirmed under the inam rules on perpetual service te nure.[b]

(*d*) [a & g] In lands held on title-d eeds issued under the Waste Land rules, prior to 7th October 1879, in which no reservation of the right of the State to minerals was made.[a & g]

Note.—Mines on such lands may briefly be d d as "**Private mines.**"

2. The right of the State to min the is limited in the following **cases to a share** in the produce of the rals worked—

(*a*) [c] In lands occupied for agric al purposes under ryotwari pattas.[c]

(*b*) [d] In jenmam lands in Malab am and Nilgiris.[e]

(*c*) [f] In unenfranchised shrotriya nd minor inams, not falling under clause (*c*) of paragra 1 and 3 of this Standing Order, unless there has bee n express conveyance of the rights to minerals in the orig inal grant.[f]

Note.—Quarries and mines on such lands will b referred to in brief as "**Shared quarries** or **shared mines.**"

3. The State claims the **full right** to mines and minerals in the following cases :—

(*a*) [g] In lands sold under the Was te Land rules subsequent to 7th October 1879.[g]

(*b*) [d] In escheat lands, the jenmam right to which was sold by Government subsequent to the issue of Government Order, No. 809, dated 15th Ju y 1880, but prior to Government Order, No. 1384, date 16th December 1884.[d]

(*c*) [b] In inams held on service tenu e, *i.e.*, as wages for public service and unenfranchised.[b]

(*d*) [h] **In lands which have been const ituted reserved forests under the Madras Forest Act.**

the ^ [vide GO 1190 24.2.97 (2)]

(*e*) **In lands which have been** notified as reserved lands under the rules issued by Gover nment under section 26 of the Madras Forest Act.

(*f*) In unreserved waste lands a t the disposal of Government.

(*g*) In all other lands not falling under paragraph 1 or 2.

Note.—Quarries and mines on such lands w ll be referred to in brief as **"State quarries" or "State mines."**

Shared mines an d quarries.

4. Persons intending to work mi nerals in **shared mines** or **quarries** should give notice of their i ntention to the Collector of the district, specifying the fields in which th ey intend to carry on quarrying or mining operations. On receipt of the notice, the Collector will allow the operation to be carried on under su ch conditions and stipulations as may be prescribed by the Board of Revenue under the orders of Government and on payment, in additio n to the land assessment, of a royalty or dead-rent, whichever may be the greater in amount, at the rates specified below :—

Shared Mines.	Royalty.	Dead-rent per acre (minimum).
Coal (exclusive of dust and coal used on the works).	anna per ton ...	2 annas.
Oil	8 annas per 40 gallons or 5 per cent. *ad valorem* on gross value.	8 annas.
Gold or silver ...	7 per cent. on the net profits of each year taken separately.	8 annas.
Iron ...	anna per ton of iron-stone.	6 pies.
Copper, tin, lead or other metals.	per cent. on the sale value at the pits' mouth or on the surface, of the dressed ore or metal, convertible at the option of the lessee to an equivalent charge per ton to be fixed annually or for a term.	8 annas.

Shared Mines J—cont.	Royalty.
Precious stones.	30 per cent. on the net profits of each year taken separately ~~on value~~.
Other ki ads of minera is.	Such seigniorage fees or additional acreage assessment as may be fixed by the Board of Revenue according to the merits of each case and the scale on which the mining or quarrying operations are carried on.

&

Note.—(1) No charge will be ma de for merely exploring or prospecting for minerals [f] in the above-mentioned descriptio s of mines [f] if the mines are not regularly worked.

(2) The amount payable to Government on account of minerals worked will be entered in the patta granted for the land ([f] or in its absence in a miscellaneous patta)[f] and will be collected under he provisions of Act II of 1864, Madras.

(3) No remission will be granted in respect of any land rendered unfit for surface cultivation by the carrying of mining operations.

(4) The rates will be icreased if the conditions of working are not complied with.

(5) [k] No charge will be nade in cases in which a pattadar may wish to quarry a small quantity of laterite, c., for his own use for a specific purpose without any intention of continuing operatio s indefinitely, provided that the land is not in any way rendered less fit for cultivation han before.[k] Nor do the rules affect in any way the right which all holders of [f] such l nds [f] possess of digging wells in their lands and of disposing of the gravel and stones v hich may be thrown up in the course of such excavation.

pe/

State mi nes and quarries.

5. [n] In the case of lands re ferred to in paragraph 3, applications for the grant of **exploring** and **p rospecting** licenses and **mining** leases in respect of all minerals such as coal, oil, metals, precious stones, mica, corundum, &c., and generally ll **minerals possessing commercial value,** will be dealt with unde the special rules issued by the Government of India and reprinted b ow as rules 16 to 42.[n]

State Quarries of uilding stone, gravel, &c.

6. The quarrying of **Build ng stone, gravel** and the like which does not come within the scope of the Government of India's rules, will be subject to the following limi ations.

7. [m] In **reserved forests** [para. 3, clause (*d*)], the public will be prohibited from any interferenc not only from mining and quarrying, but also from removing the s rface mud and turf, without special permits ~~to be~~ obtained under the provisions of the Madras Forest Act.[m]

and

all

are prohibited

unless under &

&

the of

8. In the **reserved lan** specified in para. 3, clause (*e*), quarrying shall not ordinarily be per nitted in places where damage is likely to be caused to forest growth in areas under special treatment. In other reserved lands the genera public may be allowed to quarry **free, except** for building stone, g avel, laterite and any particular clay which has a **commercial va ue.** These excepted minerals will be subject to **seigniorage fees** hich may be collected in any one of the undermentioned ways in consul ation with the Conservator :—

(1) Direct from the qua riers by Government.

(2) The collection may e leased out by public auction or otherwise.

(3) The quarries themsel ves may be leased out by public auction or otherwise, the general public retaining the right to quarry for thems lves on payment of the authorized seigniorage rates t the lessees.

9. Applications to quarry **minerals having a commercial value** in the State lands specifi in para. 3, clauses (*a*), (*b*), (*c*) and (*g*) of paragraph 3 *supra* ill be dis osed of on their merits as cases **arise,** by the Collector in unimportant as and by the Board or by Government in more important cases.

value

10. m In **unreserved Stat lan** 3, clause (*f*)], including poramboke, quarrying will be lef bs ree *whether the minerals have a commercial* ~~*rule*~~ *or not* (to neral public for *bonâ fide* **domestic purposes,** (2) to de ment ment, Local Boards and Municipalities and with th arevi of Government in each case to other public bod B ries of any particular importance and value containin grav , may be closed against the general public and reserved f he use of Government departments or public bodies. Quarrying f **other than** *bonâ fide* **domestic purposes** will be charged wit **seigniorage fees** which will be collected by the Revenue officers ect from the quarriers.m

11. **Land to be restored he** ***status in quo ante.***—° When quarrying is permitted, with the Collector to impose conditions for the restoration of a state fit for cultivation in cases in which such a conditio necessary.°

X

Mines in Estates under overnment Management.

of the

12. Officers in charge of priva estates should regulate the grant of concessions within such estates far as possible in accordance with the Government of India's rules in rules 16 to 42 below and should in no case go beyond the terms which re allowed in State lands.

& under govt. management

8

Standard license a d lease for coal.

13. Standard forms of exploring and prospecting licenses and of mining lease in respect of coal ar given in the Appendix. [q] The mining lease can be adapted with he necessary alterations for any other species of mining.[q] at

Authorities for granting licenses and leases.

14. [r] Collectors may grant and ren ew exploring licenses on their own authority the fee prescribed by Govern ment for each license or renewal being one rupee.[r] [s] A prospecting li ense should be restricted to such area as is reasonably required for *nâ fide* domestic purposes. In determining this area Collectors must have regard to the character of the minerals prospected for and the eans at the disposal of the prospector. In cases in which the area pplied for under a prospecting license exceeds th limit specified in the margin, Collectors should ake a reference to the Board of Revenue before ranting the license under rule 29 [13] 2 *infra.*[s] Grants of licenses made by Collectors under s rule should be reported to Government through the Board of Re enue. The license is liable to be cancelled by the Board or Governme if on appeal from any of the parties affected by the Collector's orde or otherwise, such a course is found necessary. Drafts of mining lea es submitted to the Board and Government must be written on one e of the paper only, a wide margin being left ~~so as to allow ampl~~ for additions and alterations. When the form of the lease is ally settled by the Board and Government in consultation with the ernment Solicitor, Collectors should ~~get~~ have the l ecuted by the ee or lessees as the case may be, in *duplicate*, it the deeds to vernment through the Board together with a thereof. The ginal as well as the duplicate will be signed ecretary to Go nent, ~~Revenue Department,~~ and returned to the Collector who will in the duplicate in his office and deliver the original to the party or concerned. [t] ~~The Local~~ Government will forward the ~~spare cop.~~ he Government of India to ~~which it will also~~ report every conce on made by it under the ~~Government~~ of India's rules.[t]

	SQ. M.
Coal	4
Oil	2
Gold or silver ...	1
Metals	1
Precious stone ...	1

either

A

[This sentence is based on B.P. 668 19-2-96, para 2 clauses (a) & (b) — R. and rule 22 (in pra)] prospecting / (vide para 4 of India's circular at p. 20 of G.O. 3750 15-6-99. II)

Office What is the authority for this?
[illegible]
91 × [illegible]
(p. 9 of the office note)

&

&?
[illegible]
91 × [illegible]

GENERAL PROV O.

Extent of underground concessions.

15. The mining or [n] quarrying [n] operati ns referred to in the above rules should be [p] confined to the ground v cally beneath the surface in respect of which permission is grante and no under-tunnelling beyond such limits will be permitted.[p]

Government f India Rules.

16. The following rules regula ng the grant by Local Governments of licenses to explore and prospect or minerals and the grant of leases of mines and minerals have been made by the Governor-General in Council, and sanctioned by Secretary of State for India in Council.

No such license or lease can be granted by any Local Government otherwise than in accordance with hese rules, except with the previous sanction of the Secretary of State r India in Council, or with that of the Governor-General in Council u der any general or special authority which he may have received in th behalf from the said Secretary of State in Council.

In these rules—

Collector means the Officer in charge of the district;

Local Government includes Chief Commissioner; and

Person includes any person syndicate, partnership, or Company.

A license or lease er these r s may be granted to any person; in case of the death of th person o any of the persons to whom it is granted it shall inure for the benefit f his legal representatives.

Exploring enses.

17 [1*]. A license to explore la for minerals or mineral oil, called hereinafter an exploring license, wil uthorise the licensee to search the surface of the land specified in the l nse for minerals of every description and for mineral oil, and, subje to such restrictions as the Local Government may from time to tim mpose, to remove any specimens or samples found by the licensee in upon such land. †

18 [2]. Such license shall only b granted with respect to land in which the mines, minerals, or mi l oils are the property of the Government, and (subject to the pr ions of any law, or rule having the force of law, for the time being i rce with reference to such land) shall no authorise the licensee to ent upon any land in the occupation of any person without the consent of ccupier.

19 [3]. Such license cannot be gned, nor can any right or interest thereunder be transferred hout the assent of the Local Government.

---

* The numbering of these rules in the Gov nment of India Resolution is indicated between square brackets.

† *Note.*—The surface of unoccupied and u served land which is the property of Government may be freely searched ut cense, but the Government does not object to granting a license to explore applied for.

20 [4]. Such license shall not a orise the licensee to mine or quarry, but he may turn up to such de as the Collector may sanction, and, subject to such conditions as may impose, the surface of unoccupied land, or, with the consent c occupier, that of land which the Government has granted for agric ural purposes, reserving only the right to minerals.

21 [5]. Such license may be gran by such person and under such rules as the Local Government m escribe.

[N.B. Please see rule 14 (first sentence) supra]

22 [6]. Every such license shall for one year, but may be renewed for a further nilar term by th ame authority, and there shall be paid for each license or renewal such not exceeding Rs. 10, as the Local Government may prescribe.

23 [7]. A royalty shall be paya to Government on the value of all precious stones found and remove an explorer, whether he has taken out a license or not. In the ca of license, such royalty shall be at such rate, not exceeding 15 pe nt., as shall be fixed by the license, and in the case of an unlicense xplorer, shall be 15 per cent. on the value of the stones removed. lect to report the discovery of any such stone within a reasonable e shall involve the forfeiture of the license and of all claim to have application for a mining or prospecting lease favourably considered.

24 [8]. Such license shall give no lusive or preferential rights, but in considering rival claims for a ospecting license or mining lease, due regard will be had to operati conducted under cover of an exploring license.

Prospecting nses.

25 [9]. (1) A license to prospect f inerals or mineral oil, called hereinafter a prospecting license, shal nfer on the licensee the sole right, subject to the conditions containe the license, to mine, quarry, bore, dig and search for, work, d carry away any mineral or mineral oil specified in the license, ing or being within, under, or throughout the land specified in the se.

(2) A prospecting license shall o granted with respect to and in which the mines, minerals, or mi l oils are the property of the Government, and shall apply only the area described in the license.

26 [10]. No prospecting license shall e granted except to a person approved by the Local Government, and uch person shall, before the license is granted, deposit as security *but* ect of each license such sum not being less than Rs. 100, as the tor may determine, or give security to the like amount to the sat n of the Collector. Subject

to such deduction on account of
otherwise as the Collector may ord
under this rule, should the depositor
mining lease, will be carried to h
royalties payable under his lease, an
any such lease as aforesaid, will be

27 [11]. (1) Every application
the Local Government shall in any
the Collector of the district, in whic
with respect to which the license is

(2) Every such application
lars, namely:

(a) the name, residence, an
(b) a description, as accur
rough sketch, of the
the land with respect
and
(c) a specification of the
applicant desires to p

(3) Every application shall b
the applicant has been approved by
signature of one of its secretaries.

28 [12]. On receipt of any such
soon as practicable, inquire whether t
is inexpedient either on the grour
application is required [illegible] a public p

29 [illegible] ould the Colle
exped[illegible] to grant the license, or sho
not been approved by the Local Go
the license, and shall forthwith rep
channel to the Local Government,
may think fit.

(2) Subject to the control of
tor, if he finds that there is no obje
applied for, and if the applicant has be
ment, may grant to the applicant a
prescribed, and shall report the matter
other authority as the Local Governme

30 [14]. A register of applications
kept in English in the Collector's office

Co
ac

applicant by the Local

ontain such conditions as
nd shall in all cases contain

ll be granted shall be one
may desire. The license
term not exceeding two
ee has been prevented from
cause other than his own

ne rupee per acre shall be

at a rate not exceeding 15
won and carried away, and
on all other minerals won
ty as the Collector, subject
allow, to be taken free for

y person shall be entered
d no trees, standing crops,
y way injured without the

easonable satisfaction and
by him in exercise of the
demnify the Government
d parties in respect of any

e any tree on unoccupied
of the Collector in writing
d nor can any right or
the consent of the Local

(1) Name of applicant.
(2) Date.
(3) Residence of applicant.
(4) Situation of the land.
(5) Boundaries.
(6) Estimated area.
(7) Date of certificate of approv
Government.
(8) Date of license.
(9) Rent and royalty payable.
(10) Period for which granted.

31 [15]. Every prospecting license sh
may in any particular case seem necessar
the following conditions:—

(i) The term for which the license
year or such shorter term as the applic
may be renewed by the Collector for a fu
years, whenever he is satisfied that the lic
completing his search of the land by a
default.

(ii) A moderate rent not exceedin
paid for the land covered by the license.

(iii) The licensee shall pay a royal
per cent. of the value on all precious ston
a royalty at the rates sp[illegible]ed in Schedul
and carried away ov[illegible]nd above such qu
to the orders of [illegible] Local Government, n
purposes of [illegible]ment.

(iv) [illegible] land in the occupation of
upon without the consent of the occupier,
or other private property shall be cut or i
consent of the own[illegible] thereof.

(v) [illegible] licensee shall [illegible]ake and p
compensation for all injury which may be
powers granted by the license, and shall
against all claims which may be made by t
such damage or injury.

(vi) The licensee shall not cut or
and unreserved land without the permiss

(vii) Such license cannot be ass
interest thereunder be transferred with
Government.

part of the licensee of any
tor may summarily revoke
nferred thereby or enjoyed

months next after the deter-
abandonment of the under-
plug any bores and fill up
ay have made in the land to
and shall to the like extent
lings thereon which he may
; Provided that this clause
ning lease.

arise regarding the license,
or the powers of the licensee
rent or royalty made pay-
ll be decided by the Local

n of his license the licensee
nafter contained—
inerals other than precious
the terms contained in rules

he first offer of such mining
ay think fit to grant.
hether comprising the whole
pecting license was granted,
respect to mining leases in

grant of a mining lease,
ones, shall be presented to
some part of the land with
uate. The Collector shall
r channel to the Local
y by general or special
ing Rs. 500 to be made by
ore the application is taken

ated otherwise than with
s, or mineral oils are the

(viii) In case of any breach o
of the five last preceding clauses, the C
the license, and thereupon all rights
thereunder shall cease.

(ix) The licensee shall, within
mination of the license or the date of
taking, whichever shall first occur, secu
or fence any holes or excavations that h
such extent as the Collector may requi
restore the surface of the land and all
have damaged in the course of prospe
shall not apply to any land held under

(x) Should any question of disp
or any matter or thing connected therew
thereunder or the amount or payment o
able thereby, the matter in difference
Government, whose decision shall be fin

32 [16]. On or before the determin
shall have a right, subject to the rules h

(*a*) in the case of mineral oil o
stones, to a mining lease in accordance w
for mining leases;

(*b*) in the case of precious stones,
lease as the Governor-General in Counci

Such lease may include so much lan
or a part only of the area for which the
as shall not exceed the area specified
Schedule A annexed to these rules.

Mining Lea

33 [17]. (1) ry application for
no being a lease mine of preciou
the Collector in who district the lan
respect to which the lease is applied for
forward the application through the p
Government. The Local Government
order require a deposit of money not e
the applicant in any case or class of case
into consideration.

(2) No mining lease shall be
respect to land in which the mines, m
property of Government.

ease shall contain—
of the applicant;
ich the applicant intends

proposed lease is to extend.
ion the Local Government
der Rule 16, or if it con-
mining lease, grant the
one or more blocks, each
n Schedule A annexed to
nk fit:
anted by a Local Govern-
area held under mining
rest with him, to exceed

as been approved by the
if any, appointed for the

f the Governor-General in
lowed to exceed four times

ease may be granted shall
enewal may be inserted in
r-General in Council.
uch conditions and stipula-
se consider necessary; but
itions, namely:
he rate specified in the
e particular mineral in
be discovered by him then
e, not being less than 20
Government may deter-
respect of such mineral;
obtain such lease for the
n the terms hereinbefore

a year after the first year
than that laid down in
both royalty and dead-
h one of them as may be

32 [16]

34 [18]. **Every application for a mi** ease shall contain—
(*a*) the name, residence, and prof of the applicant;
(*b*) the name of the mineral for hich the applicant intends
to mine;
(*c*) a map of the area over which proposed lease is to extend.

32 [16]

35 [19]. On receipt of any such appl ion the Local Government
may, if the applicant is entitled to a lea nder Rule 16, or if it con-
siders that the applicant should be grante mining lease, grant the
same in accordance with these rules over one or more blocks, each
not exceeding in extent the area specifi n Schedule A annexed to
these rules, as the Local Government may nk fit:

Provided that no mining lease shall be nted by a Local Govern-
ment under these rules so as to cause the l area held under mining
leases by the lessee, or by those joint in rest with him, to exceed
ten square miles.

No such lease shall be executed unti as been approved by the
Advocate-General or other legal adviser if any, appointed for the
Province.

36 [20]. Without the previous sanctio f the Governor-General in
Council, the length of a block shall not be lowed to exceed four times
its breadth.

37 [21]. The term for which a minin ease may be granted shall
not exceed thirty years, and no covenant f enewal may be inserted in
the lease without the sanction of the Gove r-General in Council.

38 [22]. Every such lease shall contai uch conditions and stipula-
tion as the Local Government may in each se consider necessary; but
shall in every case contain the following c itions, namely:

(i) the lessee shall pay a royalty he rate specified in the
lease, which rate shall be that fixed f e particular mineral in
Schedule C; and if any other mineral s be discovered by him then
the royalty shall be paid therefor at such e, not being less than 20
per cent. of the value thereof, as the Lo Government may deter-
mine, until a mining lease has been obtaine respect of such mineral;
but the lessee shall be entitled to require a obtain such lease for the
term then unexpired of his original lease n the terms hereinbefore
mentioned in Rule 16;

32 [16]

(ii) the lessee shall also pay for e a year after the first year
a fixed yearly dead-rent at a rate not than that laid down in
Schedule B: provided that no lessee sha both royalty and dead-
rent in respect of the same lease, but onl h one of them as may be
of the greater amount;

34 [18]. Every application for a mi
(*a*) the name, residence, and pro
(*b*) the name of the mineral fo
to mine;
(*c*) a map of the area over which
35 [19]. On receipt of any such app
may, if the applicant is entitled to a le
siders that the applicant should be grante
same in accordance with these rules over
not exceeding in extent the area specifi
these rules, as the Local Government may
Provided that no mining lease shall be
ment under these rules so as to cause the
leases by the lessee, or by those joint in
ten square miles.
No such lease shall be executed unti
Advocate-General or other legal advise
Province.
36 [20]. Without the previous sanctio
Council, the length of a block shall not be
its breadth.
37 [21]. The term for which a minin
not exceed thirty years, and no covenant f
the lease without the sanction of the Gove
38 [22]. Every such lease shall contai
tion as the Local Government may in each
shall in every case contain the following c
(i) the lessee shall pay a royalty
lease, which rate shall be that fixed f
Schedule C; and if a other mineral sl
the royalty shall be paid therefor at such
per cent. of the value thereof, as the Lo
mine, until a mining lease has been obtaine
but the lessee shall be entitled to require a
32 [16] term then unexpired of his original lease
mentioned in Rule 16;
(ii) the lessee shall also pay for e
a fixed yearly dead-rent at a rate not
Schedule B: provided that no lessee sha
rent in respect of the same lease, but onl
of the greater amount;

and which he may take up,
a surface-rent at the rate

ense erect and at all times
ks and pillars according to
ed to his lease;
reasonable satisfaction and
one by him in exercise of
ndemnify the Government
d parties in respect of any

any tree reserved in the

rson claiming through or
ny right or interest there-
of the premises comprised
Government first had and

rations within two years
nd shall thereafter carry
nining-like manner unless

nts showing the quantity
the mine and the number
te plans of the mine, and
ocal Government in that
nts and plans, and shall
formation and returns in
ribe; *
authorised by the Local
remises comprised in the

to the Collector a report
aid premises, and also the
the lease;
or made payable by the
ter the date fixed in the
Government may enter

---

shed under this clause shall

(iii) the lessee shall also pay for
use or occupy for the purpose of the m
specified in Schedule B;

(iv) the lessee shall at his own
maintain and keep in repair boundary
the demarcation to be shown in a plan ar

(v) the lessee shall make and pa
compensation for all injury which may
the powers granted by the lease, and sh
against all claims which may be made by
such injury;

(vi) the lessee shall not cut or i
lease;

(vii) neither the lessee nor any
under him shall assign the lease, or trans
under, or underlet the whole or any porti
in such lease, without the assent of the L
obtained;

(viii) the lessee shall commence
from the date of the execution of the lea
them on effectually in a proper, skilful, ar
prevented by unavoidable cause;

(ix) the lessee shall keep correct a
and particulars of all minerals obtained fr
of persons employed therein, and also co
shall allow any officer authorise y th
behalf at any time to exam such a
furnish the Local Govern with such
respect of the aforesaid er as it may p

(x) the lessee allow any offi
Government in that behalf to enter upon t
lease for the purpose of inspecting the sam

(xi) the lessee shall without delay s
of any accident which may occur at or in t
finding therein of any mineral not specified

(xii) should the royalty or rent res
lease be not paid within two months nex
lease for the payment of the same, the L

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* Note.—All information and returns obtained or
be treated as strictly confidential.

---

ny of the minerals or move-
ay or detain them until the
ses occasioned by the non-
f any royalty or rent remain
after the date on which it is
the lease and take posses-

art of the lessee of any cove-
he Local Government may
e said premises;
ion of the lease, the lessee
nes (if any) dug therein in
respect of any working as to
ctioned abandonment;
arise regarding the lease or
nes and minerals leased, or
amount or payment of the
y the lease, the matter in
Government, whose decision

us stones shall be granted
uncil. The procedure for
hall be those prescribed by
r-General in Council were

ses and Leases.

under the authority of these
t to such conditions as the
order from time to time

icense granted under these
ploration or prospecting (as
otice shall be given to the
mmence operations, and that
any conditions regarding

les any portion of a reserved
timber for mining purposes,
ntity up to which, and the
xercise that authority.

upon the said premises and distrain all
able property therein, and may carry
rent or royalty due and all costs and
payment thereof shall be fully paid ; a
at any time unpaid for six calendar mo
due, the Local Government may determ
sion of the premises comprised therein ;

(xiii) in case of any breach on t
nant or condition contained in the leas
determine the lease and take possession

(xiv) at the end or sooner determ
shall deliver up the said premises and a
a proper and workmanlike state, save
which the Local Government may have

(xv) should any question or disp
any matter or thing connected with the
the working or non-working thereof, or
royalty or rent reserved or made payb
difference shall be decided by the Lo
thereon shall be final.

39 [23]. No lease of a mine of pr
except by the Governor-General in
obtaining and the conditions of such le
Rules ~~17~~ to ~~22~~, read as if the Gov
substituted for the Local Government

33[17]/38[22]

General Provisions as to L

40 [24]. (1) All operations conduct
rules within a reserved forest shall be su
Local Government may by general or sp
prescribe.

(2) It shall be a condition of ev
rules that, before the commencement of
the case may be) within a reserved forest
District Forest Officer of the inten or
the operation shall be conducted s
the use of fire that he may prescribe.

(3) Every mining lease which i
forest shall, if it authorises the lessee to
specify the area within which, or t
terms and conditions upon which, he

---

ting license or mining lease
sketch required by Rule 12
should the sketch or map
e Collector may prepare
o order, recover the cost
annas per acre. If the
tract of country specially
r licenses and leases under
such map for the sketch
l Government to recover
e map as it may consider

l within six months after
applicant to such license
he Local Government for
withstanding the delay.

27[11]

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n, para. 1).
4).
d G.O., No. 809, 15th July 1880.
94.
2).
. 11).
. 28th February 1895 (para. 3).
a. 1).
G.O., No. 598, 21st June 1887.
5-25-42, 21st September 1893
, ~~cl. (d)~~).
of India, 20th May 1899, No.
une 1899.
f India, 20th May 1899, No.
June 1899.

Slip II
A
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C1
C2
D + D1
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J3
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II

clauses (a) & (b)/

34 [18]

41 [25]. Should the applicant for a pr desire the Collector to prepare for him t (2) (*b*) or the map required by Rule ~~18~~ presented by the applicant be insufficie the sketch or map required, and may, if from the applicant at a rate not exceed Local Government has prepared a map o for the convenience of intending applican these rules, and if any applicant makes us or map aforesaid, it will be open to the as above such share of the cost of prepar to be equitably due from such applicant.

42 [26]. If a license or lease is not ex leave has been granted for it, the right of or lease shall be held to have lapsed, unle special reasons consents to grant the same

---

G.O., No. 375, 15 June 1899.

[a] G.O., No. 544, 25th May 1882 (Notifi

[b] G.O., No. 1187, 28th October 1882 (

[c] G.O., No. 1248, 8th October 1883.
G.O., No. 121, 23rd January 1884.
G.O., No. 551, 28th April 1884.

[d] G.O., No. 1384, 16th December 188

[e] B.P., No. 6304, Mis., 13th Novembe

[f] B.P., No. 570, 4th October 1893.

[g] G.O., No. 2029, 7th October 1879 (

[h] B.P., No. 2030, 9th July 1885 (Apr

[i] G.O., No. 598, 21st June 1887.

[j] G.O., No. 286, 27th April 1894.
G.O., No. 3334, 24th August 1894
B.P., No. 502, 16th November
Government of India's letter N

[k] G.O., No. 1293, 19th November

~~[l] G.O., No. 16, 15th January 18~~

[m] G.O., No. 508, 20th May 1892.
G.O., No. 847, 13th August 18
B.P., No. 401, 10th July 1893
B.P., No. 204, 19th May 1894
G.O., No. 379, 25th May 1897.

[n] B.P., No. 114, 24th March 1896.

[o] Para. 3 of the Notification appended

[p] B.P., No. 501, 25th March 1881 (pa

[q] The Government of India's letter N
in G.O. No. 1116, 2nd November 18

[r] B.P., No. 65, 19th February 1896 (

[s] Para. 4 of letter from the Govern
19-17-3, printed in G.O., No. 375,

[t] Para 8 of letter from the Govern
19-17-3, printed in G.O., No. 375,

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ules.)

e—

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.. 1
.. .. .. ½
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[22] iii of Rules.)

Mining.	
ent per acre.	Dead-rent per acre (minimum).
assessable under or rent law of the r, if no such rent ble, the rate which d by agreement, maximum of one	4 annas. 1 rupee. 1 rupee. 1 anna. 1 rupee.

] i of Rules.)

d Mining.

er ton.

per 40 gallons or 5 per cent.
rem on gross value.

t. on the net profits of each
aken separately.

per ton of iron-stone.

nt. on the sale value at the
outh or on the surface, of
ssed ore or metal, converti-
he option of the lessee to an
lent charge per ton to be
nnually or for a term.

nt. on the net profits of each
ken separately.

each case on its merits.

34[18]

41 [25]. Should the applicant for a pr
desire the Collector to prepare for him t
(2) (*b*) or the map required by Rule ~~18~~
presented by the applicant be insufficie
the sketch or map required, and may,
from the applicant at a rate not exceed
Local Government has prepared a map
for the convenience of intending applican
these rules, and if any applicant makes us
or map aforesaid, it will be open to the
as above such share of the cost of prepar
to be equitably due from such applicant.

42 [26]. If a license or lease is not ex
leave h been granted for it, the right of
or lease shall be held to have lapsed, unle
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t Para 8 of letter from the Govern
19-17-3, printed in G.O., No. 375,

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ules.)

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..	..	..	1
..	..	..	½
..	..	..	¼
..	..	..	●

[22] iii of Rules.)

Mining.	
ent per acre.	Dead-rent per acre (minimum).
assessable under or rent law of the r, if no such rent ble, the rate which ed by agreement, maximum of one	4 annas. 1 rupee. 1 rupee. 1 anna. 1 rupee.

] i of Rules.)

d Mining.

er ton.

per 40 gallons or 5 per cent.
rem on gross value.
t. on the net profits of each
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per ton of iron-stone.
ent. on the sale value at the
outh or on the surface, of
ssed ore or metal, converti-
he option of the lessee to an
lent charge per ton to be
nnually or for a term.
nt. on the net profits of each
ken separately.

each case on its merits.

Schedule

(*Vide* No. 35 [19]

Maximum area in square miles for mining

Coal	
Oil	
Gold or silver	
Metals	
Precious stones	

Schedule

(*Vide* Nos. 31 [15] ii, 38 [22] ii

—	Prospecting.	Surf
Rent charged for— Coal ... ... Oil ... ... Gold or silver ... Iron ... ... Other metals ...	A moderate rent not exceeding one rupee per acre.	The rent the rev Provinc is so as may b subject rupee.

Schedule

(*Vide* Nos. 31 [15] iii and 3

	Prospec
Royalty—	
Coal, exclusive of dust and coal used on the works.	1
Oil	8 a
Gold or silver	7½
Iron..	½ an
Copper, tin, lead, or other metals.	2½ p th b e fi
Precious stones	30

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* Will be decided by the Government of

RING LICENSE

day of 189 ,

of State for India in Council the "Secretary of State" so included his successors in nless the context shall be part and

e other part Witnesseth as

e of Re. one which has before see to the Collector of tary of State license is hereby licensee subject to the restriccontained to enter upon the written and to explore and of every discription and for hereinafter contained or such nt may from time to time ples thereof found by the e term for which this license

ne licensee to enter upon or cluded in the lands described

t Forest Officer nor without officer upon such conditions n prescribe or to enter upon occupation of any person or *cut or damage any trees or t prejudice to the general pro- cause damage to any buildings any occupier or occupiers of the make good and pay reasonable which may be done by him in is license and shall indemnify may be made by third parties*

SCHEDULE

(*Vide* No. 35 [19]

Maximum area in square miles for mining

Coal	
Oil	
Gold or silver	
Metals	
Precious stones	

—

SCHEDULE

(*Vide* Nos. 31 [15] ii, 38 [22] ii

—	Prospecting.	Surf
Rent charged for— Coal ... ... Oil ... ... Gold or silver ... Iron ... ... Other metals ...	A moderate rent not exceeding one rupee per acre.	The rent the rev Provinc is so as may b subject rupee.

—

SCHEDULE

(*Vide* Nos. 31 [15] iii and 3

	Prospect
Royalty—	
Coal, exclusive of dust and coal used on the works.	1
Oil	8 a
Gold or silver	7½
Iron..	½ an
Copper, tin, lead, or other metals.	2½ p p tl b e fi
Precious stones	30

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* Will be decided by the Government of I

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llector may
e of the said
ction.

(N.B. Please see rules 20 [4] and 22 [6] supra).

period of one year only from
the determination thereof the
d structures machinery con-
he may have erected or brought
fit to renew the license for a

—do—

cimens or samples found by
of his exploring operations
tion, that nothing shall be
quantities, viz. :—

ing 1 ton.
20 gallons.
½ a ton of quartz or silver ore.
1 ton of iron stone.
1 ton of dressed ore.
$\frac{1}{10}$ of a cwt.
$\frac{1}{5}$,,
1 ton.
$\frac{1}{10}$ of a ton.
1 ton.
1 ,,
1 ,,

[These are repeated from the form in the existing G.O. vide also paras 1 & 2 of G.O. 368 d 29-7-96 (R)]

[For these please see para 2(2) of G.O. 734 d 20-2-96 (O), para 4 of B.P. in G.O. 5810 d 12-11-97 (S) and para 4 of B.P. at p. 8 of G.O. 664 d 8-11-98 — I — also para 2 of G.O. 368 d 28.7.96. R]

s of the discovery by him his
ll precious stone and stones
d produce the stones to the
r to such other officer as the
that behalf and the licensee
r aforesaid on behalf of the
per cent. of the value of the
e in the case of dispute to be

ense nor transfer any right
f the Local Government.

(N.B. Please see rule 19 [3] supra)

ecting or failing to report the
one or stones within the time
l pa the said royalty upon the

NERAL).

licensee to mine o

pecified in the sche

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all this license

ling on behalf of the

license and thereupon all

der shall absolutely cease

to have set their hands the

Maximum area in square miles for mining	
Coal	
Oil	
Gold or silver	
Metals	
Precious stones	

SCHEDULE

(*Vide* Nos. 31 [15] ii, 38 [22] ii

ry

of

—	Prospecting.	Surf
Rent charged for— Coal ... ... Oil ... ... Gold or silver ... Iron ... ... Other metals ...	A moderate rent not exceeding one rupee per acre.	The rent the rev Provinc is so as may b subject rupee.

cribed by the rules but are sug-

SCHEDULE RRED TO.

(*Vide* Nos. 31 [15] iii and 3

	Prospec
Royalty—	
Coal, exclusive of dust and coal used on the works.	1
Oil	8 a
Gold or silver	7½
Iron	½ an
Copper, tin, lead, or other metals.	2½ p p th b e fi
Precious stones	30

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* Will be decided by the Government of I

STANDARD FORM OF E

THIS EXPLORING LICENSE made the

Note.—All blank spaces must be filled up in this form before signature.

between the Secr
cil hereinafter ca
(in which term a
office and assig
repugnant to such construction) of th
of
(hereinafter called "the Licensee")
follows :—

1. In consideration of the prescribe
the execution hereof been paid by the
on behalf of the S
granted by the Secretary of State to
tions conditions and provisos herein
lands described in the schedule hereu
search the surface of the same for mine
mineral oil and subject to the restricti
other restrictions as the Local Gove
impose to remove any specimens or
licensee in or upon the said lands durin
shall be in force.

2. This license does not authori
commence exploring in any reserve fo
in the schedule hereunder written wit
days previous written notice to the Di
obtaining the sanction in writing of t
as such officer may in his absolute disc
or turn up the surface of any land in
without the consent of the occupier
standing crops and in particular and w
hibition the licensee shall not interfere with
huts or other structures or to the proper
said lands or any portion thereof and he
satisfaction and compensation for all inj
exercise of the powers conferred on him
the Secretary of State against all claims
in respect of any such damage or injur

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id
all *this license*
le ng on behalf of the
license and thereupon all
der shall absolutely cease

to have set their hands the

ry
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cribed by the rules but are sug.

RRED TO.

3. This license shall not authori
though within the boundaries of the
subject to the restrictions conditions
preceding clause and to such further
impose the licensee will be at liberty
land to such depth as the Collector ma

4. This license shall be in force fo
the day of the date of these presents
licensee shall forthwith remove all h
veniences and other chattels and effects
upon the said lands unless the Collecto
further similar term.

5. The licensee may remove any
him in or upon the said lands in the
under this license subject to the re
removed in excess of the undermentio

Coal exclusive of dust ... not ex
Oil ... ...
Gold or silver ... ...

Iron ... ...
Other metals ... ...
Mica ... ...
Corundum ... ...
Phosphatic nodules ...
Steatite ... ...
Magnesite, chromite ...
Manganese ... ...
Graphite ... ...

d/

6. The licensee shall within
servants, workmen or agents of any
upon the said lands report the discove
Collector of
Collector may from time to time appo
shall pay to the Collector or other
Secretary of State by way of royal
precious stone or stones so found suc
fixed by the Local Government.

7. The licensee cannot assign th
or interest thereunder without the as

8. In the event of the licensee
discovery of or to produce any preciou
fixed by clause 6 *or to produce them*

---

this license
ng on behalf of the
icense and thereupon all
der shall absolutely cease

to have set their hands the

ry
of

ribed by the rules but are sug-

RRED TO.

(3) for the purposes aforesaid brush- wood and (with the sanction of the ained in writing) to make and use any drains d lands for clearing the from any water which may flow or ac levein

(4) and with the like sanction et and ing upon the said lands all such temporary huts sheds structures steam and other engines machinery and conveniences tels and effects as shall be proper and necessary for effectually c g on the prospecting operations hereby licensed or for the workm ployed therein

To And To Hold the said right and license and other the premises h granted and demised with their appurtenan to the liecensee from the date of this licen the term * of ( ) rendering and paying therefor free and clear from all rat axes charges and deductions the rents and royalties in Schedule B eto specified subject to the right of the licensee (save in the cas precious stones) to win use and take free of royalty for the purp f experiment or as specimens the quantities mentioned in Schedule (eto

COVENANTS BY NSEE.

The licensee doth hereby covenant the Secretary of State as follows:--

1. The licensee will pay to th etary of State the said rent and royalties and will work and carry e operations hereby licensed in a fair orderly skilful *and workmanlike* *ner* and with as little damage as possible to the surface of the s nds and to the trees crops *buildings structures* and other property on

2. He will not enter upon or mence prospecting in any reserve forest included in the lands sp d in the schedule marked A hereunder written without ay's previous written notice to the District Forest Officer nor w obtaining the sanction in writing of that officer upon such cond s as such officer may in his absolute discretion prescribe.

3. He will not enter upon an ds in the occupation of any person without the consent of the oc nor without the consent of the owner thereof cut or in any way re any trees standing crops or *buildings huts or other structures* roperty of any kind of any

* One year or such shorter period as the licensee may desire.

8/

occupier of the said lands or any p r private
person.

4. He will make and pay rea on and compensa-
tion for all injury which may be d exercise of the powers
conferred by this license and will w er the said security deposit
or any portion thereof or any furth m which may be deposited
shall be applied as hereinafter mentio rthwith deposit such further
sum with the said Collector as may quired to bri g the amout n/ n
for the time being deposited up to t red sum of Rs. *

5. He will at all times indemn Secretary of State against
all claims or suits which may be m brought by third parties
in respect of any such damage and and against all costs and
expenses relating thereto

6. He will not cut or injure timber or tree on any un-
occupied or unreserved land without th mission of the said Collecto r
in writing.

7. He will not assign the licens ransfer any right or interest [NB Please see rule 31 [15] (vii) - supra).
thereunder without the consent of the l Government.

8. *He will well and truly measur weigh or cause to be measured*
and weighed upon some part of the said the whole produce which shall
be so won as aforesaid of
other minerals or such of them as may and the said
purpose of ascert uired to be weighed for the
State how often. *in respect there the amount of royalty payable*
and as many oth least in every
days' notice in writing of every s as occasion may require and
given to the said Collector in order that asuring or weighing shall be
be present at such measuring or weighin ome person on his behalf may
thereof and no part of the said produce attend to the proper conduct
from the said lands until the same shal any account be taken away
as the case may be een so measured or weighed

9. *He will ascertain in such m s the Local Government may*
from time to time prescribe the value of cious stones and of all other
minerals ores and metals won dressed o acted which may be required
to be valued for the purpose of ascertain amount of royalty payable
in respect thereof.

---

* Here enter amount specifie he preamble.

#/

10. *He will upon the expiration or his license or the abandonment of the undertaking all first occur with all convenient speed remove engines machinery and other property and eff upon the said lands under the provisions hereo*

11. He will within six months af e exp or sooner determination of this license or the date of andonment of the said undertaking whichever shall first occur secu lug all bores and fill up or fence all holes and excavations that h have made in the said lands to such extent as the said Collector r quire and will to the like extent restore so far as may be to their or original condition the surface of the said lands and all build d structures thereon which he may have damaged in the course pecting.

Powers of Governm

1. *If the licensee shall at any time refuse or ect to observe or perform all or any of the conditions herein mentioned a his part to be observed and performed the said Collector may by notice iting signed by him and delivered to the licensee or left at the lands for ch this license is given summarily declare that the license hereby grant ll thenceforth determine and thereupon the license and all rights and libert ferred hereby or enjoyed hereunder shall forthwith determine without dice to the rights and remedies of the Secretary of State in respect prior breach or non-performance of all or any of the conditions here the part of the licensee and except in respect of the covenants on t t of the licensee herein mentioned to be performed after the expirat sooner determination of this license or after the abandonment of the u ing hereby licensed.*

2. It shall be lawful for the said Collect ll times to apply the said security deposit of Rs. * or any por hereof or any further sum which may be deposited under the sions next hereinafter contained in making good and satisfying the of any third parties in respect of any damage or injury abo ntioned done by the licensee and also in indemnifying the Secr f State against any claims by any such third parties in respect of such injury or damage and all suits and proceedings instituted agai he Secretary of State for or in respect of any such damage or inju all costs and expenses relating thereto.

3. Provided that if upon the determinat this license or of any renewal thereof the amount for the time bei deposit with the said

---

* Here enter amount already spe

Collector or so much thereof as shall n
Collector to be applied as above mention
become the lessee of any mining lease of t
thereof under the provisions hereinafter carried to h
credit as part of the rents and royalties pa under such lease or
he shall decline or fail to obtain any such as aforesaid then th
same shall be returned to the licensee provid so that if the Collector
has reason to anticipate that any such claim aforesaid are likely to
be made by third parties he may retain the nt of the said security
or such portion thereof as he may think pr a period not exceed-
ing six months beyond the determination o cense or any renewal
thereof as aforesaid.

Covenants by the Secretar State.

The Secretary of State hereby covenan hat if upon the expira-
tion by effluxion of time of the term hereby ted the said Collector
is satisfied that the licensee has been pre d from completing his
search of the said lands by any cause other his own default then
the said Collector may at the request and co the licensee in writing
renew this license for such further term xceeding two years as
the licensee may desir the expiration of the
term hereby granted s to the like conditions
in all respects as ar rein contained except
this covenant for rene And Also that on or
before the determinati this license the licensee
shall have a right (su to the rules prescribed
by the Government anting mining leases
to a mining lease i dance with the terms
contained in the sai of so much of the
said lands not exceeding the area specified said rules and upon
such conditions as the Governor-General i il may think fit.

Note.—A lease for precious stones must be given by the Governor-General in Council, Leases for oils and minerals other than precious stones will be given by the Local Government.

Arbitration cla

If at any time during the continuance his license or after the
determination thereof any question or dispu ll arise regarding this
license or any matter or thing connected ith or the powers or
duties of the licensee hereunder or the or payment of any
rent or royalty then and in all such cases th ter in difference shall
be decided by the Local Government wh ecision shall be final.

[N.B. For the omission of the clause "and provided
"that the Local Govt. is satisfied that the
"prospecting operations hereby licensed
"have been of a bona fide character," which
occurs in the standard form in the
existing S.O. please cf. rule 33[17] of the
existing S.O. and rule 32[16] of the
revised draft]

In witness whereof the said p ands hereto
the day and year first above wr

Signed by
for and on behalf of the
acting
the premises for and on behalf
the Secretary of State for India
Council in the presence of

Names and addresses of witnesses.

Signed by the abovenamed
( )
in the presence of

Names and addresses of witnesses.

Note.—The portions printed in italics ot prescribed by the rules but are suggested as proper and reasonable.

Sch A.

Here insert description of land with area boundaries, names of district, sub-district, thannah, &c.

Sche B.

SURF NT.

Rent charged for—
Coal ... ...
Oil ... ... r annas for every acre or frac-
Gold or silver ... ... on of an acre.
Iron ... ...
Other metals ... ...

Roy

Coal, exclusive of dust and coal used on the works.

Oil ... ...

Gold or silver ... ...

Iron ... ...

Copper, tin, lead or other metals.

Graphite, magnesite and chromite.

Mica ... ...

Phosphatic nodules ... ...

Steatite ... ...

Precious stones ... ...

Manganese ... ...

Sched

Coal ... ...

Oil ... ...

Gold or silver ... ...

Iron ... ...

Other metals ... ...

Mica ... ...

Corundum ... ...

Phosphatic nodules ... ...

Steatite ... ...

Magnesite ... ...

Chromite ... ...

Manganese ... ...

Graphite ... ...

Note.—The parties must sign against the end of the schedules. } Witnesses.

R

pends hereto

ofits o

at

ot prescribed by the rules but are sug-

A.

B.

NT.

r annas for every acre or frac-
on of an acre.

MODEL FORM OF MINI

This indenture made the

Between the Secretary of State called "the less taken to mean State for India office and assigns another or different meaning of the on hereinafter called "t be taken to mean and include the said

Note.—All blank spaces must be filled up in this form before signature.

executors administrators representative context requires another or different nesseth that in consideration of the ren hereinafter reserved and contained th the lessee the mines beds veins and described in the first part of the sche with the liberties powers and privilege with the said mines which are mention schedule subject to the restrictions and enjoyment of the same liberties specified in the third part of the sa out of this demise unto the lessor the mentioned and specified in the fourth

To hold the hereditaments and demised unto the lessee from the the term of years thence to the lessor the several rents royalti and specified in the fifth part of the said relating to the said rents and royalties said schedule and the lessee doth here the seventh part of the said schedule hereby covenant with the lessee as schedule is expressed and it is hereby and between the parties hereto as in th expressed, and it is declared that the be deemed part of these presents and be

---

Re

or 5
gross
ent. on the net profits of
h year taken separately.
na per ton of iron stone.
cent. on the sale value at
pits' mouth or on the surface,
e dressed ore or metal con-
ble at the option of the
e to an equivalent charge
n to be fixed annually or
erm.
Do. do.
cent. *ad valorem.*
cent. on the market price of
crushed nodules.
cent. on the value, f.o.b. in
dras.
cent. on value.
anna per ton.

ons.
allons.
ns of quartz or silver ore.
ons of iron stone.
ons of dressed ore.
wt.
wts.
ons.
ons.
ons.
ons.
ons.

[The rates prescribed by the Govt. of India's rules — Schedule C at p. 15-16.

[For the rate for graphite, please see sub-para (3) of the office note in G.O. 734 d 20.2.96 (O) & para 2(2) of the G.O. — for magnesite & chromite please see para 3 of B.P. in G.O. 5810 d 12.11.97 (S).]

[These are repeated from the existing G.O.]

[For this please see para 4 of the B.P. at p. 8 of G.O. 664 d 8-11-98-T and para 3 of the G.O.].

[For these please see the existing G.O.]

[For these please see para 2(2) of G.O. 734 d 20.2.96 (O), para 4 of B.P. in G.O. 5810 d 12-11-97 (S) and para 4 of B.P. at p. 8 of G.O. 664 d 8-11-98 (T).

In witness whereof the said p
day and year first above written.

Signed, sealed and delivered by

for and on behalf of the

acting in the premises for and o
behalf of the Secretary of State
for India in Council in the presenc
of

Names and addresses of witnesses. }

Signed, sealed and delivered by
the abovenamed

in the presence of

Names and addresses of witnesses. }

THE SCHEDULE AB

Part I.—The mines

The mines beds veins and seam
Description of mines. under the lan

which are
delineated in the plan hereunto an
] and
thereabouts

Part II.—Rights and privileges to
but subject to the restriction

1. Liberty and power for the
Grant of liberty to work the mine. hereby grante
ond to win an

a

Re

or 5
gross

ent. on the net profits of
h year taken separately.
na per ton of iron stone.
cent. on the sale value at
pits' mouth or on the surface,
e dressed ore or metal con-
ble at the option of the
e to an equivalent charge
n to be fixed annually or
erm.
Do. do.
cent. *ad valorem.*
cent. on the market price of
crushed nodules.
cent. on the value, f.o.b. in
dras.
cent. on value.
anna per ton.

ons.
allons.
ns of quartz or silver ore.
ns of iron stone.
ns of dressed ore.
wt.
wts.
ns.

ons.
ons.
ons.
ons.

78/

[The rates prescribed by the Govt. of India's rules – Schedule C at p. 15.

[For the rate for graphite, please see sub-para (2) of the office note in G.O. 734 d 20.2.96 (O) & para 2(2) of the G.O. – for magnesite & chromite in G.O. 581 O d 12.11.97 (S)] please see para 3 of B.P.

[These are reported from the existing G.O.]

[For this please see para 4 of the B.P. at p. 8 of G.O. 664 d 8-11-98-T and para 3 of the G.O.].

[For these please see the existing G.O.]

[For these please see para 2(2) of G.O. 734 d 20.2.96 (O), para 4 of B.P. in G.O. 581 O d 12-11-97 (S) and para 4 of B.P. at p. 8 of G.O. 664 d 8-11-98 (T).

2. Liberty and power to dig sin
To sink pits.
pits shafts drift
gates and other
for searching for mining working and
and for ventilating and draining the

3. Liberty and power to appropriat
To appropriate water.
with the workin
or within any
impound the same in ponds reservoirs or
the said mines but so that in the exercis
deprive any lands villages houses or wat
quantity of water as before accustomed an
nate or otherwise deteriorate any springs
them useless or unprofitable.

4. Liberty and power to enter upon
To appropriate land for stacking.
the said lands ad
heaping thereon
all the earth soi
brought to the surface in or about the wo
carrying on the works of the said mines.

To convert coal into coke.
5. Liberty an
to convert coal int
or otherwise.

6. Liberty and power to take lead an
To lead and carry away coal.
coal to be gotten
made and manu
powers hereinbefo
same at his own will and pleasure.

7. Liberty and power to erect set up
To erect houses.
lands workmen's
furnaces buildings
and other roads and works necessary or
of the said mines and the exercise of the s
before granted.

8. Liberty and power to search for
within the said lands for the purpos
of this schedule but not for sale and also
make and burn the same into bricks for
sale.

2/

Re

FOR COAL.

of 189 —

dia in Council hereinafter
which expression [shall be
lude the said Secretary of
ncil and his successors in
when the context requires
nd
" which expression shall

his heirs
assigns except when the
ng of the other part wit-
alties and lessees covenants
or doth hereby demise unto
s of coal mentioned and
ereunder written together
e exercised in connection
the second part of the said
ons as to the exercise and
and privileges which are
dule except and reserved
ties powers and privileges
the said schedule.

s intended to be hereby
day of for
suing yielding and paying
sums of money mentioned
ule subject to the provisions
sed in the sixth part of the
nant with the lessor as in
essed and the lessor doth
e eighth part of the said
lly agreed and declared by
part of the said schedule is
le hereunder written shall
and construed accordingly.

These should be in bigger Roman letters, not italics — vide the model form under G.O. 4970 d 21-9-97 (V)

2/1

Part III.—Restrictions and conditions as t
liberties powers and pri

1. *No building or thing shall be erected or operations carried on b liberties and privileges place of worship sacred village site public road or other place in respec it appears to the Local Government that objec such a way as to injure or affect any buildings rights of private individuals nor shall any surface operations if the same is already in th persons other than the lessor for other works o present demise if any other lands not so occupi convenient and equally available for such surfac*

No building, &c., upon sacred places.

2. *Before taking any land for surface oper been used for such oper the lessor's agent (who f shall be taken to be the for the time being) t notice in writing specify designation and by quantity the land propos for which the same is required. The lessor's two calender months from the receipt of such to the proposed site and the validity of such o be determined by reference to the Local Go shall be final.*

Notice to be given before entering on lands and lessor to be at liberty to object to proposed site.

3. The lessee shall not *without the expres* down or injure any trees *or timber on the sai brushwood or undergrowth which interferes liberties and privileges above granted.*

Provided nevertheless that notwithstan contained the lessee shall not enter upon a the land delineated on the plan hereunto s days' previous written notice to the Distri obtaining the sanction in writing of that o such officer may in his absolute discretion

Part IV.—Rights reser

1. *Liberty and power for him the lessor authorized by him on th the said lands and to s mineral or substances*

Liberty for lessor to work mineral, &c.

R o the

Seal.

Seal.

EFERRED TO.

by this lease.

l lying and being within and
e lying and being

nd therein coloured [
contain an area of or,

rcised or enjoyed by the lessee
nditions in Part III.

at all times during the term
rk the said mines and premises
he produce thereof.

under the said lands and for the purposes
use such pits shafts levels drains water-cou
engines or machinery canals railways wago
conveniences upon through or under the
expedient Provided always *that the said*
work for minerals other than coal shall
manner as not to hinder or interfere with
lessee under these presents and Provided al
sation shall be paid by the lessor for all los
lessee may sustain or be put to by reason or
the said reserved rights and privileges to wo
the amount of such compensation to be settled
to the said Local Government whose decisio

2. Liberty and power for the less
twenty-four calendar months from the com
hereby granted have started operations
stantial extent or if at any time duri
operations shall have been started, the sa
by unavoidable cause be carried on effectu
mining-like manner, to the satisfaction of
to re-enter upon the said premises and
the same to third parties or otherwise dea
had not been made.

Part V.—Rents and royalties

1. The certain half-yearly rent of Rs

Certain half-yearly rent.

lessee to the lessor a
of the said mines an
day of by equ
day of the day o
half-year immediately preceding the first
to be made on the day of
certain half-yearly rent of Rs.
the lessee may in every half-year during
work and get from or out of the said mi
quantity of coal and coke manufactured t
after mentioned would yield or pay for t
in amount to the said certain half-yearly
said certain rent as from the said
be paid whether such quantity shall in fa

2. The lessee shall during the
from the day of to the
to the lessor the royalty of annas

R ich
air
or proper
and premises

for any purpose connected
said mines the water upon
id lands and to collect and
se for the purpose of working
privilege the lessee shall not
ces for cattle of a reasonable
in any manner foul impreg-
ns of water so as to render

occupy a sufficient part of
any pits for depositing and
oduce of the said mines and
other substances dug up and
of the same and for otherwise

in and upon the said lands
whether for purposes of sale

way over the said lands the
resaid and the coke to be
under the liberties and
ted and to dispose of the

ke in upon and over the said
sheds engines machinery
ons rail roads tram roads
for the effectual working
liberties and powers herein-

d dig gravel sand and stone
ioned in this second part
for and get clay and to
poses aforesaid but not for

of coal which shall be sold at the said
sale or otherwise or which shall be, ma
during the remainder of the said term
ton or part of a ton of coal which shall
exported therefrom for sale or otherwise
into coke in any half-year of the said ter
of which the lessee is by cl
work or get in respect of the said certain

3. The further yearly rent of Rs.
shall be occupied or used by the lessee
demise and so in proportion for any less
surface rent to be paid by equal half-year
as the said certain rent of Rs. is here
of such payments to be made on such of
next after such occupation or use shall
yearly payment thereof to be made on s
happen next after such occupation or use
shall have been restored and rendered fit
always that no such rent shall be paid or
roads or ways now in existence.

Part VI.—Provisions relating to th

1. All the aforesaid rents and royaltie
deductions.

2. If in any one half-year after the first
term the lessee shall
mines such quantity
rate would produce f
the certain rent hereby reserved then and in
the next succeeding half-year of the said term
the said mines such a quantity of coal as sha
deficiency without paying any royalty for the
rent. But the overworkings of any precedi
not come in aid of or be applied to make good
in any subsequent half-year or half-years.
be calculated upon the weight of the said coal
sold or exported from the said mines or previ
and such rent and royalty shall be paid on
provided for the payment of the said rent at
for and in respect of the coal sold o
coke during the preceding half-year and in
be payable.

Provision for making up underworkings.

R

shal
and no other surface
see by virtue of the
nted in or upon any
burial ground house
h on public grounds
st to so doing nor in
works property or
aken or occupied for
n of and used by
t included in this
are suitable and
tions.
which has not already
the lessee shall give to
purposes of this clause

ndar months' previous
name or other sufficient
taken and the purpose
y at any time within
e his objectons if any
in case of dispute shall
whose decision thereon

ion of the Collector cut
but he may clear away
he due exercise of the

nything in this clause
rve forest included in
without
st Officer nor without
pon such conditions as
e. 1

ssor.
lessee or other person
to enter into and upon
dig work and get any
than coal in upon or

3. All coal used by the lessee for the usual
Coal used in the mines to be free from rent and royalty.
the mines and for domesti
and offices of agents and
employed in and about the
shall be free from rent and royalty.

Part VII.—The lessee's co

1. The lessee shall pay the rent and royal
at the times and in t
To pay rent, rates and taxes.
in that behalf *and shal*
taxes rates assessments
being in the nature of public demands which shall
assessed or imposed upon the said mines or any
the Government of India or the said Local Govern
demands for land revenue and shall also pay the
per cent. per annum on all arrears of such rent
date thereof.

2. The lessee shall at his own expense f
times maintain and keep
To erect boundary marks.
and pillars according t
in the plan hereto anne
of the said lands may at all times be maintai

3. The lessee shall within twenty-four cale
mencement of the term
To work continuously.
work the said mines to
Local Government and shall thereafter at all
ance of this lease unless prevented by unav
work for in a proper, skilful and mining-li
possible obtain coal from the said lands an
working order and condition and work all m
voluntary intermission in a proper skilful an
upon the most approved principle without
done any unnecessary or avoidable damage
lands within or under which the said mines li
use the said lands in any manner save for t
and the rights hereby granted.

4. The lessee shall well and properly secur
or other durable means
To secure pits and shafts.
or made in the said la
sufficient fences round e
shall at all times during the said term keep the
mines free from water and from foul air as far

---

buildings
works and
shall be necessary or
rights and privileges to
ed and enjoyed in such
its and privileges of the
fair and proper compen-
es or injury which the
quence of the exercise of
inerals other othan coal
difference by reference
hall be final.
ee shall not within
cement of the said term
this lease to some sub-
said term after such
ll not unless prevented
n a proper, skilful and
aid Local Government
the same and to lease
the same as if this lease

by this lease.

shall be paid by the
for and in respect
ises from the
ments on the
in each year for the
half-yearly payments
and in respect of such

rrency of this demise
d sell or export such a
n as at the rate herein-
f-year a royalty equal
Rs. But the
shall always
tten or not

ths of the said term
day of pay
ton or part of a ton

[N.B. as to the period entered in this clause please see G.O. 3185 dt. 5-9-99. V].

and/ (The error is repeated from the existing G.O. into standard form under G.O. 4970 d. 21-9-97, the word is printed as "and").
V.

5. The lessor's agents servants and
Lessor to inspect. reasonable times
the said premises
works carried on by the lessee under
and the lessee with proper persons empl
workings of mines and works shall ef
servants and workmen in conducting
all information connected with the w
reasonably require and also shall and
times during the said term hereby
orders and regulations which the lessor
from time to time see fit to impose in th

6. The lessee shall without dela
District a report of any accident whi
the said land or any pit or shaft or mi

7. The lessee shall at all times upo
other than that or those for which this le
such finding in writing to the Collec
culars of the nature and position
desirous of working or winning suc
shall pay a royalty on all that he m
being less than 20 per cent. of the v
ernment may determine (the value
prescribed by the Government of Indi
as to such value the decision of the L
conclusive) until a fresh mining lease
of such new mineral or product and th
discovery of such new mineral or prod
lease therefor or if precious stones be c
lease therefor upon the terms and con
the Rules by the Government of Ind
licenses dated the 20th May 1899.

8. The lessee shall at all times dur
To keep books of accounts. to be kept at th
works to be situ
of the said lands
accounts upon such plan or principle a
of by the said Local Government which
of (1) the quantity of coal raised and
which have been or may be made or s
and liberty on that behalf hereinbef
manufactured coal into coke (3) the

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buildings
works and
shall be necessary or
rights and privileges to
ed and enjoyed in such
ts and privileges of the
fair and proper compen-
es or injury which the
uence of the exercise of
inerals other othan coal
difference by reference
hall be final.
ee shall not within
ement of the said term
his lease to some sub-
said term after such
ll not unless prevented
n a proper, skilful and
aid Local Government
the same and to lease
he same as if this lease

by this lease.

shall be paid by the
for and in respect
ises from the
ments on the
in each year for the
half-yearly payments
and in respect of such

rrency of this demise
d sell or export such a
n as at the rate herein-
f-year a royalty equal
Rs. But the
shall always
tten or not
ths of the said term
day of pay
ton or part of a ton

[N.B. as to the period entered in this clause please see fo. 31850s-9.99. V].

and/ (The error is repeated from the existing S.O. in the standard form under fo 4970d 21-9-97, the word is printed as "and"). V

exported from the said mines and (4) th
disposed of and the manner and purpose in
been or are intended to be applied (5) the
in the said mines together with all other
conveniently ascertaining the amount of th
payable under these presents and the mann
has been disposed of and shall also at his o
officer as the said Local Government may fr
such times as the said Local Government m
abstracts of all or any of such accounts and
tion and returns in respect thereof as
prescribe and shall at all reasonable t
persons as the said
that behalf appoint t
access to the said offi
purpose of examining and inspecting the sai
and to take copies thereof and make extracts

Furnish abstracts of accounts, &c.

9. The lessee shall at all times during the
and kept at the said o
and correct and intell
the said mines which
as well the operations and workings which
all views faults and other disturbances wh
encountered in such workings and opera
sections shall be made amended and filled up
be made for that purpose at the end of every p
and the lessee shall allow any officer auth
ment in that behalf at any time to examin
shall at hi ost furnish to the Local G
copies of lans and sections when the

To keep plans of working.

10. essee shall provide and at all tim
or each of the pit head
said mines shall be
properly constructed we
or cause to be weighed therein all coal brou
mines hereby demised or which may be sunk
license and liberty in that behalf hereinbefore
of each day cause the total weights of the
twenty-four hours and weighed as aforesai
book or books of account the lessee shall also
the said machine or machines all coal sold at
and shall cause true and correct entries t
books of account of all coal so sold or exporte

To pr weighing machin

---

ed by this lease
above appointed
and discharge all
sitions whatsoever
to time be charged
of by authority of
otherwise except
rate of
from the due

h erect and at all
air boundary marks
demarcation shown
hat the boundaries

ths from the com-
granted start and
faction of the said
uring the continu-
cause continuously
her and as far as
tain in good repair
hen opened without
ng-like manner and
r permitting to be
surface of the said
all not cultivate or
poses of this demise

ep open with timber
nd shafts to be sunk
make and maintain
pit or shaft and also
except abandoned

into coke and it shall be lawful for the le
term to employ any person or persons
weighing of the said coal and the removal
for export and to keep accounts thereof ar
lessee.

The lessor may test weighing machine.

11. The lessor may through his agents
during the said term
weighing machine o
by the lessee as afo
with in order to ascertain whether the sam
good repair and order and if upon any such
weighing machine or weights shall be fou
order it shall be lawful for the lessor or his
adjusted repaired and put in order by and a
hinder the use thereof in the meantime and if
with within fourteen days after the same s
his agent may cause the said weighing mach
adjusted repaired and put in order and mo
from the lessee and if upon any such exami
error shall be discovered in any weighing m
of the lessor such error shall be considered t
months previous to the discovery thereof
examining and testing the same weighing
occasion shall be within such period of thr
royalty shall be paid and accounted for acc

Not to assign or underlet without license.

12. The lessee shall not nor
under him
interest t
demised or an
privileges hereby granted or any of
Local Government first had and obtaine

To have at demised premises a manager or agent to whom notices may be given.

13. The lessee shall at all times h
accredited manager
be given and all com
be made. If there
agent on the premise
treat any other person there as such age
documents upon the said agent or in his abse
as aforesaid or in the case of there being no
then by affixing the notices or documents upo
said premises in the occupation of the lessee

---

ises

ed by this lease
above appointed
and discharge all
sitions whatsoever
to time be charged
of by authority of
otherwise except
rate of
from the due

h erect and at all
air boundary marks
demarcation shown
hat the boundaries

ths from the com-
granted start and
faction of the said
uring the continu-
cause continuously
her and as far as
tain in good repair
hen opened without
ng-like manner and
r permitting to be
surface of the said
all not cultivate or
poses of this demise

ep open with timber
nd shafts to be sunk
make and maintain
pit or shaft and also
except abandoned

To pay compensation for injury to third parties.

14. The lessee shall make and pay compensation for all i by him his agents an the liberties and pow property and rights at all times save harmless and keep inden against all actions suits claims and dema respect of any such injury.

The deliver up mines, &c., in good order.

15. The lessee shall at the end or soone term deliver up to the and in a proper and w for future working the which have been or may be made or sun license and liberty in that behalf hereinbef all engines pits shafts water-courses air gates ground level and which cannot be moved with said mines except any pits shafts or other wor abandoned or disused in the ordinary and fair said mines and premises and with the sanction

Part VIII.—The Lessor's c

For quiet enjoyment.

1. The lessee paying the rents hereby reser observing and performing herein contained and on h performed shall and may peaceably and quietly h premises hereby demised for and during the term lawful interruption from or by the lessor or any from or under him.

Note.—No provision for renewal of any lease should be agreed to or inserted in any lease without the express sanction of the Government of India.

2. If the lessee shall be desirous of taking a mines for the further t expiration of the said t desire shall prior to th tioned term give to th previous notice in writi royalty hereby reserved ar several covenants herein co the lessee to be observed and performed up to the hereby granted the lessor will upon the request and and upon his executing and delivering to the lessor and deliver to the lessee a renewed lease of the term of   years at the same rent and u

---

upon
amine al
before granted
acquainted with the
assist the lessor's agents
ion and shall afford them
he mines which they may
time to time and at all
onform to and observe all
ult of such inspection may
public health and safety.
the Collector of the
y time occur at or in

g any mineral or product
ranted immediately report
he district with full parti-
find and if the lessee is
mineral or product he
or win at such rate not
eof as the Local Gov-
at from time to time
the event of any dispute
rnment being final and
e been given in respect
shall at any time after
ntitled to obtain a mining
d the first offer of a mining
prescribed in Rule 16 of
the grant of prospecting

said term keep or cause
or counting house of the
contiguous to some part
and intelligible books of
h form as may be approved
all contain accurate entries
to bank from the mines
lessee under the license
d (2) the quantity of
f coal or coke sold and

covenants provisions and agreements
present covenant but subject neverthele
increased royalty as may be then fixed

3. The lessee may at any time or ti
the determination of this demise wheth
enter into and upon the said lands or
taking down removing and disposing of
machinery utensils implements article
about the working of the said mines an
tramways and other works (except buil
erected and then standing upon any of
working the said mines unless the lesso
same or any of them in pursuance of th
contained.

Part IX.

1. If the rent or royalty hereb
part thereof res
for the space of
any of the days whereon the same oug
as the case shall happen any officer o
of the lessor may enter into and upo
time being be possessed or occupied by
demise and may distrain all or any of
live and dead stock and things whic
same premises and the same may take
detain and keep until the rent or roya
all costs and expenses occasioned by th
fully paid and satisfied.

Power of distress.

2. If the rent or royalty hereby rese
of them or any
behind or unpaid fo
months next after any of the days whereon
as aforesaid and whether the same shall ha
not or if the lessee shall commit any br
conditions contained in the lease and on h
performed or any of them in such case it s
of the Local Government on behalf of the l
and although the lessor may not have taken
default of a like nature into and upo
or any part thereof in the name of the
have again repossess and enjoy as of

Power of re-entry.

upon
amine al
before granted
acquainted with the
assist the lessor's agents
ion and shall afford them
the mines which they may
time to time and at all
onform to and observe all
ult of such inspection may
public health and safety.
the Collector of the
y time occur at or in

g any mineral or product
ranted immediately report
he district with full parti-
find and if the lessee is
mineral or product he
or win at such rate not
eof as the Local Gov-
at from time to time
the event of any dispute
nment being final and
e been given in respect
shall at any time after
ntitled to obtain a mining
the first offer of a mining
prescribed in Rule 16 of
the grant of prospecting

said term keep or cause
or counting house of the
contiguous to some part
and intelligible books of
h form as may be approved
all contain accurate entries
to bank from the mines
lessee under the license
d (2) the quantity of
f coal or coke sold and

Proceedings No. 27

3. *If at the end or sooner*
shall be d
buildings
structed b
by notice in writing to the lessee
expiration of the said term (or if t
power of re-entry hereinbefore co
months after the determination of
lessor all or any of the said b
be fixed or ascertained by taking
at date of construction and ded
equivalent to
per cent.

Proviso for lessor to purchase.

4. *If at any time during the*
shall become
permanently
fire tempest
or other i
option of
be occasioned by the wrongful act
shall not be entitled to avail hi
PROVIDED *also that if this*
of the causes aforesaid
remedies of the lesso
of any rent or r
breach which
contained in the part of

Right of lessee to determine lease of mines destroyed by act of God.

5. Whenever any doubt dif
touching the construction of th
tained or any matter or thing
minerals hereby dealt with or
the amount or payment of a
payable hereunder the matter
Local Government whose decisio

B.P., 33
G.O., No

e to time
coal or coke
se furnish to such
time direct and at
nt true and correct
and such informa-
Government may
such officers or
vernment shall in
to and have free
g house for the
ks of account
om.

n cause to be made
unting house true
ans and sections of
s ctions shall show
n carried on as also
been observed and
all such plans and
om actual surveys to
elve calendar months
the Local Govern-
an and sections and
ent true and correct
required.

t or near the pit head
ch the produce of the
to bank a good and
chine and shall weigh
k from or out of the
the lessee under the
ed and shall at the end
during the previous
tered in the aforesaid
cause to be weighed in
from the said mines
ily in the aforesaid
manufactured

italics. [the word has been inserted by the P.D.]

ngs . 78, dated 13.11.1899

W/P/21/11

V.E.

Df today and sent file intact to call. clerk.
4.11.99

[illegible] subsequent on 4.11.99 was [illegible]

Revenue Department

Official Memorandum No. 348
4.11.99

Refce. Procgs. of the Board of Revenue, Land Revenue, No: 197 dated 22-8-99.

—

The Govt. considers that in the place of rule 4 of the revised draft Standing Order submitted with the Proceedings noted above, the rules recently approved in G.O. No: 607 Rev. d. 8.9.99 for regulating mining in patta lands may be substituted the notes to the rule being replaced by the following notes:-

"Notes (1) The provisions of this
" rule shall be applicable
" mutatis mutandis to the
" other classes of lands in
" which the Govt. ~~claims~~ claim
" a share of the minerals.
" (2) No charge will be made
" for merely exploring or
" prospecting for minerals
" in shared mines, if the
" mines are not regularly

Revenue (1899) Department.

CURRENT No. 7453

UNDER SECY. TO GOVT.
20 NOV. 1899
REVENUE DEPT.

Order

From The Board of Revenue,
Land Revenue, Madras.

No. 5712 Misc.

Dated 17th November 1899
Received 20/11
Registered 20/11
Enclosures
Spare copies

SUBJECT.

Stating (in reply to O.M. No: 348 d 4-11-99) that the rules for regulating mining in patta lands have already been embodied in the revised edition of the Standing Orders submitted to Government with Board's - Proceedings No. 278, dated 13.11.1899.

20/11

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 66.

Proceedings of the Board of Revenue

(Land Revenue)

No.5712 Misc. Dated 17th November 1899

The Honourable Mr. J. Sturrock

- Slip 5

Read Official Memorandum from Government, Revenue Department, No.348, dated 4th November 1899.

Resolution

In reply to Government Memorandum No.348 dated the 4th November 1899, the Board submits that it has already embodied in the revised edition of the Standing Orders submitted with Board's Proceedings No.278, dated the 13th November 1899, the rules recently approved by Government in G.O.No.607 dated the 8th September 1899 for regulating mining in patta lands.

Slip 5

Slip X

no 7405/99 now with the Under Secy

2. These rules, it will be seen, form appendix No.XXVIII to Standing Order No.25 and they have already practically taken the place of para 4 of that Standing Order as Government now suggests that they should. The first of the two notes now suggested by Government is also embodied in para 4 of that Standing Order and the effect of the second of them is contained in the two notes (1) and (5) to the same para. The present proposals of Government have thus in effect been anticipated. Notes (2), (3) and (4) to para 4 occur again in appendix No.XXVIII but it is submitted that their importance is such as to warrant their prominent mention in the body of the Standing Order itself.

/True Extract/

Franks

Ag. Secretary.

To the Secretary to Government, R.D.

Q.B.

[N.B. The question dealt with in paras 4-6 of the B.P. has been separated, submitted for orders]

Revenue Departme

Paragraph 2 of Board's Pro-
ceedings No: 197, Land Reven
d. 22-8-99 - C.No. 5480 | 9

W

Subject

Submitting a revised draf of Standing Order No: 11, (New Edition) - Rules for Quarry and mining.

To Under Secretary.

(i) Rules 1, 2, and 3 of the revise draft are repeated from the existing Standing Order, and call for no remarks.

(ii) Rule 4 with the notes there (re: shared mines and quarries) is reproduced from the existing Standing Order, with the ~~[illegible]~~ exception that the rates of royalty have been modified so as to accord with those laid down by the Govt. of India's new mining rules. In G.O. No: 604 Rev. d. 8-9-99 (X) the Govt. approves certain rules [illegible]

G.O. 375 / 15-6-99 (II)

f mining in patta lands, irecting at the same time tiat the same rules shall ve applicable *mutatis mutandis* to other classes f "shared" mines. As regards the notes to the ~~existing~~ rule 5 in the existing Standing order and which are repeated n the revised draft, it will be seen that notes (3) and (4) and so much of note (2) as lays down that the amount payable to Govt on account of the minerals worked will be collected under the provisions of Act II of 1864, re embodied in the rules approved in the Govt. order referred to (No: 607 Rev. d 8-9-99. Slip X). The remaining portion of note (2) appears, t is submitted, unnecessary. t is submitted that the provisions approved in G.O. 607 d. 8-9-99 (X) may be ubstituted for rule 4, and the following notes substi- [illegible] thereto-

Secy

The Bd may be asked whether this wd not be better

See B.P. 3712/17-11-88 [illegible] 4

K. T.

[Vide para 6 of G.O. 607 d 8-9-99- X]

(Based on notes (1) + (5) to the existing rule).

Whence does this phrase of the Bd come from? Used it not to be "unfit"? Even Rule 11 says "fit"

(answered at p. 10 below)

" Notes. (1). The provisions of
" this rule shall be applica-
" ble *mutatis mutandis* to
" the other classes of lands
" in which the Govt
" claims a share of the
" minerals.
" (2) No charge will be made
" for merely exploring or pros-
" pecting for minerals in
" shared mines, if the mines
" are not regularly worked.
" No charge will also be made
" where a pattadar may
" quarry a small quantity
" of laterite, &c., for his own
" use for a specific purpose
" without any intention of
" continuing ~~opera~~ opera-
" tions ~~in~~definitely,
" provided that the land
" is not in any way rendered
" less fit for cultivation.
" Nor do the rules affect
" in any way the right
" which all holders of
" lands in which the
" Govt. claims a share of
" the mineral output

4

"process of digging wells in "their lands and of disposing "of the gravel and stones "which may be thrown up "in the course of such "excavation".

(iii) Rules 5 to 13 and 15 of the revised draft are repeated from the existing Standing Order.

It is submitted that the following based on the ruling issued in G.O. No: 623 d 15-9-99 (Y) may be added as a new rule between rules 10 and 11 –

"Railway companies may "be allowed the privilege of "removing sand free of "Seigniorage from the beds "of rivers, in ~~places~~ places "where it can be taken without "objection and subject to "any conditions that the "District Collector may "see fit to impose."

(iv) Rule 14.

Under the rule as it stands in the existing Standing Order, all applications for

Seen
9/x 188

1A

Para 2 of B.P. 197 L.R. d 22.8.99 (current). Slip W.

×Vide rule 29 [13] (2) of the existing S.O. & rule 29 [13] (2) of the revised draft S.O.

5

prospecting licenses have to be submitted for the orders of the Board and the Govt. The Board now deems it unnecessary to withhold from Collectors by a specia rule the power of granting prospecting licenses on thei own authority which is conceded to them by the Govt. of India rules×, and has accordin ly modified rule 14 of the existing Standing Order so as to empower Collectors to grant such licenses except where the areas applied for exceed certain limits. The limits proposed by the Board are –

	sq. miles.
for coal –	4
" oil –	2
" gold or silver –	1
" metals –	1
" precious stones –	1.

Where the areas applied for exceed the above limits, the rule in the revised draft requires Collectors to make a ~~reference~~ reference to the

Board. of Revenue. The draft rule further provides that grants made by Collectors should be reported to the Govt. through the Board, and that Collectors' ~~grants~~ grants will be liable to be cancelled by the Board or Govt. if on appeal from any of the parties affected or otherwise such a course be found necessary. In connection with the Board's proposal, attention is solicited to the following remarks made by the Govt. of India in communicating the revised mining rules— "As a prospecting "license confers exclusive "rights for a term which "may be extended to three "years, the area over which "such a license should be "granted is a matter of "some consequence. The "Collector's powers in this "respect are made subject "to the control of the Local "Govt., and the Local

at top of page 3. of B.P. ...
1978 22.8.99 (Current) - Slip ...

× vide rule 31 [15] (i) in the revised draft 88

Secy
The Bd's rule (14) seems safe & may be accepted subject to amendment below
9 IX 88

× Please see reply from the Govt of India - No 32-17-16 C No 6460 [illegible] in the linked file below. in which the Govt of India has accepted the proposal.
o Taken out

a/ 9 IX 88

Secy
In any case, I submit that what the Local Govt is going to do is out of place in the S.O. The last sentence may be omitted?
of course 9 IX 88

B

"Govt. might suitably "direct that, in cases in "which a prospecting license "is applied for over a large "area, a previous reference "to higher authority should "be made by the Collector". If Collectors are to be ~~empowered~~ empowered to grant licenses, it is for consideration whether the limits proposed by the Board may be accepted.

It may be stated here that the last sentence of draft rule 14 will require modification if the Govt. of India accepts the proposal made in letter No. 3062 0 23.8.99 that mica ~~[illegible]~~ concessions might be exempted from the rule requiring that concessions should be reported and mining leases forwarded to the Govt of India for information. ×

(V) Rules 16 to 42 with the schedules A, B and C are the Govt. of India's new mining rules.

Board of Revenue. The draft rule further provides that grants made by Collectors should be reported to the Govt. through the Board, and that Collectors' ~~grants~~ grants will be liable to be cancelled by the Board or Govt. if on appeal from any of the parties affected or otherwise such a course be found necessary. In connection with the Board's proposal, attention is solicited to the following remarks made by the Govt. of India in communicating the revised mining rules- "As a prospecting "license confers exclusive "rights for a term which "may be extended to three "years, the area over which "such a license should be "granted is a matter of "some consequence. The "Collector's powers in this "respect are made subject "to the control of the Local "Govt. and the Local

at top of page 3 of B.P. 1970 22.8.99 (Current) - Slipped

* vide rule 31 [15] (i) in the revised draft

"Govt. might suitably "direct that, in cases in "which a prospecting license "is applied for over a large "area, a previous reference "to higher authority should "be made by the Collector." If Collectors are to be ~~[illegible]~~ empowered to grant licenses, it is for consideration whether the limits proposed by the Board may be accepted.

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(V) Rules 16 to 42 with the schedules A, B and C are the Govt. of India's new mining rules.

Secy
The Bd's rule (14) seems safe & may be accepted subject to amendment below
9 IX 1899

O Taken out

I x

* Please see reply from the Govt of India - No 32-14-16 C No 6410 [illegible] in the linked file below, in which the Govt of India has accepted the proposal.

Secy
In any case, I submit that what the Local Govt is going to do is out of place in the S.O. The last sentence may be omitted?

Of course
9 IX 1899

B

(vi). The standard forms of exploring and prospecting licenses (general) and of mining lease for coal have been reproduced from the existing Standing Order, modified where necessary to accord with the Govt. of India's new rules. As regards the form of mining lease, the Board states that it has embodied in the form the verbal alterations made by the Govt. Solicitor in the draft leases recently forwarded to him for scrutiny. The licenses and lease forms have been checked in the office, and the only point requiring notice appears to be that the note× under the exploring and prospecting licenses, stating that "the "portions printed in italics "are not prescribed by "the rules [but are suggested "as proper and reasonable",] should be repeated also under the form of mining lease.

× in G.O. 375 d 15-6-99 (8 ḁp II)

— Ref not given

Submitted that the omission, which is regretted, has now been supplied

×at pages 18 + 24 of the revised draft standing Order.

[but are necessary or proper conditions] ? No. H.T.

See para 5 of India's letter d 31 Sept 97 V

51 x 99

× also footnote under the mining lease form (last page) in G.O. 4970 d 21-9-97 (V).

V

please see× para 5 of the Govt. of India Circular in G.O. No: 4970 d. 21-9-97.

(vii) A few errors (mostly printer's errors) have been noted in the margin of the draft Standing Order.

P.E.
28-9-99.

Office

Please note authority for requiring Secy to Govt to sign all leases. V. Draft Rule 14 on page 5

5/x/99

To Under Secy.

It is submitted that under the Resolution of the Govt. of India in G.O. No.× 856 Judl. dated 25-4-95 ~~that~~ mining leases granted by this Govt. should be signed by a Secretary to Govt - vide item J of the Resolution.

× in G.O. 2253 d 5-6-95 Rev.

YY

P.E.
26.10.99.

Secy

Please also see notes above

27/x/99

Yes: omit "Rev Dept": By statute one Secy. may sign for another

U.S.

Please see notes.

H.T.
31.10.99

Revenue Department

Secretary's query at p. 3 of the notes below re: the phrase "less fit" which occurs in note 5 to rule 4 of the revised draft Standing Order No: 15.

—

"Where does this phrase of "the Board's come from? Else "it not to be 'unfit'? Even "rule 11 says 'fit'".

—

2o Under Secretary.

The first sentence of note (5) in which the phrase in question occurs, is repeated from the existing Standing Order (page 5) and is based on para 1 of

H, G.O. No: 1293 Rev. d 19-11-85 (at p. 22 of the G.O) – please see also last sub-para of para 2 of the notification

I appended to G.O. No: 598 Rev. d. 21-6-87 (at p. 6 of the G.O). Rule 11 of the revised draft Standing Order ~~S.O.~~ (also reproduced from the existing Standing Order) is based on the last sub-para of para 3 of the same notification.

P.E.
31.10.99.

Secy.
1.11.99

Secy. It is a foolish rule. All (and with a too foot fit in it is "too fit for cultn."

H.

Please ask H.I. Bd as on p.2

H.I.
2/11/99

To Under Secy.

Please see draft O.M. below.

P.E.
3.11.99

4/11/99

Proceedings of the Board of Rev. (Land Rev.) Mis. No: 3525* d 30-10-99 and 3712* d. 17-11-99.

*Slip 3
* Slip 4.

To Under Secy.

With reference to sub-para 2 of para 2 of the first of the Proceedings noted above (slip 3), attention is invited to the marginal notes at page 7 above, where it has been held that the last sentence of rule 14 of the revised draft standing order should be omitted. (Slip 2)

Yes: it is out of place
24/11/99

The second of the Procee-

-dings noted above (No: 3712 d 17-11-99 Slip 4) is the Board's reply to O.M. No: 348 d. 4-11-99 (Slip 5) The revised edition of the Board's Standing Orders referred to in para 1 of the Proceedings is with the Under Secretary.

P.E.
23.11.99.

Secy

The draft Standing Order as it is printed in the volume sent up separately (as S.O. No 25) may be approved subject to the ~~[illegible]~~ addition proposed at A on p.4 of the notes above & the omission at B on p.7 of the notes.

24/11/99

H.M.

27/11/99

Please see connected file

Yes, I think so H.S.
29-11-99.

30.11.99

Hon Mr Winterbotham
Mr Arundel

To Under Secy.

Please see draft order submitted below.

P.E.
1.12.99.

Secy
2/12/99

N.S. Please speak about the following points:
Please see –

Rule 1(b) Wd. it not be ~~safer~~ clearer to say: "inam lands wh. have already been enfranchised without reservation of such claim." :

Rule 4. ~~are~~ The royalty & dead rent are not fixed for ever? If not perhaps safer to say at line 8 of the rule:
"~~at~~ The ~~specified~~ royalty rates ~~which~~ have for the present ~~have~~ been fixed as below":

Rule ~~7~~ {= 5 B (ii)} is not only ungrammatical but vague: better alter as shown in pencil

Rule ~~10~~ {= 5 B (iv)} – surely some regulation shd. be left to the Collector as to the spots where quarrying &c may take place – see G.O. 13 Augt 92 No 847 R

Rule 12 – see slight verbal alterations ✓

Rule 16 et seq. The printing of the G.O. rules is carried on in the same type as the [illegible] is?

S.K. 9/12/99

Insert & alter accordingly

S.K.

To Under Secy.
P.K. 9.12.99. Please see O.M. submitted as directed

I think on the whole it is clear enough that the royalty rates may be altered from time to time

S.K.

see alteration of 5 B. iv

To Under Secy.
P.K. 9.12.99. Please see revised draft G.O. submitted below.
(See Draft [illegible] [illegible] O.M.)
[illegible] 9/12

[illegible] 9/12

G.N. Please submit [illegible] these alterations
9/12

Secy

Secy

Please see draft G.O. & draft O.M. below. Alterations of substance are entered in the G.O. & alterations of form & wording in the O.M.

9/12/99

Df (not to be printed)
12/12/99

p. 62 of vol
alterations made by the Secy in rule 14 at p. 5 of the copy of the draft S.O. with broad margins (Ship 2)

p. 63 of vol

Revenue Department

Official Memorandum No. 403 d/12.12.99

The ~~undersigned is directed to request that the~~ following alterations ~~may be made~~ shd be made in the revised draft of the Rules for Quarrying and Mining in the Madras Presidency printed as Standing Order No: 25 in the revised edition of the Board's Standing Orders submitted to the Govt. with B.P. No: 278, Land Revenue, dated 13-11-99:-

(i) Rule 5-A - clause (iii).

The word "either" should be inserted between the words "if" and "on" in line 15 of this

and the words " as to allow

"ampl oom" occurring in line 18

should be omitted as surplusage. The word "get" in line 21 and the words "the Secretary "to Government, Revenue De- "partment" in lines 25 and 26, should be replaced respectively by "have" and "a Secretary to Government".

(ii) Rule 5-A

In the note at the end

of the rule the words "Government" and "such" should be inserted respectively between the words "under" and "management" in the heading and between "of" and "private" in line 1. In the third line of the note, the words "Government of India's rules" should be replaced by "rules of the Government of India"; and a similar correction to be made throughout where the phrase occurs

iii) Rule 5-B - clause (ii)

p. 63 of vol

Secy's alteration in ~~clause~~ rule 7 at p. 3 of copy with broad margins

The clause should be recast as follows:-

"In reserved forests [paragraph 3, clause (d)], all mining and quarrying are prohibited, and the removing of the surfa nd and turf unless under specia ermits obtained under the provisio f the Madras Forest Act".

iv) Rule 5-B - clause (iv)

p. 6 of vol.

In line 3 of this clause the word "absolutely" should be omitted and the word misprinted "rule" should be corrected into "value".

). The heading of section (ii) hould be altered into "Rules

p. 64 of vol.

pp. 140 & 145 of vol.

please see notes marked A & A, at pp: 30 & 37 of copy with broad margins

"of the Government of India".

(vi). Appendix XXXII - Model form of mining lease for coal.

In clause 1 of part V of the schedule to the lease, line 5, the word "and" should be substituted for "a", and in clause 3 of part VIII, line 4, "his" should be substituted for "their".

AMC
9/12/99

To the Board of Rev.; Land Rev.

P.E.
9.12.99

Desp
14.12.99

(1) (2) & (4) Abstract only to be printed

(3) heading only

Flags

—3

—5

—4

Print - but send Ms. first. The O.M. is not to be printed.

P.E. 12/12 99

Cur. 7405/99

Revenue Department

Read –

(1) B.P. (Land Rev.) No: 197 d. 22-8-99 – Cur. 5480/99.

(2) —do— Mis. No. 3525 d. 30-10-99 – Cur. 7013/99.

(3) O.M. No: 348 d. 4-11-99.

(4) B.P. (Land Rev.) No: 3712 d. 17-11-99 – Cur. 7453/99.

Pres

G.O. Press No. 845 d/12th December 1899

The revised draft of the Rules for Quarrying and Mining in the Madras Presidency, as printed in volume I of the revised edition of the Board's Standing Orders submitted to the Govt. with B.P. No: 248 Land Rev. d. 13-11-99 is approved, subject to the following remarks: –

(i) Rule 11(b)

The words "enfranchised inam lands" in this rule should be replaced by the words "inam lands "which have already been enfran-"chised without reservation "of such claim".

(ii) Rule 5-A.

The last sentence of clause (iii) of this rule should be omitted. It is irrelevant in a Standing Order of the Board of Revenue.

(iii) Ibid.

In the note at the end of the rule the words "Government" and "such" should be inserted respectively between the words "under" and "management" in the heading and between "of" and "private" 4th line. In the third line of the note, the words "Government of India's rules" should be replaced by "rules of the Government of "India".

(iv) Rule 5-B. - clause (ii).

The clause should be recast as follows:-

"In reserved forests [paragraph 3, "clause (d)], all mining and "quarrying are prohibited, "and also the removing of "the surface mud and turf "unless under special permits "obtained under the provisions "of the Madras Forest Act"

Secy's correction - p. 64 of volume

please see p. 8 of notes.

(vi) Some minor & verbal amendments ~~that are desirable~~ ~~as stated~~ will be separately communicated in an O. M.

iii

(v). Rule 5-B - clause (iv)

~~In line 3 of this clause the word "absolutely" should be omitted and the word "rule" should be corrected into "value".~~ The following sentence should be added at the end of the clause (vide G.O. No: 847 Rev. d 13-8-92) -

" Power is reserved to the Collector " to prohibit or regulate quarrying " under this rule in any " particular place".

(vi) The ruling in para 1 of G. O. No: 623 Rev. d 15-9-99 should be inserted in rule 5-B.

(vii) ~~The heading of section (ii) should be altered into " Rules of the Government of " India".~~

(V) ~~iii~~. The note under the model forms of exploring and prospecting licenses regarding the portions printed in italics should be repeated under the form of mining leases.

9/12/99

13-12-99

o the Board of Rev; Land Rev.

35/1

Government (1899) of Madras.

REVENUE.

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G.O., No. 845, 12th December 1899.

DECEMBER.

Rules for quarrying and mining.

Approving, subject to certain remarks, the revised draft of the — in the Madras Presidency, as printed in volume I of the revised edition of the Board's Standing Orders.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—Proceedings of the Board of Revenue (Land Revenue), No. 197, dated 22nd August 1899, submitting to Government, with remarks, a revised draft of the rules for quarrying and mining in the Madras Presidency—Board's Standing Order (New Edition) No. 15.

Read—also Proceedings of the Board of Revenue (Land Revenue), Mis. No. 3525, dated 30th October 1899, amending paragraph 14 of the revised draft of Standing Order, No. 15, with reference to the circular letter from the Government of India stating that concessions in respect of prospecting or mining for mica in this Presidency are excluded from the operation of the direction contained in paragraph 8 of the Government of India Circular No. 19—17-3, dated 20th May 1899, regarding the revised mining rules.

Read—Official Memorandum, No. 348, dated 4th November 1899.

Read—also Board's Proceedings, No. 3712, dated 17th November 1899, stating, in reply to Official Memorandum No. 348, dated 4th November 1899, that the rules for regulating mining in patta lands have already been embodied in the revised edition of the Standing Orders submitted to Government with Board's Proceedings, No. 278, dated 13th November 1899.

Order—No. 845, Revenue, dated 12th December 1899.

Miscellaneous.

The revised draft of the Rules for Quarrying and Mining in the Madras Presidency, as printed in volume I of the revised edition of the Board's Standing Orders submitted to the Government with Board's Proceedings, No. 278 (Land Revenue), dated 13th November 1899, is approved, subject to the following remarks :—

(i) *Rule* 1 (*b*).—The words "enfranchised inam lands" in this rule should b replaced by the words "inam lands which have already been enfranchised without reservation of such claim."

(ii) *Rule* 5-*A*.—The last sentence of clause (iii) of this rule should be omitted. It is irrelevant in a Standing Order of the Board of Revenue.

(iii) *Rule* 5-*B*, *clause* (iv).—The following sentence should be added at the end of the clause (*vide* G.O., No. 847, Revenue, dated 13th August 1892): "Power is reserved to the Collector to prohibit or regulate quarrying under this rule in any particular place."

(iv) The ruling in paragraph 1 of G.O., No. 623, Revenue, dated 15th September 1899, should be inserted in rule 5-B.

(v) The note under the model forms of exploring and prospecting licenses regarding the portions printed in italics should be repeated under the form of mining lease.

(vi) Some minor and verbal amendments will be separately communicated in an Official Memorandum.

(True Extract.)

(Signed) G. S. FORBES,
Secretary to Government.

To the Board of Revenue ([illegible]evenue).

Exd. Shaik Karim.

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