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**CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.**

Political (1898) Department.

ORDINARY MS.

G.O., No. 375

DATED 4 6 - 98

INDEXED.

[Despatch Abstract.]

Communicating to the Dist Agent,
Pudukkottai, proceedings Rev Dept, approving
with remarks the proposal of the Collector
of Madras for a fresh arbitration in regard
to certain disputes about the boundary
between Palakurichi in the Pudukkottai
territory and some of the villages in the
Sivaganga Zamindari, Madras Dist.

1
7/6/82

BACK PAPERS.

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

FURTHER PAPERS.

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

Political (1898) Department.

CURRENT No. 667

From
The Revenue Department.

Order No. 375. dt 4th June 1898.

Communicated to the
Political Agent, Pudukkottai,
with reference to his letter No. 252-0,
dated 24th September 1897.

No. 260 Press.

Dated 6th May 1898.

Received 11/5/98

Registered 12 do

Enclosures one

Spare copies.

SUBJECT.

Boundaries - Approving, with
remarks, the proposal of the
C.M. of Madras for a fresh
arbitration in regard to
certain disputes about the
— between Palakurichi
in the Pudukkottai Territory
& some of the villages in the
Sivaganga Zamindari

To

The PA Pudukkottai (A to)

Despd. 14/6/98

Subject

SJC

Recd 11/5/98

BACK PAPERS.

G.O.	No.	Department.	Date.
124:	25.2.97	609:	21-8-83
736:	1.11.95		
335:	27.4.87		
713:	22.7.86		
369:	70.6.4.86		
25:	11.1.83		
501:	29.10.81		
312:	30.4.77		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

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Board of Revenue (Land Revenue).

Read Endorsement of Government, Revenue Department, Misc, No. 5291, dated 9th October 1897, on that of Political Department No. 2057, dated 24th September 1897; and the following reference thereon dated 19th October 1897 :-

Referred to the Collector of Madura for early remarks.

Read also letter from the Collector of Madura, Dis. No. 4419 dated 26th November 1897; and the following reference thereon dated 17th December 1897 :-

Adverting to paras. 3 and 5 of the letter from the Political Agent of Pudukotta, dated 24th September 1897, No. 252, the Superintendent, Madras Survey, is requested to forward for the Board's reference a copy of his letter dated 13th December 1884 to the Sivaganga Receiver, relating to the boundary disputes between Pudukotta State and the surrounding British Territory. The Superintendent is further requested to specify the orders of Government under which Messrs. Gompertz (senior) and Pope were appointed as arbitrators for the settlement of the disputes in question and to state whether they succeeded Mr. Tomlinson who was appointed in G.O. No. 609 Political, dated 21st August 1883 as Arbitrator in all boundary disputes between British Territory and the State of Pudukotta.

Read also letter from H.O'C. Cardozo, Esquire, Superintendent, Madras Survey, No. 7/B, dated 20th January 1898.

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Reference No. 281, dated 14th March 1898.

The papers read above relate to an appeal preferred by the Dewan of Pudukotta against three decisions dated 18", 19", and 20" September 1884, passed by Mr. Pope as Arbitrators in certain disputes about the boundary between Palakurichi in the Pudukota Territory and some of the villages in the Sivaganga Zamindari, Madura District. The boundary claimed by

each

each party and that fixed by Mr. Pope are shown in the three sketch maps which accompany Mr. Pope's decisions. (Ex. 1, 2 and 3).

These sketch maps have been consolidated into one (exhibit 5) by the Pudukota Surveyors.

2. The grounds of appeal preferred by the Dewan of Pudukota against Mr. Pope's decisions are, (1) that Mr. Pope was not formally appointed Arbitrator by Government and that the consent of the Pudukota State was not obtained for his appointment; (2) that Mr. Pope put himself too much in the hands of the partisans of the Sivaganga Zemindari, making his boundary line more or less midway between what he was told were the limits claimed by the contending parties, but giving the major portion to Sivaganga. It is alleged that an extent of Nanja and Punja cultivated lands, assessed at Rs. 60-14-0, besides over 700 acres of waste lands and hills, capable of yielding a prospective revenue of Rs. 700 per annum, has been lost to Pudukota. The Dewan accordingly requests that the disputes may be enquired into again in the presence of the representatives on both sides and settled de novo by an Arbitrator specially appointed for the purpose.

3. The first ground of appeal referred to above is invalid, because Mr. Pope was duly appointed, in succession to Mr. Tomlinson, as Arbitrator for the settlement of disputes between British Territory and the Native State of Pudukota (vide Survey Superintendent's letter No. 7, dated 20th January 1898 and Government telegram dated 9th August 1884 enclosed). The disputes in question were settled by Mr. Pope under G.O. No. 609 dated 21st August 1883 (Political) and under the same G. O. there is a right of appeal to Government. As regards the second point, the Political Agent, Mr. Macleod, is of opinion that Mr. Pope's inspection of the disputed boundary was of a cursory nature and that the result was unduly favourable to Sivaganga. Mr. Twigg, the Collector of Madura and Mr. Thornton, the Head Assistant Collector, Madura, who was with the Political Agent during his inspection of the disputed spot, are also of the same opinion. It appears that much land outside Mr. Pope's line is still occupied by the ryots of Palakurichi (Pudukota State) who cling to what they consider to be their

just

just ancestral rights, and that Court amins have been assaulted and several riots have taken place. Mr. Macleod remarks that for the last ten years much of the valuable time of the Political Agent as well as of the Collector and the Head Assistant Collector of Madura, besides District Munsiffs, Tahsildars and Sub-Magistrates, has been vainly taken up in trying to enforce the results of Mr. Pope's decisions.

4. The question for consideration is how the obvious defects of Mr. Pope's awards are to be set right. Mr. Macleod, who has very carefully inspected the whole of the disputed area has drawn up what he considers to be a fair boundary line and submits it for the consideration of Government. He points out that in a case like this, where rival Paimash surveys overlap, there is little to be gained by a fresh enquiry and that the chief object should be to arrive at a more equitable compulsory division than Mr. Pope's. On the other hand, Mr. Twigg is of opinion that there should be a fresh arbitration, as Mr. Macleod held no commission authorising him to settle the boundary.

5. In the case disposed of in G. O. No. 661, dated 3rd October 1895, Revenue, there was similar dissatisfaction on the part of the Pudukota State with Mr. Pope's award and advantage was then taken of the proviso, allowing an appeal to Government to grant relief to Pudukota. In the case now under consideration, however, Mr. Pope's decisions seem to have been altogether wrong and the Board considers that it will not be expedient to adopt the result of Mr. Macleod's independent investigation and issue the same as an order in appeal under G.O. No. 609, Political, dated 21st August 1883. The Board accordingly recommends that Mr. Twigg's proposal for a fresh arbitration may be adopted.

(Signed) R. C. C. Carr,

Secretary.

(True Copy)

S. G. Roberts

For Ag. Secretary to Govt.

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PROCEEDINGS OF THE MADRAS GOVERNMENT.

- : -

Read again endt. Mis.No.5291, dated 9th Octr. '97 referring to the Board of Revenue for early remarks endt. of the Political Dept. transferring letter from the Political Agent for Pudukottai re: the appeal preferred by the Pudukottai Darbar against Mr.Pope's decision of a dispute about the boundary between certain villages of that State and the Sivaganga Zamindari.

*Copy attached. Read also *Reference from the Board of Revenue, Land Revenue, dated 14th March 1898, No.281.

- : -

ORDWR thereon No.260, dated 6th May 1898.

In the circumstances now reported, the proposal of the Collector of Madura, which is supported by the Board of Revenue for a fresh arbitration in regard to the dispute in question is approved on the condition that the Pudukottai Darbar will bear half the cost of the arbitration and of the durable demarcation of the boundary as ultimately settled. The Political Agent for Pudukottai will be requested to ascertain ~~xxx~~ whether the Darbar is prepared to accept this condition.

2. The Superintendent, Madras Survey, is requested to report at an early date the name of a competent survey officer for deputation as arbitrator in the event of the dispute being again referred to arbitration.

(True extract)

S. S. Robert

For Ag. Secretary to Government.

To the Ed. of Rev. I.R.

.. Political Agent, Pudukottai, through the Political Dept
.. Supt. Madras Survey.

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10/5/98

*encl. no 1
to P.O. C. N. 667.*

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1898.

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

CURRENT No. _____

ENCLOSURES TO C. No _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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