

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 527	Press
521-523	~~Mis~~
Dated	27 - 2 - 1866.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
27th February 1866.*

Read the following papers:—

No. 521. From the Acting Superintendent of Revenue Survey, to the Secretary to Government, Revenue Department, Fort Saint George, dated Chempauk, 9th February 1866, No. 242-10.

1. On the 20th May 1861 the Director of Revenue Settlement requested that Captain C. Smith, Assistant Director of Revenue Settlement, might be vested with authority to dispose of boundary disputes under the Sections of Act XXVIII. of 1860, which relate to arbitration. Captain Smith was then engaged in demarcation duties in the Kurnool District. The Government in their Order of the 31st May 1861, No. 1,126, decided that Captain Smith, as a Revenue Settlement Officer, might exercise the powers mentioned in Sections 10 to 25 of Act XXVIII., without special appointment.

2. In paragraph 26 of G. O. 12th December 1864, No. 2,243, the Government were pleased to direct that in all Districts to be taken up, the demarcation should be performed by the Survey Department.

3. In G. O. of 6th October 1865, No. 2,420, it was ordered that the Survey of the Madras District should be next taken in hand.

4. Lieutenant Cloete, First Assistant Superintendent of Revenue Survey, has been detailed by me for the charge of demarcation. I have the honor to enquire what powers the Government are pleased to entrust to Assistants of Survey, and whether the paragraph of G. O. 12th December 1864, No. 2,243, transferring demarcation duties to the Survey Department, is sufficient to authorize Survey Officers to exercise such powers as were exercised by Settlement Officers under similar circumstances.

5. In paragraph 7 of the Demarcation Rules it was stated, "Deputy Directors (are vested with the powers of Sub-Collectors and) will secure the attendance of "Moonsiffs, Monegars, and Curnums, and other village officers for the purpose of "demarcation, &c., &c." I referred to the Board of Revenue the question as to whether the words shewn in brackets should be expunged; they decided in the affirmative.

6. I respectfully request that the powers of the Superintendent of Survey, his Deputies, and such Assistants as he may put in charge of demarcation, may be distinctly defined.

7. In the Madras District I am directing the operations of the Assistant myself. In other Districts the demarcation will most probably have to be supervised by Deputy Superintendents.

*Proceedings of the Madras Government, Revenue Department,
27th February 1866.*

No. 522. Memorandum from the Acting Superintendent of Revenue Survey, to the Secretary to Government, Revenue Department, Fort Saint George, dated Camp, Palcarnee, 21st February 1866, No. 339-14.

Requesting that the powers of the Superintendent of Survey, his Deputies, and such Assistants as may be in charge of Demarcation, under Act XXVIII. of 1860, may be distinctly defined.

The Acting Superintendent Revenue Survey has the honor to enclose for reference a copy of Proceedings Board of Revenue, dated 11th January 1866, No. 242, referred to in his letter dated 20th February 1866, No. 242-10, omitted to be sent through an oversight.

No. 523. ORDER THEREON, 27th February 1866, No. 527.

Land Revenue.

1. Under G. O. 12th December 1864, No. 2,243, the Superintendent of Revenue Survey has been appointed an Officer for the purpose of Demarcation, and is therefore vested with the powers conferred on such Officers by Act XXVIII. of 1860.

2. Major Hessey should report, from time to time, the names of Deputy Superintendents or Assistants whom he intends to place in charge of a demarcation party, and they will then be appointed Officers for the purpose of Demarcation, and so qualified to exercise powers under Act XXVIII. of 1860, and gazetted accordingly. In the case of Lieutenant Cloete, orders to this effect will be passed without further reference.

3. The Governor in Council will be prepared to consider any proposition which Major Hessey may wish to make as to conferring a portion of these powers on Subordinate Assistants; but he is at present of opinion that when such powers are necessary they should always be exercised by the Deputy Superintendent or Assistant in charge of the party.

4. Major Hessey's attention is drawn to G. O. 11th January 1861, No. 87, paragraph 11, Clause 2.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Officiating Superintendent of Revenue Survey.
,, the Officiating Director of Revenue Settlement.

Exd. S. T. Augustin.

No. 242.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th January 1866.

Read the following letter from Major W. H. HESSEY, Officiating Superintendent, Revenue Survey, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Chempauk, 17th November 1865, No. 1,264-26 :—

1. I have the honor to enclose a copy of the Demarcation Rules, partially altered, so as to bring them in accordance with Government Order of 6th October 1865, No. 2,420. There are some few subjects on which I request orders.

2. Extracts from the Old Rules, with remarks by the Director of Revenue Settlement, and by me, are enclosed.

ENCLOSURE No. 1.

ABSTRACT.—Rules for the demarcation of boundaries for the Revenue Survey.

ENCLOSURE No. 2.

Extract from the Demarcation Rules, with remarks by the Officiating Superintendent of Revenue Survey, and the Officiating Director of Revenue Settlement.

Extract from the Demarcation Rules of 1861.	Remarks by the Officiating Superintendent of Revenue Survey.	Remarks by the Officiating Director of Revenue Settlement.
Paragraph 7.— Attendance of village officers and Ryots. Deputy Directors are vested with the powers of Sub-Collectors, and will secure the attendance of the Munsiffs, Monigars, Curnums, and other village officers, for the purpose of demarcation. The attendance of these officers, as well as the attendance and assistance of the owners and occupants of fields, can be enforced by the Deputy Directors and their Assistants, under the provisions of the Boundary Act.	Are the words "vested with powers of Sub-Collectors" to be erased? See Act XXVIII. of 1860, paragraph 2. Full powers under the Act are all that are required.	As the Deputy Superintendents will be able to enforce the attendance of village officers and Ryots under the Boundary Act, and as they will have attached to their Establishment a Revenue officer of the grade of Taluk Serishtadar, the appointment of the Deputy Superintendents to be Sub-Collectors appears unnecessary. In fact, I doubt whether the Government could legally appoint them to be Sub-Collectors. The Government declined to grant Magisterial powers to Deputy Directors in G. O., dated 11th January 1861, No. 87.
Paragraph 27.— Large fields above a maximum limit to be sub-divided. Where a field belongs to more than one Ryot, it may, if the occupants wish it, be sub-divided into separate fields, provided that no portion, thus sub-divided, is less than four acres of dry, and two acres of irrigated land; where a Paimash field is large, and a portion only is usually cultivated, the cultivated portion can be marked out into a separate field, provided it is not less than four acres of dry, and two acres of irrigated land, and, at the same time, does not leave the remainder of the original field less than the same minimum limit.	The former part of the paragraph, enjoining the arbitrary division of large fields, has been expunged. Is the latter portion, as shown in the first column, to be done away with also?	I think not.
Paragraph 29.— Proportion of unoccupied waste to be marked for Survey. Besides occupied lands, all those that have ever been cultivated, and such other lands as are likely to be brought under cultivation, within the next few years, are to be marked out for survey; with regard to the latter, the Deputy Directors will ascertain, from their own local inquiries, or from investigations, through the Boundary Inspector, as to the agricultural resources, and other circumstances, what portion is likely to be taken up in the next few years, and deter-	Might not the paragraph be altered as follows? "Large tracts of unoccupied waste land are to be marked out, in blocks of fifty acres or thereabouts, as directed in paragraph 17. No sub-divisions are necessary." Sub-divisions of these blocks, if afterwards found advisable, may be performed by the permanent establishment attached to each District.—See paragraphs 34 and 35 of Government Order, dated 12th December 1864, No. 2,243. Sub-division	I understand Major Hessey's object, in proposing this alteration to be, to prohibit the taking up of waste land by the Ryots, for the future, in smaller quantities than fifty acres. If so, I cannot agree to it. It is essential that opportunity should be afforded to the Ryot of increasing his holding by taking up moderately sized fields, if he wishes to do so. As this point must be conceded, I think it would be a pity not to take the opportunity afforded by the demarcation, to lay out the new fields in convenient sizes, and regular shape, instead of

Extract from the Demarcation Rules of 1861.	Remarks by the Officiating Superintendent of Revenue Survey.	Remarks by the Officiating Director of Revenue Settlement.
mine what portion of waste is to be marked out as fields for survey. The allowance should be liberal.	of land should, in my opinion, be discountenanced as much as possible. It has been found almost impossible to keep up field demarcation in large tracts of unoccupied land. In paragraph 34 of Government Order, 12th December 1864, blocks of ten and four acres, in wet and dry waste land, were ordered to be surveyed. It appears to me doubtful whether the Government in their Order, 6th October 1865, No. 2,420, did not intend to encourage the formation of large farms. The experience of the Settlement Officer in Trichinopoly District is, that large tracts of waste land, moderately assessed, are readily taken up; land that has actually been cultivated, within a moderately recent period, might be laid out, as directed, in blocks of ten and four acres; but this rule could not universally apply; for instance, in the Tengricottah Taluk, Salem District, the cultivation is shifting, and it is impossible to pin men down to fields.	leaving it to the people to take up the land in all kinds of irregular shapes, under the supervision of the village officers.
Paragraph 30.— New fields to be laid out, maxima and minima sizes. In laying out waste into new fields, the maxima and minima above specified are to be observed; that is, no fields are to be laid down of a small size than two acres for irrigable, and four acres for unirrigable land, or of a larger size than six acres for irrigable, and twelve acres for unirrigable lands. Discretion must be used, according to local circumstances, as to the various sizes to be adopted within the prescribed limits. In laying out large tracts of waste into new fields, straight lines should be drawn at convenient distances apart, and cross lines taken to set off the fields.	In that Taluk the rule appears to be, that a field <i>once cultivated</i> should <i>ever</i> after remain waste. If sub-division of fifty acre blocks of unoccupied land are not required, the paragraph might be done away with.	For the reasons above given, this paragraph should be retained, but the maxima and minima (already struck out in paragraph 27) may be dispensed with, and it may be left to the Survey Officers to decide on the sizes of the sub-divisions of the fifty acre blocks, with reference to the circumstance of the locality, and the wishes of the people.

CHIEPAUK,
18th November 1865.

(Signed) W. H. HESSEY, Major,
Officiating Superintendent, Revenue Survey.

The Board desire that the views expressed by Mr. Master in regard to the disputed points, be adopted.

(True Copies and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To Major W. H. Hessey, Officiating Superintendent of Revenue Survey.

Copy to R. E. Master, Esq., Officiating Director of Revenue Settlement.

3.84
By Mr. Hessey, Esq. & Mr. Purlah Kessey.
16 January 1866

Exd. J. Wright.

Testing that the views expressed by the Officiating Director of Revenue Settlement regarding the disputed points be adopted in the Demarcation Rules.

No 212

Dated 11th January 1866.

PROCEEDINGS OF THE BOARD OF REVENUE.

No.

1866.

Department

Rev. 589/66

Rev. Dept.
82-527
Proceedings of the Madras Government.
Under date the 27th Feb^y 1866.

Read the following
letters from the *Asst. Supd.*
Rev. Survey.

(Here enter 9th Feb^y 1866.
1. 242
10.)

(Here enter 21st Feb^y 1866 *2. 339*
14.)

Under G. O. 12th Dec^r
1864 *1. 2. 3* The Superin-
tendent of Revenue
Survey has been appointed
an Officer for the
purpose of demarcating,
& is therefore vested with
the powers conferred on
such officers by Act
x x viii of 1860.

Vide Sec 2 Act x x viii 1860

Major Henry should
report from time to
time the names of
Deputy Superintendents
or Assistants to whom.

W. H. Hessey
W. H. Hessey

intends to place in charge
of a demarcation
party, & they will then
be appointed officers
for the purpose of de-
marcation, & are qual-
ified to exercise powers
under Act X. VIII. of
1880, & gazetted accor-
dingly. In the case of
Lt. Cloete orders to this
effect will be passed
without further reference.

The Governor in
Council will be pre-
pared to consider any
proposition which Major
Hessy may wish to make
as to conferring a
portion of these
powers on subordinates.

assistants; but he is
at present of opinion
that when such powers
are necessary they
should always be ex-
ercised by the Deputy
Superintendent or
Assistant in charge
of the party.

Major Hessy at-
tention is drawn to
G. O. 11th Jan 1881 No 87
para 11 Cl 2.

20.2

J. J.

10. To the Offr. Supt of Revenue Survey, Durban
11. To the Offr. S. of Revenue, N.

No. A 298.99 - 31.5.61
 120-127 - 12.12.64
 107-108 - 6.10-65

No 521 @ 523

Revenue 1868 Deptt.
 No. of Govt. of India

No. 527

No. of the Madras Govt.
 No. 27 of 1861/66.

From the Right Hon. Secy.
 to the Govt. of Madras
 21/11/1866 P.M. 1985

Sent to the Secy. of the
 Mining Department to
 receive for use
 act XXVIII of 1860

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