

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	17512.	Press
	6/3 6/5	~~Mis.~~
Dated	31 - 7 - 1867.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
31st July 1867.*

Read the following papers :—

No. 613. Proceedings of the Board of Revenue, dated 15th May 1867,
No. 2,991.

Read the following letter from the Superintendent of Revenue Survey, to the
Secretary to the Board of Revenue, dated Chepauk, 29th April 1867,
No. 751-26.

1. I have the honor to submit, for the consideration of the Board, a letter
from Lieutenant Cloete, First Assistant Superintendent in charge of the Demar-
cation of the Madras District, relative to the settlement of the disputed boundary
between the talook of Trivellore and the Calastray Zemindary.

2. The plan proposed by Lieutenant Cloete seems good, and I beg to
recommend its adoption, and that permission be accorded by the Board to his
addressing the Zemindar. Also that, if necessary, an Assistant Collector be
nominated as third arbitrator, and, in case the Zemindar refuses to submit the
dispute to arbitration, the recommenda-
tion of Mr. Fraser, (late Collector of
North Arcot,) be adopted, viz., that a
European Covenanted Officer of the stand-
ing of a Head Assistant should be
deputed to settle the disputes.

* Letter, dated 5th October 1863, No. 198,
paragraph 6.

See also paragraph 4 of letter from the Honour-
able R. S. Ellis, C. B., Collector of Madras,
dated 1st October 1863, No. 411.

3. With reference to part of paragraph 3 in the letter now enclosed, I beg to
state that Lieutenant Cloete cannot possibly be spared from his present work, which
has unavoidably fallen in arrear from want of an efficient Assistant. The Assistant
lately under his orders has gone on sick leave, and has now been replaced by
another Officer.

From Lieutenant J. G. CLOETE, First Assistant Superintendent of Revenue Survey, in charge of
Madras Demarcation, to the Deputy Superintendent of Revenue Survey, No. 5 Party,
dated Camp at Tripasur, 15th March 1867, No. 230-75.

1. I have the honor to inform you that about 26 square-miles of country appear to be in
dispute between the Calastray Zemindary in the North Arcot District, and the adjoining Govern-
ment villages in the Trivellore talook.

2. In 1856, Mr. Banbury, then additional Sub-Collector of North Arcot, brought to the
notice of the Collector of the district, the fact that certain boundary disputes between the Zemin-
dary and Government villages were then long pending; after that several letters passed between
the Collectors of the two districts and the Board of Revenue, and on the 10th March 1865,
(No. 524,) Government passed orders that nothing was to be done in the matter till the survey of
the Madras and North Arcot Districts was taken in hand, when the demarcation of the villages
adjacent to the Calastray Zemindary would form part of the operations.

3. The Board of Revenue in their Proceedings, No. 159, of the 11th January 1865, stated
that they had no doubt that Act XXVIII of 1860 was applicable to such cases as those between
the Calastray Zemindary and Government, and the Zemindar will hardly raise any objections on this
case; I would, therefore, propose at once addressing the Zemindar in order to find out whether he
is willing that the matter in dispute be decided by arbitration; it should, if possible, be settled in
this way, for it is the only decision which under the Act is *final*; should the Zemindar agree to
this mode of decision, I would request him to nominate some one to act on his part, and would,
with the permission and assistance of the Collector of the district, nominate a Tahsildar or Deputy

*Proceedings of the Madras Government, Revenue Department,
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Collector to act on the part of Government. Should the two arbitrators thus named fail to appoint a third, (and it is very probable they will fail,) I should, I fear, have some difficulty in making the nomination, unless the Board would permit me to name an Assistant of the district for the purpose. Should the Zemindar refuse to refer the dispute to the final decision of arbitrators, it will have to be decided under Section 25 of the Act; and in this case also, I would request that an Assistant Collector be specially appointed; looking to the extent of land under dispute, the matter is one of some importance, and it will take the arbitrator or officer appointed under Section 25, not less than three or four months to decide, supposing he gives his *whole* time and attention to it, I would appoint myself to act as third arbitrator, or would decide the matter myself under Section 25, but I could not give the time necessary, unless I were relieved from all other demarcation duties: in the case of an Assistant Collector being appointed, I would give every aid in my power both as regards men and in the matter of collecting information.

4. I have the honor to request, that, if the Superintendent thinks necessary, the Board's approval of the course I have suggested may be obtained. I await instructions before addressing the Zemindar on the subject at all.

Forwarded to the Collectors of Madras and North Arcot for any remarks they may wish to offer.

No. 614. Proceedings of the Board of Revenue, dated 18th July 1867, No. 4,542.

Read again letter from the Superintendent of Revenue Survey, dated 24th April 1867, No. 751-26, recorded in Board's Proceedings, 15th May 1867, No. 2,991.

Read also the following letters:—

From the Acting Collector of the Madras District, to the Secretary to the Board of Revenue, dated Sydapet, 4th June 1867, No. 149.

1. With reference to the Board's Proceedings of the 15th May 1867, No. 2,991, I have the honor to state that, as suggested by Lieutenant Cloete, the long-standing boundary dispute between the Trivellore talook and the Calastry Zemindary, in the North Arcot District, should be settled at an early date, and to this end overtures should be made at once to the Zemindar of Calastry, with a request that he would name at once an arbitrator to act on his behalf.

2. Considering the large tract of land involved in the disputed boundary, it is highly important that either a Covenanted Officer of the grade of Head Assistant, or a competent and well experienced Deputy Collector of one of the higher grades should be appointed to act as the arbitrator on behalf of Government. Should the Zemindar not consent to the dispute being settled by arbitration, which it is not likely he will do, I would suggest that a Covenanted Officer of the standing of a Head Assistant alone should be appointed to investigate the claim, and dispose of it finally under Section 25 of Act XXVIII of 1860.

From the Collector of North Arcot, to the Secretary to the Board of Revenue, dated Chittoor, 12th June 1867, No. 151.

1. I have the honor to acknowledge the receipt of the Proceedings of the Board of Revenue, dated 15th ultimo, No. 2,991, relative to the settlement of the disputed boundary between the talook of Trivellore and the Calastry Zemindary in this district.

*Proceedings of the Madras Government, Revenue Department,
31st July 1867.*

2. Colonel Priestley recommends that, if necessary, a Covenanted Assistant be nominated as third arbitrator in settling this frontier dispute, and that in case the Zemindar refuse to submit the dispute to arbitration, the recommendation of Mr. Fraser, late Acting Collector of this district, be adopted, viz., that a European Covenanted Officer of the standing of a Head Assistant may be specially deputed to this duty.

3. With my Covenanted staff reduced to a single Assistant, whose services I divide with the Inspector General of Jails, and a young Officer in charge of Zemindary tracts who has just joined and is strange to the country, it is for the present simply impossible to depute to this duty any representative of Government interests. The only suggestions, therefore, which I have to make, are that the Zemindar should, in the interim, be required to produce the proofs on which he proposes to establish his claim, and that the Government then nominate some fit Officer to make all preliminary arrangements, and to conduct the inquiry to its termination.

1. Resolved that the foregoing letters be submitted for consideration of Government.

2. In their Proceedings, dated 10th March 1865, No. 524, Government decided that the settlement of the disputed boundary between the talook of Trivellore and the Calastry Zemindary should be deferred till the survey of the Madras and North Arcot Districts.

3. In a letter, dated 29th April 1867, No. 751-26, the Superintendent of Revenue Survey forwarded a communication from Lieutenant Cloete, First Assistant Superintendent, containing a plan for the settlement of this dispute. Lieutenant Cloete proposes inquiring of the Zemindar whether he is willing to submit the matter to arbitration, and if so, requesting him to nominate some one to act on his behalf, a Tahsildar or Deputy Collector being appointed on the part of Government.

4. Should the Zemindar decline to adopt this course, Lieutenant Cloete suggests that the case be decided under Section 25 of Act XXVIII of 1860, and that an Assistant Collector be specially appointed to conduct the inquiry.

5. This proposal was communicated by the Board in their Proceedings, dated 15th May 1867, No. 2,991, to the Collectors of Madras and North Arcot for their opinion, and the foregoing letters are their replies.

6. The Collector of North Arcot expresses his inability to spare any of his Covenanted staff for the duty indicated, and suggests that the Zemindar be required to produce the proofs on which he rests his claim, and that Government nominate some fit Officer to conduct the inquiry to its termination.

7. The Collector of Madras supports the proposal made by Colonel Priestley.

8. The Board recommend that the Collector of Madras be instructed to suggest to the Zemindar that the dispute be referred to arbitration under Act XXVIII of 1860, and that if he declines or fails within three months to accede to the proposal, and to take the necessary steps on his part to carry it out, the Government should, under Section 2 of the Act, nominate the Acting Sub-Collector of the district to deal with the case under Section 25, leaving the Zemindar, if so disposed, to contest that Officer's decision in the Civil Court.

Proceedings of the Madras Government, Revenue Department,
31st July 1867.

No. 615. ORDER THEREON, 31st July 1867, No. 1,752.

Miscellaneous.

The Board will direct the Collector of North Arcot to ascertain from the Kalastri Zemindar whether he consents to refer the question of disputed boundaries to arbitration, under Act XXVIII of 1860, and in that case to name one arbitrator, and will report the result.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.

Ed. J. T. Augustin.

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(True Copies and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department,
with copy of Board's Proceedings, dated 15th May 1867, No. 2,991.

Copy to the Acting Collector of Madras.

„ to the Collector of North Arcot.

„ to the Superintendent of Revenue Survey.

Ed. J. Wright.

25 July 1867

10612-61149615

14 Copies To the D of Rev. Dept. 1867

Submitting with Board's recommendation letters from Collectors of Madras and North Arcot and Superintendent of Revenue Survey urging the settlement of disputed boundary between Taluk of Tirvelore and Calaserry Zemindary.

11-11-67-21 July

No. 4,542.

Dated 18th July 1867.

10612-61149615

PROCEEDINGS OF THE BOARD OF REVENUE,

No. 1956.

1867. Department for Study

10-11-67-21 July

PROCEEDINGS OF THE BOARD OF REVENUE, dated 18th July 1867.

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