

**(Mergui Tin Mining Rules.)**

**No.110**

**The 3rd November 1916.**

No.110. In exercise of the power conferred by sections 38A and 59 of the (Lower) Burma Land and Revenue Act, 1876, the Local Government is pleased to make the following rules to regulate the working of tin deposits by native methods in the Mergui District.

**Mergui Tin Mining Rules.**

1. The Deputy Commissioner may determine from time to time the areas in the Mergui District to which these rules shall apply.
2. No person may mine, quarry, dig, collect or carry away any tin on land wherein the right to minerals is reserved to or otherwise belongs to Government, except in accordance with a license granted under these rules, or a license or lease granted under the Mining Rules issued by the Government of India.
3. A license or licenses to mine tin by native methods on land wherein the right to minerals is reserved to or otherwise belongs to Government may be obtained by any person from the officers and for the areas up to the limits mentioned below:-

						Acres.
Deputy Commissioner	...	...	...	...	...	20
Subdivisional Officer	...	...	...	...	...	10
Township Officer	...	...	...	...	...	5

Provided that the total area included in the licenses issued by any such officer to any one person shall not exceed the individual limits above mentioned.

Provided also that the licenses held by any one person at the same time shall not include a total area of more than 20 acres.

4. The holder of a license to mine tin by native methods shall not employ or use machinery or mechanical power in the extraction of tin under his license.

5. The license shall be in the form attached to these rules or in such other form as the Financial Commissioner may from time to time prescribe. A fee of Rs.5 shall be payable on issue of the license.
6. The term of the license shall be such period, not exceeding five years, as may be fixed by the officer issuing the license. With the previous sanction of the Commissioner, Tenasserim Division, the term may be extended to ten years.
7. The license shall not grant an exclusive right to mine in any area. If any question arises as to the area covered by the license or if a dispute arises regarding rights to mine, user of water or other matter connected with the license between two or more licensees or between a licensee and other persons, the matter shall be decided by the Deputy Commissioner whose decision shall be final.
8. All tin and tin ore won under the license shall be taken either to the Mergui or Victoria Point Custom House by such route as may be fixed in the license, and by no other route.
9. The licensee shall pay a duty at the rate of 2(1/2) per cent, on the value as determined from time to time by the Financial Commissioner on all tin and tin ore won under the license. Export shall not be permitted until the duty has been paid.
10. The licensee shall keep such accounts as the Deputy Commissioner may direct showing the number of persons employed by him in his mining work under the license and the amounts of tin ore and tin produced, and shall produce his accounts for inspection on demand by the Deputy Commissioner or any officer authorized by the Deputy Commissioner in this behalf.
11. Any person who commits a breach of rule 2, 4, 8, 9 or 10 or who fails to obey the decision of the Deputy Commissioner under the provisions of rule 7 shall be liable, on conviction before a Magistrate, to be punished with fine not exceeding Rs. 200, in addition to any other consequences which may ensue from such breach.

W. J. KEITH,  
Revenue Secretary to the Govt. of Burma