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CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.

Political (1896) Department.

ORDINARY MS.

G.O., No. 604

DATED 5-9-96

INDEXED.

[Despatch Abstract.]

Comm^d to the Rest. in T & C
proceedings, Reve dept, passing
orders on papers relating to
the settlement of a portion
of the boundary between the
Ponnani taluk of the Malabar
DC & the Cochin state.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
1348/56							
1616/56							

Government {1896} of Madras. REVENUE.

Recd. {4th Sept 1896.
Regd.

Enclosures. of the Poll. C. No. 1629 of 1896.
Spare copies.

G.O., No. 397, 8th August 1896.

AUGUST.

Order A No 60485th September 1896
Communicated to the
Resident in Travancore and
Cochin for the necessary action

Boundary.

Passing orders on papers relating to the settlement of a portion of the — between the
Ponnani taluk of the Malabar district and the Cochin State.

To
The Resident in Trav (Sero)
with 5 plans

Read—again the following G.O., Mis. No. 2821, Revenue, dated 16th July 1895 :—

Read—the following Proceedings of the Board of Revenue (Land Revenue), Mis. No. 3296, dated 3rd July 1895 :—

Read—again Board's Proceedings, Mis. No. 744, dated 14th February 1895.

ABSTRACT.—Communicating to the Collector of Malabar Government order requesting the Board to ascertain and report, at an early date, whether there is any objection to accepting the modified proposals made by the Cochin Sirkar in regard to the exchange of certain lands situated in Cochin and Ponnani.

Read—also the following letter from H. MOBERLY, Esq., Acting Collector of Malabar, to the Secretary to the Commissioners of Land Revenue, dated Malapuram, 11th June 1895, Ref. on Cur. No. 578—P. 95 :—

With reference to Board's Proceedings, Mis. No. 744, dated 14th February 1895, I have the honour to forward herewith copy of a report from the Head Assistant Collector regarding the exchange of certain islands situated between the Ponnani taluk and Cochin State.

2. The area and assessment of island No. 9, which the Cochin Sirkar proposes to give us in lieu of islands 1 and 12 (*vide* paragraph 3 of Board's Proceedings, No. 590, dated 13th October 1893), are 7.47 acres and As. 11-6 respectively; while the area and assessment of islands Nos. 1, 3, 11 and 12 proposed to be retained by the Cochin Sirkar are 33.82 acres and Rs. 15-12-8 respectively. I agree with the Head Assistant Collector in thinking that this is not a fair exchange, and beg to recommend that his proposal to cede Nos. 1 and 3 only to the Cochin Sirkar may be approved and the Sirkar's consent obtained to the exchange.

3. Five sketches and a statement showing the area, &c., of the islands are enclosed.

ENCLOSURE.

From M. J. MURPHY, Esq., Acting Head Assistant Collector, to the Collector of Malabar, dated Chetwai, 20th May 1895, Ref. on C. No. 1715-Rev.

Adverting to your endorsement, Ref. on C. No. 578—P. 95, dated 26th February 1895, on copy of G.O., No. 543, dated 6th February 1895, communicated with Board's Proceedings, Mis. No. 744, dated 14th idem, I have the honour to forward, herewith, five sketches of disputes Nos. 1, 3, 9, 11 and 12 in the register of decisions of the Ponnani-Cochin boundary prepared by the Tahsildar of Ponnani, together with his report thereon. The area as per Revenue accounts and Survey and the present extent and the assessment of these islands are exhibited in each sketch. I have also compiled a statement showing the above particulars for easy reference which is herewith submitted.

2. It will be observed from the Resident's letter, embodied in the Board's Proceedings above quoted, that the Cochin Diwan suggests to give in exchange island No. 9 to British in lieu of islands Nos. 1, 3, 11 and 12. The present extent and assessment of island No. 9 is 7.47 acres and As. 11-6, whereas the extent and assessment of islands Nos. 1, 3, 11 and 12 is 33.82 acres and Rs. 15-2-8 respectively. I do not think that this is a fair exchange on a "give and take" principle. Islands Nos. 9, 11 and 12 may be ceded to the British territory and the rest of the islands, i.e., Nos. 1 and 3, to the Cochin Sirkar. Then the extent and assessment which may come to British is 20.31 acres and Rs. 8-12-9 and the extent and assessment which the Cochin Sirkar may have is 20.98 acres and Rs. 7-11-5, respectively, and both the Governments will have a proportionate area of lands. Further, islands Nos. 11 and 12 appear to have been sold by the British Government on janmam to their present holders. If they are to be given to Cochin, the janmam value collected will have to be refunded to the parties as ordered in paragraph 3 of G.O., No. 150, Revenue, dated 22nd February 1894. If my suggestion is adopted, it is evident that the sales of these islands may also be left undisturbed.

STATEMENT showing the extent and assessment of disputes Nos. 1, 3, 9, 11 and 12 in the register of decisions of the Ponnani-Cochin boundary.

Number of disputes.	Extent according to Revenue accounts.	Extent according to Survey accounts.	Present extent.	Assessment.		
	ACS.	ACS.	ACS.	RS. A. P.	Area.	Assessment.
1	..	..	4.48	7 11 5	Total of Nos. 1 and 3	20.98
3	4.23	16.50	16.50	7 11 5	Do. of Nos. 9, 11 and 12	20.31
9	0.2	7.16	7.47	0 11 6		8 12 9
11	0.83	1.52	2.89	1 13 10		
12	2.76	4.82	9.95	6 3 5		

Resolution—Mis. No. 3296, dated 3rd July 1895.

Submitted for the orders of Government, with reference to G.O., Mis. No. 543, dated 6th February 1895.

2. The Board agrees with the Collector in considering that the division proposed by the Cochin Sirkar is not a fair one and recommends that Mr. Moberly's suggestion, to retain islands 9, 11 and 12 and to hand over to Cochin, islands 1 and 3, may be accepted.

(True Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with the Collector's letter and seven enclosures (to be returned).

Order—Mis. No. 2821, Revenue, dated 16th July 1895.

The papers read above will be referred to the Resident in Travancore and Cochin for report as to whether the Cochin Sirkar is willing to accept the revised distribution of the islands proposed by the Collector.

(True Extract.)

(Signed) E. GIBSON,
Secretary to Government.

To the Board of Revenue (Land Revenue).
" the Resident in Travancore and Cochin, through the
Political Department, with enclosures and copy of
G.O., No. 543, dated 6th February 1895.

Read—again the following G.O., Mis. No. 4857, Revenue, dated 2nd December 1895 :—

Read—the following letter from J. THOMSON, Esq., Resident in Travancore and Cochin, to the Chief Secretary to Government, dated Trivandrum, 13th November 1895, Ref. on C. No. 3357 :—

With reference to endorsement, Mis. No. 2821, Revenue Department, dated 16th July last on Board's Proceedings (Land Revenue), Mis. No. 3296, of the 3rd idem, forwarded with your No. 1675 of the 19th, I have the honour to submit herewith, for the orders of Government, copy of letter No. 2077—P. 314, dated 1st instant, from the Diwan of Cochin, in which he proposes to retain for the Sirkar, islands Nos. 1, 9, 11 and 12 on the register of decisions printed in G.O., No. 150, Revenue, dated 22nd February 1894, and give island No. 3 to the British Government. There is no knowledge in this office of the relative values of the lands for assessment purposes other than the enclosures show.

2. The nine enclosures received with the Revenue endorsement are herewith returned with six more now submitted by the Diwan of Cochin. It is requested that the maps forming 5 of the latter may be returned when done with.

ENCLOSURE.

From M.R.Ry. S. SUBRAMANYA PILLAI, Diwan of Cochin, to the British Resident in Travancore and Cochin, dated Ernakulam, 1st November 1895, No. 2077—P. 314.

With reference to your letter, Ref. on C. No. 2230, dated the 27th July last, I have the honour to observe that the proposal therein made, that islands 9, 11 and 12 should be given to the British Government, and islands 1 and 3 to this Sirkar, appears to be based on the assumption that the islands should be equally divided as regards area between the two Governments. But the boundary line, as settled by the Commissioners, runs not through the middle of the islands, but through the middle of the Chetwai-Cochin backwater, giving, according to the Cochin survey, 15.58 acres to the British Government and 25.08 to Cochin—*vide* the accompanying plans* (five in number) of the islands, and a statement showing their area received from the Conservator of Forests.

* For return.

2. The Cochin Boundary Commissioner in his letter, No. 54 of the 3rd October 1895, suggests that island No. 3, having an area of 18.40 acres, may be given to the British Government, and the remaining islands, viz., Nos. 1, 9, 11 and 12, to Cochin, pointing out that, by this arrangement, the British Government would gain 2.82 acres in excess of the Commissioners' award.

3. In these circumstances I would propose that island No. 3, with an area of 18.40 acres, which is 2.82 acres in excess of the award of the Commissioners, and also exceeds the area of islands 1 and 12 originally proposed † by the Board of Revenue by 8 acres, should be given to the British Government, and islands 1, 9, 11 and 12 to this Government.

4. In the case of islands 11 and 12, the Sirkar will have no objection to recognise the *jeam* right of the holders if they are given to Cochin.

5. The enclosures to your letter under reference are returned.

COMPARATIVE statement of the extent or area of disputes Nos. 1, 3, 9, 11 and 12 islands in Chetwai river as found by me and given by the British officer.

Dispute numbers.	According to Cochin survey.			According to B. officer.	
	Present area in acres.	To British acres.	To Cochin acres.	Present area in acres.	Assessment.
1	4.51	1.12	3.39	4.48	Rs. A. P.
3	18.40	8.52	9.88	16.50	7 11 5
9	6.78	2.69	4.09	7.47	0 11 6
11	5.00	6.69	4.31	2.89	1 13 10
12	5.97	2.56	3.41	9.95	6 3 5
Total ..	40.66	15.58	25.08	41.29	16 8 2

No. 2791, Political.

Transferred to the Revenue Department.

22nd November 1895.

(Signed) W. W. PHILLIPS,
Acting Assistant Secretary.

To the Revenue Department, with five plans returned.

Order—Mis. No. 4857, Revenue, dated 2nd December 1895.

Forwarded to the Board of Revenue with the request that it may be ascertained and reported whether there is any objection to the proposal contained in paragraph 3 of the Diwan's letter being accepted by Government.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Ag. Under Secy. to Government.

To the Board of Revenue (Land Revenue), with plans.

Read—also the following Proceedings of the Board of Revenue (Land Revenue), Mis. No. 909, dated 21st February 1896:—

Read—endorsement of the Acting Under Secretary to Government, Revenue Department, Mis. No. 4857, dated 2nd December 1895, and the following reference thereon, dated 6th December 1895.

“ Referred to the Collector of Malabar for remarks.”

Read—the following letter from J. HEWETSON, Esq., Acting Collector of Malabar, to the Secretary to the Commissioners of Land Revenue, dated Calicut, 14th February 1896, Ref. on C. No. 5119—P. 95:—

Adverting to Board's Reference on Government Register No. 2627 of 1895, dated 6th December 1895, I have the honour to submit herewith copy of a letter from the Head Assistant Collector, Ref. on C. No. 6305-R.—95, dated 20th January 1896, reporting on the proposal to exchange certain islands situated in the Chetwai-Cochin backwater between the Ponnani taluk and the Cochin State.

2. From the decision of the Commissioners printed in G.O., No. 150, Revenue, dated 22nd February 1894, it will be observed that they adopted a line running through the middle of the canal as the true boundary, and did not propose an equal division of the area of the islands concerned. Such being the case, I think that the Diwan's proposal, to cede island No. 3 to the British Government and the remaining islands Nos. 1, 9, 11 and 12 to the Cochin Sirkar, is a reasonable one, and may be accepted.

3. The papers received with the Board's reference are herewith returned.

ENCLOSURE.

From M. J. MURPHY, Esq., Acting Head Assistant Collector, to the Collector of Malabar, dated Palghat, 20th January 1896, Ref. on C. No. 6305-R.—95.

Adverting to your endorsement, dated 20th December 1895, on Board's Reference on Government Register No. 2627 of 1895, dated 6th December 1895, I have the honour to report that I made the proposal contained in my letter, Ref. on C. No. 1715-R.—95, dated 20th May 1895, under the impression that the distribution of islands Nos. 1, 3, 9, 11 and 12 in question recommended by the Collector on a “ give and take ” principle was to be decided on that principle irrespective of the line of demarcation through the islands proposed by the Commissioners which was not accepted. If, however, the distribution is to be made on a “ give and take ” principle, having regard to the share of land which would have fallen to each Government, had the line drawn by the Commissioners through the islands been accepted, then the proposal made by the Diwan in his present letter, No. 2077—P. 314, dated 1st November 1895, is a fair one. On consideration of the papers connected with the matter I think that the last mentioned “ *ratio decidendi* ” is the proper one, and I accordingly recommend that the present proposal of the Diwan, viz., to give over island No. 3 to British and islands Nos. 1, 9, 11 and 12 to Cochin, may be accepted.

2. The records received with your endorsement under reply are herewith re-submitted.

Resolution—Mis. No. 909, dated 21st February 1896.

The Collector's letter read above will be submitted to Government with reference to its endorsement, Mis. No. 4857, dated 2nd December 1895.

2. The Board agrees with the Collector and recommends that the proposal contained in paragraph 3 of the Diwan's letter referred to may be accepted.

(True Copies and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with five enclosures and five plans returned, and
G. R. No. 399 of 1895 and seven enclosures, and
G. R. No. 736 of 1896 and one enclosure to be returned.

ORDER—No. 397, Revenue, dated 8th August 1896.

Miscellaneous.

The foregoing papers relate to the settlement of a portion of the boundary between the Ponnani taluk of the Malabar district and the Cochin State. The boundary line, as recommended by the Joint Commissioners, Messrs. P. Rajagopala Chari and J. C. Kohlhoff, runs through the middle of the Chetwai-Cochin backwater crossing five small islands situated therein which formed the subject of dispute in the items Nos. 1, 3, 9, 11 and 12 in the register of the Commissioners' decisions printed in G.O., No. 150, Revenue, dated 22nd February 1894. In consequence of the administrative difficulties which were likely to result from divided authority in such small pieces of land, the Collector of Malabar suggested the advisability of drawing the boundary line in such a manner as to place each of these islands under the sole control either of the Madras Government or of the Cochin Sirkar. The Collector's original recommendation was that the two islands referred to in disputes Nos. 1 and 3 should be assigned to the British Government and the remaining three to the Cochin State, but the final proposal, which was suggested by the Durbar, and has been approved by the Board of Revenue, is that the island specified in dispute No. 3 should be allotted to the Malabar district and that the remaining four islands should be retained by Cochin. This proposal necessitates the rectification of the boundary line in such a way as to make it pass along the eastern shore of island No. 3 between the points at which the line as recommended by the Commissioners enters and quits the island, and similarly along the western shores of the remaining islands.

2. His Excellency the Governor in Council is pleased to signify his consent to this rectification of the boundary, and the Resident in Cochin will be requested to obtain a formal statement of acceptance from the Durbar.

(True Extract.)

for Ag. Secretary to Government.

To the Board of Revenue (Land Revenue), with ten enclosures.
„ the Resident in Cochin, through the Political Department, with five plans.

Ed. C. M. Thambuswamy.

40 Copies.

When given for copying 8/9
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When examined 8/9
When signed 8/9 } 1896

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

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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