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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.
B.P. No.

430

Press
Mis.

Dated

28.3.1876

196

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
23th March 1876.*

No. 266. Read the following Proceedings of the Board of Revenue, dated 11th March 1876, No. 690, Forest No. 25 :—

Read the following letter from Lieutenant-Colonel R. H. BEDDOME, Conservator of Forests, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Madras, 17th February 1876, No. 237 :—

With reference to the Proceedings of the Board, No. 382, of the 8th February, I have the honor to inform you that no agreement has been come to with the representative of the Tirumalpad. The Revenue Survey has demarcated the boundary, but no one was present on behalf of the Tirumalpad, although he was warned to send some one. Major Jago was not present when the survey was carried out, but he has since been round the boundary, and is satisfied that it has been demarcated according to our reading of the lease. I forward his letter on this subject.

ENCLOSURE No. 1.

From Major R. S. JAGO, Deputy Conservator of Forests, Nilgiris, to Lieut.-Colonel R. H. BEDDOME, Conservator of Forests, Madras, (through the Commissioner of Nilgiris), dated Ootacamund, 7th February 1876, No. 18.

I HAVE the honor to inform you in compliance with your letter, No. 801, dated 18th January 1876, I proceeded on the 5th February with Mr. Fraser of the Revenue Survey accompanied by the Acting Overseer from Mudumallai and certain Coorumbars, to attest the southern boundary of Mudumallai. We walked from Mudumallai to the old Tippucaloo Road at Kalangeri, up to which forms the southern boundary up to a foot-path leading from Shotathaki to Gundithal Ghaut; all the way on the road one Rama Chetty, who has lived all his life in the neighbourhood, attested to correctness of the line. Struck the flat, crossed it to the stone on the opposite side, continuing on the boundary till we skirted the buildings of the Badavel flat, taking with us one Chrisna Chetty who gave evidence as to correctness of line.

2. From Badavel flat to Bhitherhalla near Kurine and Thorapati flats on by the Bitherhalla, which with the junction of the Moyiar completes the southern and eastern boundary.

3. From constant evidence taken on the route, I am of opinion that the boundary was fairly proved.

4. On inquiry from the Acting Overseer, I find that the hut built at Badaval flat for the use of the Survey Department employed on the line was erected under the superintendence of the late Overseer Vencatappah Naidu, and that the line was cleared by the Forest Department, and was assured that Vencatappah Naidu gave every assistance. I mention this to show that the range subordinates have in no way retarded work of the Revenue Survey.

5. The officer commanding No. 1 Party, Revenue Survey, was in neither case present. His subordinate went over the lines with me himself.

Forwarded to the Conservator of Forests, Madras.

14th February 1876.

(Signed) J. R. COCKERELL,
Commissioner of Nilgiris.

THE Board are of opinion that the boundary as demarcated and surveyed should be adhered to, leaving the Tirumalpad to contest it in a Civil Court, if so disposed.

(True Copies and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

*Proceedings of the Madras Government, Revenue Department,
28th March 1876.*

No. 267.

ORDER THEREON, 28th March 1876, No. 430.

Forests, No. 22.

RECORDED.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

*Proceedings of the Madras Government, Revenue Department,
28th March 1876.*

No. 267. ORDER THEREON, 28th March 1876, No. 430.

Forests, No. 22.

RECORDED.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

Gobt. of {1876} Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Dated March, 28th.

Recd.

Encl.

G.O., 28th March 1876, No. 430.

MARCH.

Nos. 266-267.

Mudumalai Forest leased by Government from Nilambur Tirumalpad.—Recording Proceedings of the Board of Revenue expressing opinion that boundary of —, as demarcated and surveyed, should be adhered to, leaving Tirumalpad to contest it, if so disposed.

FOREST No. 239.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th December 1875, No. 3,355.

Read the following letter from Captain C. C. SARGEANT, Assistant Superintendent, for Superintendent Revenue Survey, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Chepauk, 25th November 1875, No. 3,495-157:—

I HAVE the honor to state that the boundary of the Mudumalai Leased Forest is in dispute.

2. Captain Cloete, in a Memorandum, copy of which is enclosed for reference, states that there is no difference of opinion between the Tirumalpad and Forest Officers as to the northern boundary; that the eastern boundary is also the boundary of the Nilgiri District and will not be disputed by the Tirumalpad. On the south and west, however, there is considerable disagreement between the statements of the Forest Officers and the Tirumalpad's Agent.

3. The limits of this tract are given in the lease.

4. The Kariastan of the Tirumalpad met Captain Cloete at Gudalur and explained to him the nature of his claim based on the lease.

5. The boundaries, as claimed by the Tirumalpad and by the Forest Officers, respectively, are shown in the accompanying sketch.

6. Captain Cloete states that the Tirumalpad's line excludes from the leased forest the whole of the forest buildings and depôt, as well as the old site of Mudumalai, and that, if the Tirumalpad's claims were allowed, the Government would find themselves in possession of a small tract of country containing very little valuable forest and with no tracks in it, but such as have been made by wild elephants.

7. I have the honor to request instructions as to how I am to direct the Deputy Superintendent to act.

8. I venture to suggest that the proper boundary of the forest should be settled and a line cleared through the jungle by the Forest Department before the survey be called on to demarcate and survey the forest.

ENCLOSURE No. 1.

Memorandum on the Mudumalai Leased Forest Boundary.

HAVING been instructed to mark out and survey, during this season, all properties within the Nambalakad Amshum, not already done, I communicated with the Commissioner of the Nilgiris and applied for information and assistance to enable me to demarcate the boundaries of the Mudumalai Forest leased by Government from the Nilambur Tirumalpad.

2. I wrote at the same time to the Tirumalpad, telling him that the work would commence about the 10th September.

3. My letter to the Commissioner having been referred to the Deputy Conservator of Forests, Nilgiris, I was informed by that officer that the Overseer in charge of the Forests had received orders to give me all the assistance and information I might require.

4. The Tirumalpad inquired who was to pay for the labor, and requested me to let him know the exact place and date on which his agent was to meet the Surveyor; he wrote to similar effect to the Inspector of Forests.

5. I again wrote to the Tirumalpad direct and through the Deputy Tahsildar and mentioned that I would return to Gudalur on the 2nd October (having already been there from 6th to 10th September).

6. I visited Mudumalai on the 11th September and found that the Overseer had never been near the northern boundary (on the Mysore side), I then arranged to go over this line with him and we followed the line in the Ordnance Survey Map as nearly as possible, finding that it agreed approximately with that pointed out by the Kurumbers.

7. Regarding this portion of the line there is no difference of opinion between the Tirumalpad and the Forest Department; it runs through a trackless forest, the timber is not good, and elephants and other wild animals abound.

8. The eastern boundary is also the boundary of the Nilgiri District, that line will not be disputed and the western boundary runs with that of Benne Forest and the Ganapathi Vatto Amshum.

9. On the south I understood that there was considerable disagreement between the Lessor and Lessee as to the limits of the forest leased. I accordingly applied to the Forest Officer for a copy of the lease.

10. I find the boundaries there given as follows:—

East.—Western part of Chikkalashettu Madasivaram Gudi.

South.—North side of junction of Kilakatpoia and Vellampoia rivers.

West.—Eastern side of Naradi Tod Nalla lying on the west and north of Cherianaradi and Valiakaradi Mullah Hills.

North.—Southern part of Variari Katkanavai.

11. On the 2nd October, the Kariastan of the Nilambur Tirumalpad met me at Gudalur and explained to me the nature of his claim based on the lease. The boundary claimed by him and that pointed out by the forest representative are shown in the accompanying plan, in which the details are given approximately.

12. The Tirumalpad's lines are taken from the Ordnance Survey Sheet in his possession, on which his agent has drawn these boundaries, which he says are those given in the lease.

13. It is difficult to see how he arrives at this conclusion; the eastern and southern boundaries, as given in the lease, are two points and, according to the Tirumalpad, these two points are closed together; he says that in the case of the eastern boundary the points named represent the extreme eastern limits of the leased forest, but that when the junction of the two rivers is given as the southern limits, it means that that limit extends along a line drawn due west from the junction—this, I think, is palpably absurd.

14. It will be seen that the Tirumalpad's line excludes from the leased forest the whole of the forest buildings and depôt, as well as the old site of Mudumalai; now, whatever other disputes may have arisen with the Forest Department, I believe that the depôt (in existence for twelve years) has never before been claimed.

15. If the Tirumalpad's claim were allowed, the Government would find themselves in possession of a small tract about 25 square miles containing very little valuable forest and with no track through it, but those made by elephants which abound there.

16. It is manifestly impossible to lay down any boundaries from a description such as that given in this lease, I can therefore only follow the lines pointed out by the Overseer as representing the Forest Department, and mark and survey what he says are the limits up to which he has been allowed to work without objection or interference. His statement as regards one part of this line is confirmed by the manifest difference in the appearance of the forest after the road crosses the stream at the point A in the sketch; north of this point the forest has evidently been "conserved," south of it there has clearly been indiscriminate felling.

17. In marking the line shown by the Forest Department, I am not deciding a dispute under the Boundary Act; the matter can only be settled by a Civil Court, who will have to interpret this unintelligible lease, and a correct survey of the line claimed by the Forest Department is essential.

18. The Tirumalpad will probably file a suit against the Forest Department; he will certainly not agree to their line, though, I believe, he would consent to one considerably to the south of his claim—this is an additional proof of the weakness of his case.

COIMBATORE,
11th October 1875.

(Signed) J. G. CLOETE, Captain,
Deputy Superintendent,
Revenue Survey.

CHEPAUK,
30th November 1875.

(True Copy.)
(Signed) C. C. SARGEAUNT, Captain,
Assistant Superintendent,
for Superintendent, Revenue Survey.

ENCLOSURE No. 2.—Sketch.

THE Board approve of the suggestion made by the Deputy Superintendent to survey the line which bounds the forests at present occupied and worked by the Forest Department.

2. The Commissioner of the Nilgiris will cause this line to be cleared by the Forest Department in such manner as may be required for survey. This should be done without delay as the working season is nearly over.

(True Copies and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

To the Superintendent of Revenue Survey.
„ the Commissioner of Nilgiris.

Copy to the Collector of Coimbatore.
„ to the Inspector of Forests.

Exd. T. O'Connor.

No. 382.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 8th February 1876.

Read the following letter from Lieutenant-Colonel W. H. HESSEY, Acting Superintendent, Revenue Survey, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Chepauk, 12th January 1876, No. 100-5:—

With reference to Proceedings of the Board of Revenue, No. 3,355, of the 11th December 1875, approving of the suggestion by the Deputy Superintendent, No. 1 Revenue Survey, regarding the Mudumalai Leased Forest boundary, and directing the Commissioner of the Nilgiris to have the lines cleared without delay, I have the honor to report that the boundary has already been demarcated and surveyed.

2. Had the Deputy Superintendent waited for instructions, it would have been too late to have completed the work this season.

COMMUNICATED to the Conservator of Forests.

2. The Board presume that the Forest Officers were present when the agreement as to the boundary was come to with the representative of the Tirumalpad and when the present line was demarcated and surveyed.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

To the Conservator of Forests.

„ the Superintendent, Revenue Survey.

Copy to the Collector of Coimbatore.

„ to the Commissioner of the Nilgiris.

Exd. A. Grubert.

1875.
Board of Revenue,
MADRAS.

PROCEEDINGS, 11TH DECEMBER 1875, No. 3,355.

Encl.

Received

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DECEMBER.

Forest No. 239.

Boundary Line of the Mudumalai Leased Forest.—Approving suggestion of Deputy Superintendent in regard to survey of -- and requesting Commissioner of Nilgiris to cause the line to be cleared by the Forest Department in such a manner as may be required for survey.

Mudumalai Forest—leased by Government from the Nilambur Tirumalpad.—Communicating to Conservator of Forests letter from Superintendent, Revenue Survey, stating that the boundary of — has already been demarcated and surveyed.

FEBRUARY.
No. 382.

Received

Recd 11/25/76

Encl.

PROCEEDINGS, 8TH FEBRUARY 1876, No. 382.

Board of Revenue,
MADRAS.

1876.

FOREST No. 25.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th March 1876, No. 690.

Read the following letter from Lieutenant-Colonel R. H. BEDDOME, Conservator of Forests, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Madras, 17th February 1876, No. 237:—

WITH reference to the Proceedings of the Board, No. 332, of the 8th February, I have the honor to inform you that no agreement has been come to with the representative of the Tirumalpad. The Revenue Survey has demarcated the boundary, but no one was present on behalf of the Tirumalpad, although he was warned to send some one. Major Jago was not present when the survey was carried out, but he has since been round the boundary, and is satisfied that it has been demarcated according to our reading of the lease. I forward his letter on this subject.

ENCLOSURE No. 1.

From Major R. S. JAGO, Deputy Conservator of Forests, Nilgiris, to Lieut.-Colonel R. H. BEDDOME, Conservator of Forests, Madras, (through the Commissioner of Nilgiris), dated Ootacamund, 7th February 1876, No. 18.

I HAVE the honor to inform you in compliance with your letter, No. 301, dated 18th January 1876, I proceeded on the 5th February with Mr. Fraser of the Revenue Survey accompanied by the Acting Overseer from Mudumalai and certain Coorumbars, to attest the southern boundary of the Mudumalai. We walked from Mudumalai to the old Tippucadoo Road at Kalangeri, up to which forms the southern boundary up to a foot-path leading from Shotathaki to Gundithal Ghaut; all the way on the road one Rama Chetty, who has lived all his life in the neighbourhood, attested to correctness of the line. Struck the flat, crossed it to the stone on the opposite side, continuing on the boundary till we skirted the buildings of the Badavel flat, taking with us one Chrisna Chetty who gave evidence as to correctness of line.

2. From Badavel flat to Bhitherrahalla near Kurine and Thorapati flats on by the Bitherrahalla, which with the junction of the Moyiar completes the southern and eastern boundary.

3. From constant evidence taken on the route, I am of opinion that the boundary was fairly proved.

4. On inquiry from the Acting Overseer, I find that the hut built at Badavel flat for the use of the Survey Department employed on the line was erected under the superintendence of the late Overseer Vencatappah Naidu, and that the line was cleared by the Forest Department, and was assured that Vencatappah Naidu gave every assistance. I mention this to show that the range subordinates have in no way retarded work of the Revenue Survey.

5. The officer commanding No. 1 Party, Revenue Survey, was in neither case present. His subordinate went over the lines with me himself.

Forwarded to the Conservator of Forests, Madras.

(Signed) J. R. COCKERELL,

Commissioner of Nilgiris.

14th February 1876.

THE Board are of opinion that the boundary as demarcated and surveyed should be adhered to, leaving the Tirumalpad to contest it in a Civil Court, if so disposed.

(True Copies and Extract.)

[Signature]
Acting Secretary.

To the Conservator of Forests.

Copy to the Secretary to Government, Revenue Department,

with copies of Board's Proceedings, dated 11th December 1875,

No. 3,355, and 8th February 1876, No. 382.

- to the Collector of Coimbatore.
- to the Commissioner, Nilgiris.
- to the Superintendent, Revenue Survey.

Exd. W. H. French.

14

14 To the Order of Rev. Sec. 29 Mar

No 1125

Res. 1876. 22/1/76

Board of Revenue
MADRAS.

PROCEEDINGS, 11TH MARCH 1876, No. 6

22/1/76

End

Received

17th March/76

22/1/76

MARCH.

Forest No. 25.

Madamalai Forest — leased by Government from Nilambur Tirumalpad. — Express opinion that boundary of —, as demarcated surveyed, should be adhered to, leaving Tirumalpad to contest it, if so disposed.

19th March 1876

22/1/76

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28th March