

Revenue Department

Minutes of Consultations
12th Jan 1858

Back nos 18 & 19

Order no 44 D/11th Jan 1858

Fort Saint George, Revenue Consultation of 12th January 1858.

No. 18. Read the following Extract from the Proceedings of the Board of Revenue ; dated 19th December 1857, No. 4575.

Read letter from the Director of Revenue Dated 16th in Cons. 19th December 1857. Settlement proposing that steps should be taken for marking the village boundaries in the Districts of Rajahmundry and Masulipatam, and forwarding printed copy of Rules drawn up by him on the subject.

(Here enter No. 94.)

The Board agree with Mr. Newill that no time should be lost in proceeding as far as circumstances will allow, previous to sanction for his establishment, with the demarcation of villages in the Districts whither the survey will at once proceed, and they approve of the plan proposed* of employing a Local Revenue servant, whose place for the time will be filled up by a substitute, and the expense charged to the survey.

2. The proposed Rules seem to be generally suitable, but as the Board have more than once stated in their communications to Government, the Collector cannot be expected to supervise the demarcation proceedings or be responsible for them, and the rules printed by Mr. Newill may be considered as drawn up for his own demarcation Department, on estimate of which he has been required to prepare under orders of Government contained in Extract Minutes Consultation dated 11th December 1857, No. 1288, R. D.

3. The maximum in rule 10 should the Board think, be 20 acres for unirrigated land and 4 for irrigated. There are in Bellary and other districts large fields in existence, and it is very usual to cultivate only portions of them, the assessment on the remaining portion forming an item of "remission under the head of 'Shamilut Bunjer' or 'Khet toondoo.' If a ryot already possesses a field of 30 acres, it is no injury to him to mark and survey it in two lots, in case of future sub-division, and also in order to avoid the claim for "remission." The maxima above named coincide with those proposed in the Bombay survey.†

4. Again as to Rule 15 which refers to waste lands, the Board would prefer the setting out to be 20 acres for 'dry' and 4 for 'wet' as a maximum, and 4 of 'dry' and one of 'wet' as a minimum. The Board have adverted to the necessity of some Rules of this sort in paras. 18, 19, 20, 21 of their Proceedings of 15th July 1857, on which they have not as yet been favoured with the opinion of Government.

5. With regard to para. 11, a great point will be gained if the ryots consent to club small fields for joint occupancy, but if they do not, the surveyor will have to group them for survey (not for Revenue) purposes, and fill in the component minute fields afterwards by a rougher process, as alluded to in the Board's Proceedings of 18th December 1857, para. 19.

6. The Board have no further observations to offer on these Rules, and must depend upon Mr. Newill's local experience to suggest any future modifications.

Ordered that the above Proceeding be forwarded to Government for their information.

(A true Extract.)

(Signed) J. D. SIM, Acting Secretary.

No. 19. ORDER THEREON, No. 44; dated 11th January 1858.

The Government concur in the observations made by the Board of Revenue in the proceedings quoted above.

2. The decisions on disputed boundaries referred to in para. 3 of the rules proposed by Mr. Newill will of course be passed under Act XX. of 1855.

(Signed) H. FORBES,
Acting Secretary to Government.

மாதுணப்பு பிரிவு-1

செப்பனிடுவர் பெயர்

செப்பனிடுவதற்காக எடுத்த
கொள்ளப்பட்ட நாள்

செப்பனிடுவதற்கு
முதல் முதியாள்.
கையொப்பம்

சரிபார்க்கும்
2-ம் முதியாள்.
கையொப்பம்

ஆராய்ச்சி
உதவியாளர்
கையொப்பம்

சு. 6 ஸி.

3/07

3/10/07

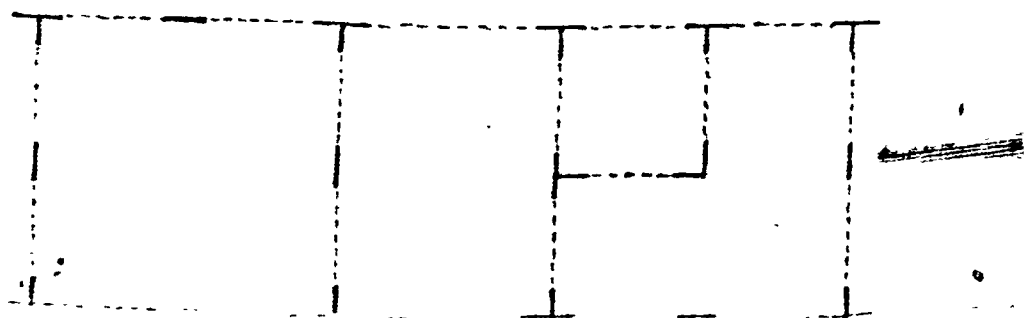
(15)

Rules proposed for the demarcation of boundaries for the Revenue Survey.

1. The first step should be to give every publicity to Act 20 of 1855 for the establishment and maintenance of boundary marks and a notice of its provisions should be proclaimed and affixed in a conspicuous place in the several Villages in which the demarcation is about to take place.
2. The Covenanted Revenue Officer who undertakes the settling and marking of the boundaries will probably find it convenient to have a suitable Hoozoor or Talook Servant detached on this special duty for each Talook in which operations are to be undertaken, besides availing himself of the assistance of the Tahsildars for the purpose. If the revenue servants thus deputed cannot be spared without substitutes to fill their places, such should be entertained and their pay will according to the proposed scheme be charged to the Survey and Settlement Department.
3. Disputes of Village boundaries, if such exist, should be settled promptly by the Covenanted Officer, if possible, so that the decisions may be placed beyond further question.
4. For accurately defining and perpetuating the Village boundaries pillars of masonry are to be constructed at every trijunction point and at a few other important stations. All the corners of the boundaries and important bends should at once be marked by earthen mounds of at least a yard diameter at the base and a yard in height, and similar mounds should be raised at intervals where ~~there is~~ any direct line running through waste lands is of considerable length. A stake or branch of a tree that is likely to grow should be planted in the centre of each mound to facilitate the theodolite observations and to make these points more permanent. The Villagers should be required to make the earthen mounds, and on their default the work should be carried on under the provisions of Act 20 of 1855, the charge being distributed between coterminous villages for the boundary marks common to both. Where stones of a large size are available they may be used instead of mounds.
5. When a sufficient number of Villages have been marked with earthen mounds the Superintendent of Survey will, upon intimation being received from the Collector, be requested to depute station markers to fix the points for the Theodolite observations and for the masonry pillars. Materials should be prepared for their construction, and as the carriage will not be considerable this should be done in anticipation at suitable places. The pillars are $1\frac{1}{2}$ foot square and 3 feet high, with, in some cases, a pyramidal top of a further height of $\frac{1}{2}$ a foot. The average cost in South Arcot and Trichinopoly is 12 annas each. This will in the first instance be defrayed by Government, but eventually be recovered from the Villagers. Statements of this expenditure should be sent to this Department each season after their construction. The pillars will be built under the instructions or supervision of the Survey Department.
6. Where practicable a broad pathway should be kept for the Village boundaries and be planted with palmyra or other trees on each side. 6 yards may perhaps be taken as a rule for the minimum breadth of the pathway: Where it may already exist of larger dimensions well defined, it will not be desirable to alter it, and where there is valuable cultivation on each side and a less width already recognized, it may be necessary to allow this as an exception, if no inconvenience thereby arises to the community. Where encroachments have been made on the boundary paths, they should be restored to the original or prescribed breadth, and in such cases it may be desirable to have them marked on either side by a plough.
7. The native Officer who marks out the village boundaries should draw a rough eye sketch (called Thakbust or Hudbust in the Northern Provinces), showing each angle and important bend and also the places where earthen mounds are raised. The names of the exterior adjacent Villages should also be shewn. The sketch will not be drawn to scale, but some judgment may be exercised in making the lines and angles of a size somewhat proportionate to the boundaries they represent. Where the last line does not close upon the starting point, the intermediate lines and angles should be adjusted to make it meet.

8. For the boundaries of fields stones are the best marks where procurable within a reasonable distance, and ryots should be urged to employ their cattle and bandies for their transport where practicable, as for a permanent work of the kind some labor and expense will be well laid out. Where stones are not to be had, recourse should be had to the best means available according to local circumstances, for instance in the sandy soils near the coast, the Mogaly tree (*Pandanus oeratis-simus*) answers well; other bushes or even bamboos may also be used. In the irrigated land the ordinary banks raised between the fields may answer with a little strengthening at the corners. Earthen ridges at intervals will be found generally available where stones or other permanent materials are not to be had and seem to have been successfully employed in the Bombay Presidency. If planted with tufts of strong grass where procurable, as in marshy ground, their permanency is increased.

9. Whatever material is used for the boundary marks, some uniformity should be observed in the manner they are laid down. The corners of the fields should be invariably marked. Where earthen ridges are employed they should be raised $\frac{1}{2}$ a yard high and 3 or 4 yards long on each of the sides of the corners. Where the corners are more than about 100 paces apart, a ridge should be raised at intervals of not more than that distance, such intermediate ridges being 3 or 4 yards in length and $\frac{1}{4}$ a yard high as before. The following sketch exemplifies the plan.



If the ryots are in any cases disposed to ridge the whole line of boundary, this will be better still, but it has not been prescribed on account of the additional labor it would require. Where bushes are employed, the same plan should be followed. If stones are used, they should be placed at each corner and at the intervals above described. *The demarcation of these boundaries should be enforced and not to be of 11th.*

10. Where the fields are of a larger extent than can be cultivated with 2 pair of ordinary bullocks, say 20 to 30 acres of dry land according to the nature of the soil and about 10 acres of wet land, they should be subdivided into lots of about that size to prevent embarrassment in future changes of holdings.

11. Where the fields are less than about 2 acres of dry and 1 of wet land, the ryots should be invited to club contiguous patches together under a joint occupancy, and the aggregate area should be then marked out for survey. Sufficient accuracy may be obtained in this and the preceding case by judging of the extent by the eye, and the object is not otherwise attainable previous to the Survey.

12. Where there is a large portion of unoccupied waste land in a village, the Collector should determine by an investigation of the agricultural resources and other local circumstances what part of it is likely to be taken up in the next few years, and a statement giving the requisite particulars for the villages of each Talook should be forwarded. In some parts of the Bombay Presidency as much as half to twice the extent of the present cultivation was determined as the proportion.

13. In laying out waste into new fields, the latter should be of such a size as can be cultivated with a single pair of bullocks, say 10 to 20 acres according to the nature of the soil for dry land and 1 or 5 acres for wet. Where the waste tract to be laid out is large, straight lines of a convenient distance apart may be run through it, and cross lines taken to set off the fields of the requisite size.

14. Where unoccupied fields exist of smaller size than the limit given in the preceding Section and can be clubbed together into one large field within the limits of Section 10, this should be done and the boundaries marked accordingly.

15. Where ancient Sub-divisions (khanduns, pampooos &c.) are found in a Village, they should be carefully retained and marked with earthen mounds added to the earthen ridges of the corners of the fields which form the angle of the sub-division boundary. Where stones are used, those of a larger size or two stones together may be employed for the purpose. Where these subdivisions are as much as 120 to 150 acres or upwards, they will probably form minor circuits for the surveying department; but where they are very small and comprize only 2 or 3 ordinary fields, there seems no advantage in distinguishing them in the manner above pointed out. If these subdivisions can be shewn in the rough eye-sketch mentioned in Section 7 without confusion, it is very desirable that they should be inserted for the guidance of the Surveyors.

16. The cost of the field boundaries made on the waste lands to be surveyed in detail will be incurred by the Government, but the ryots are clearly chargeable with the whole of the exterior village boundaries whether they adjoin cultivation or waste. They may also be fairly required to put up the marks of any waste lands they may select for immediate occupation under the prospect of the revised Settlement; and in accordance with the usage of the country they may be expected to employ their ploughs in tracing by a furrow the lines of the new fields, or to supply such other petty labor, while the heavier cost of stones &c. for the waste lands is charged to the State.

17. In marking the field boundaries care should be taken to leave sufficient width for the Talook and village roads passing through the village lands and also for cattle paths and roads leading to the different pastures or watering places. The rules in Sec. 6 may apply to these cases: Every effort should be made to secure ample communications of the above nature, as they are so essential for the convenience of the people, and the sacrifice of a few yards of cultivated ground which may be required in places to enlarge the paths is no more than is fairly demanded for the interests of the community. The native Officers entrusted with the demarcation should be particularly instructed to see that the requisite communications are left open between all adjacent Villages.

H. NEWILL,

Director of Revenue Settlement.

OFFICE OF DIRECTOR OF REV. SETTLEMENT; }
Madras, 1st Dec. 1857.

5
ACT No. XX OF 1855.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 24th July 1855.)

AN ACT for the establishment and maintenance of Boundary-marks in the
Presidency of Fort St. George.

WHEREAS it is desirable, with a view to the better definition and security of landed property, the prevention of encroachments and disputes, and the identification of land assessed to, or exempted from the public revenue in the Presidency of Fort St. George, that provision should be made for the establishment and maintenance of permanent marks to distinguish the boundaries of fields, holdings, estates, and villages, It is enacted as follows :—

I. It shall be lawful within the said Presidency for a Collector of Land Revenue, or person exercising the powers of Collector, or any Revenue Officer appointed by the Government for the purpose, to fix the boundaries of fields, holdings, estates, or villages, and to require that marks be formed and maintained by the owners or occupants on the boundaries, of such materials, and in such number and manner as may appear to such Officer sufficient for distinguishing the limits of such fields, holdings, estates, or villages, whenever he may be of opinion that such demarcation is necessary for the prevention or adjustment of disputes.

II. Notices shall be served on the persons owning or occupying the conterminous fields, holdings, estates, or villages, requiring them to form or repair such boundary-marks within ten days from the date of the notice, and in the event of

Collectors, &c. to fix boundaries of fields, &c. and to require owners or occupants to form and maintain boundary-marks.

Notices for the purpose when and how to be served.

ACT No. XX. OF 1855.

of these persons not being found in their village, the said requisition shall be posted in a conspicuous place in the village, which shall be held to be a sufficient service, notwithstanding it may afterwards appear that the owners or occupants were not correctly named or designated in the said notice.

III. In default of the owners or occupants of the fields, holdings,

In default of compliance Officer may order erection or repair of necessary marks at the expense of the owners or occupants.

estates, or villages complying with such requisition, the said Officer may give directions for the erection and repair of such boundary-marks, the cost of which shall be equitably apportioned on the fields, holdings, estates, or villages which they serve to distinguish, and shall be

charged to the persons possessing a right of ownership or occupancy in such fields, holdings, estates, or villages, and shall be levied in the same manner as arrears of land revenue.

In the case of unoccupied fields, cost to be charged to Government.

IV. In the case of unoccupied fields, the cost shall be charged to Government.

V. Any person convicted before a Magistrate of wilfully, and without

Penalty for erasing, &c. marks—a moiety of which to be awarded to informer.

lawful excuse, erasing, removing, or injuring such boundary-marks, or any survey-marks set up by an Officer of Government, shall be liable to a fine not exceeding Fifty

Rupees for each mark so erased, removed, or injured, one-half of which fine may be awarded to the informer, and the other half shall be chargeable with the cost of restoring the mark.

Costs how to be recovered when offender is not known or unable to pay the fine.

Whenever it may not be possible to detect the person who erased, removed, or injured such boundary or survey-marks, the Collector or other Revenue Officer aforesaid may give directions for the restoration or repair of such marks, and may order

the cost thereof to be charged to the owners or occupants of the adjacent lands, or apportioned among the ryots of the village in proportion to their pottahs, as he may consider just and equitable, and to be levied in the same manner as arrears of land revenue.

VI. Any

ACT No. XX. OF 1855.

VI. Any person objecting to a boundary proposed to be fixed under Section I, may prefer a complaint to the Collector or other Revenue Officer, who shall dispose of the same in the manner prescribed by Regulation XII of 1816.

Party objecting may complain to Collector, &c.

VII. Any occupant or owner of land refusing or failing to attend, when summoned by the Collector or other Revenue Officer, at the measurement and demarcation of his field, holding, or estate, or of the village boundary, shall be liable, by order of the Collector or other such Officer, to a fine not exceeding Fifty Rupees, to be levied by the same process as an arrear of land revenue.

Penalty for refusing or neglecting to attend when summoned.

VIII. The proceedings of Officers imposing charges under Sections III and V, or fines under Section VII of this Act, shall be recorded in writing, and shall be subject to appeal to the Revenue authorities to whom they are subordinate.

Proceedings under Sections III, V, and VII to be recorded in writing, and appealable to the superior Revenue authorities.

ex: 94 & 11.

From

M. Savill Esquire
Director of Revenue Settlement

To
J. G. Sim Esquire.
Acting Secretary Board of Revenue

Sir

In their Proceedings of 17th November last the Board having objection to my taking steps for the marking of boundaries in the Gectanary Patta for the new survey, finally shortly to be organized, and the Government in Extract Minutes Consultation of 11th Instant forwarded with Board Proceedings of 12th idem approval of the intention to commence upon the Gectanary Taluk of Madulipatam in the event of obstacles arising from the nonarrival of the papers of the Trigonometrical Survey from Calcutta.

MS

2 I have therefore the honor to report that the Collector of Rayahmundry was requested to commence with the demarcation

of . Negules Tulek, and as no
inconvenience but on the contrary much advantage
is likely to arise from having the preliminary
work undertaken also in the Goodwinde
Tulek. I have likewise communicated with
the Collector of a Memorandum to this
effect. In the event of Goodwinde not
being taken up for survey the next season,
the soundings marks will remain for the use
of future, it, and probably be much more
perfectly completed than if deferred altogether
to that period, when there seems little doubt
of the organization of a 3rd Survey party
being practicable for the Kishna Delta.

The Government are waiting in
pursuance of Extract . Minutes of Consultation
of 18th Instant that they will on the receipt
of the revised scheme of Establishments be
prepared to enable me to undertake the dis-
position, would not, I presume, such one to
defer the preliminary arrangements about December

7
particularly as there remains so little time for
the conduct of this duty in advance of the survey
operations of the party about to be organized, and
a more perfect agency may hereafter take up
the work which to save time is necessarily placed
in the Collector's hands in the first instance, and
with better prospect of success than has
hitherto existed, as some definite plan of
proceeding was proposed in the Rules
which will be subsequently revised.

The Collector will also now arrange
to employ a respectable Headman or Tulek
Servant on the duty (as was the case last
year in Trichinopoly) in each of the Tuleks
to be marked out for survey, and in the event
of a two places being filled by substitutes,
their pay will form a charge upon the Survey
Department. Other Servants can also be engaged
in the work if the Government sanction the
proposition already sent up. More Junior Officers
also will probably be available for the
Collectors to act in the supervision of the

but, then were employed in South-West
and Trichinopoly.

With the opportunity of
forwarding some Rules proposed for
the demarcation of boundaries which I
would claim as only experimental, and
which forwarded as guides to the collectors
of Revenue and a Mass Regulation are
submitted open to modification and
addition as may from further experience
appear necessary.

There are points necessarily
included in the Rules which seem to call
for an expression of the views of the Board
and of Government, such as the inclusion
of very large fields Sec. 10, the size of fields
to be merely laid out Sec. 12, the extent to
which the enclosures should be made to
combine the smaller fields Sec. 11 & 16, and
the mode in which the cost of masonry pillars
is to be incurred and finally adjusted. I
would submit with regard to most of these
points

points that much must depend upon
local circumstances and while general
principles may be adopted, the details are
probably required to varied in different Districts.
I may further offer the following
remarks on some of the Rules. No. 2 is per-
fectly left independent and the Officer who
is to undertake the superintendence of the
demarcation in order to meet present circum-
stances. No. 3 contains no words are prescribed
for village boundary marks in accordance with
the practice in other Presidencies and also
in the South-West and Trichinopoly.
Sec. 4. The masonry is stone pillars are
in the plan already adopted in South-
West. No. 5. The contour ridges for
field boundaries successfully employed
in Bombay in places where stones were
not procurable have already been ap-
proved by Government in District Minutes.
Consultation dated 5th June 1857 and
No. 6.

11.7.76 The principle of the rule is
regarding the size of fields & number of
Bamboo trees (Tegals) planted (compared
with No. 11. I will probably not be thought
necessary to insist arbitrarily on the com-
bination of small patches into fields of a
certain size, as the general average size is
much larger in the northern Saurashtra than
in South Gujarat, but even the latter would
the present joint land occupation favors the joint
occupancy suggested in this rule, No. 16. The
cost of boundaries on waste lands is chargeable
to the State under Act 20 of 1855.

I have the honor to be
Sir
Your most Obedient Servant
H. B. M.

Secretary of Revenue Settlement

Office of the
Commissioner of Revenue Settlement
Madras 11 December 1857

(10)

No. 1575

Read letter from the Director
of Revenue Settlement proposing that steps
should be taken for marking the village
boundaries in the Districts of Rajahmundry
and Masulipatam, and forwarding printed
copy of Rules drawn up by him on the
subject.

(Here Enter Angel)

The Board agree with Mr. Sewell that no time should be lost in proceeding as far as circumstances will allow, previous to sanction for his Establishment, with the demarcation of Villages in the Districts whether the Survey will at once proceed, and they approve of the plan proposed of employing a Local Revenue Servant, whose place for the time will be filled up by a Substitute, and the expense charged to the Survey.

2. The proposed Rates, seem
to be generally suitable, but as the Board
have

John
Linn

The Director of
German Schools

Sept 10 } Evening

June 1 investigation
du 19 Dec 57

Dearest

Ernie St. Denis & Daughter
Chicago, Illinois 1928

have more than once stated in their communications to Government, the Collector cannot be expected to supervise the Demarcation proceedings or be responsible for them, and the Rules printed by Mr. Neill may be considered as drawn up for his own Demarcation Department, in estimate of which he has been required to prepare under orders of Government contained in Extract Minutes Circular dated 11 December 1837 & 12 1838.

The maximum in Rule 10 should the Board think, be 20 acres for unbrigaded land and 4 for brigaded. There are in Kollay and other Districts large fields in existence, and it is very usual to cultivate only portions of them, the assessment on the remaining portion forming an item of 'remission' under the head of 'Khamilut' or 'Whit' 'Sondoo'. If a ryot already possessing fields of 30 acres, it is no injury to him to mark and survey it in full, in case of future subdivision, and also in order to avoid the claim for 'remission'. The maxima above named coincide with those proposed in the Bombay Survey. Again.

Joint Report of Messrs
Goldsmith & Co. Agents to
Commissioners of Revenue
2nd August 1837.

Again as to Rule 15 which refers to Waste Lands, the Board would prefer the setting out to be 20 acres for 'dry' and 4 for 'Wet' as a maximum, and 1 of 'dry' and 1 of 'wet' as a minimum. The Board have adverted to the necessity of some Rules of this sort in paras 18, 19, 20, 21 of their Proceedings of 15 July 1837, in which they have not as yet been favoured with the opinion of Government.

With regard to para 11, a great point will be gained if the ryots consent to club small fields for joint occupancy, but if they do not, the surveyor will have to group them for survey (not for Revenue) purposes, and fill in the component minute fields afterwards by a rougher process, as alluded to in the Board's Proceedings of 18 December 1837 para 17.

The Board have no further observations to offer on these Rules, and must depend upon Mr. Neill's local experience to suggest any future modifications.

Ordered that the above Proceedings be forwarded to Government for.

For their information

(M. W. C. Thacker)

J. S. Smith
Secretary

To: W. F. Thacker Esq.
Secretary to Government
Revenue Department.

(13)

(41)

From 15 December 1857 to 28 1857
 18 1/2 lbs Dec 1857 to 12 1/2 1857
 9 lbs Dec 1857 to 30 1857
 From 13 1/2 1857 to 29 1857

From 12 January 1858
 12 1/2 lbs Jan 1858

1857

Resolved from the
 Proceedings of the
 Board of Managers

Doth M^{rs} Dec 1857
 Dec 23 1857

2. Inds

From 1857
 3 1/2 lbs Dec 1857 to 32 1857

Submitting a letter
 from the directors of the
 settlement proposing that
 the settlement be taken
 for making the village
 land in the district
 of the settlement and a
 small part of the land
 situated in the parish
 of the settlement by the
 officers of the settlement
 11th Dec 1857

1858

The Government in the
 observations made by the Board of
 Finance in the proceedings quoted
 above.

The decisions on disputed charges
 will be referred to in force of the
 rules proposed by the Council
 will be in force the passed under

Oct 1857 of 1857

Oct 1857
 11 January 1858

Report to the Board
 with a copy of the

1857