APPENDIX No. VIII

FORM OF RECLAMATION LEASE FOR CACHAR

Article 1:

The Secretary of State in Council hereby grants to A.B., his heirs, representatives and assignees, a permanent, heritable and transferable right of use of occupancy in the land specified in the schedule....... save and except out of this grant of mines and minerals lying in or under the said land and subject.

(a) to the payment of the land revenue from time to time assessed on the said land, and of any local taxes, cesses or rates payable by landholders of the Cachar district under any law for the time being in force;

(b) to the right of the public to the use of all roads and paths over the said land heretoforth used by them;

(c) to the right of the public to the use at all times of all rivers and streams flowing over the said land and along the boundary of the same, and capable at any season of the year of floating boats or timber, and to the use at all times of a strip of land of 20 feet in width above the waterline for the time being on each side of every such river or stream, for the purpose of

+ C.R. No. 3380, 1875.
touring and mooring and of loading and landing goods and for all other purposes incidental to navigation, the floating of timber and fishing;

(d) to the right of the said secretary of state in Council or his assigns and his and their lessees, agents and workman at all times to enter upon the said land to search for, get dress and carry away the said minerals, and erect any engines or machinery and do all acts necessary or convenient for working, dressing and carrying away the said minerals, the owner or owners thereof making from time to time to the said A.B., his heirs representatives, and assignees, his and their lessees and tenants, adequate compensation for the damage occasioned to the surface of the said land by the exercise of the rights hereby expected and reserved as aforesaid.

Article 2

The said secretary of state in council further hereby marks to A.B., his heirs, representatives and assignees, subject to the conditions herein after specified, the following concessions regarding the assessment of land revenue on the said land, that to say:
(a) the said land shall remain revenue free for 2 years from .......... to .......... 

(b) for the 4 years next following, the revenue assessed upon the said land shall be per annum and no more, 

(c) for the 4 years next following, such revenue shall be 12 annas per acre per annum, and no more, 

(d) after the expiry of the period last mentioned, the revenue on the said land shall be assessed at the rates payable for similar land with similar advantages in the district, and the assessment so imposed shall be liable to revision at the same time, and in the same manner, as the general land assessment of the district. 

Explanation: The revenue from time to time assessed shall be deemed to be one entire sum, and shall not, without the consent of the Deputy Commissioner, be apportioned over different portions of the said land. 

Article 3 

The said A.B., his heirs, representative and assigns, shall pay the entire amount of the revenue for the time being assessed on the said land, together with the local taxes, cesses or rates payable in respect of the same regularly as such revenue, taxes, cesses or rates shall fall
due, whether the said land shall be cultivated or not, and without any deduction being allowed for the failure of crops or any other cause........

Article 4

In the event of the breach or non-fulfilment by A.B., his heirs, representatives, assignees, of any of the conditions prescribed in the Article 3.......... it shall be in the discretion of the Chief Commissioner of Assam, to withdraw, in respect of the whole or of any portion of the said land, or such portion thereof, as the case may be shall at once become open to assessment of land revenue for the time being in force in the Cachar district. If at any time, a question arises as to whether A.B. or any of his heirs, representatives or assignees is changeable with any breach or non-fulfilment of any of the said conditions, the decision of the Chief Commissioner on such question shall be final and exclusive.........

Article 5

Should any land included in this instrument of grant be cut off by diluvion........should there be any alluvial accretion to the land, it shall after due enquiry and measurement be assessed at the rates mentioned in Article 2.
Article 6

Whenever the land conveyed by this instrument may, in accordance with the rules in force regarding the assessment of land revenue in the district, resettle any area of waste and fallow land which may be then found to exist within its boundaries. cultivated area shall be liable to be resumed by Government and may be settled with others or dealt with in any other way that Government may deem proper.