

Educational (1907) Department.

ORDINARY MS.

G.O., No. 770

DATED 20 4 / 07

Order
page no. 8

C

(9)

[Despatch Abstract.]

Extension of Exemption

Declining to extend the exemption
already granted to Malik Khan ud-
din Hussain Khan, North west St.

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

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

CURRENT FILE.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

Number.	Date.	Original (=O.) or spare copy (=S. C.).	Remarks. (In this column such of the papers as have been removed —for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.

Papers of other departments.

Department.	Number.	Date.	Original (=O.) or spare copy (=S. C.).	Despatcher to note the return of the papers to the departments concerned.



21/11

70765
22/11/05 paper

Ed. C. 2692

Regd. 7/11-07.

The Secretary to Government
Local and Municipal Department
Madras.

Most Respected Sir,

I humbly beg to submit that the enclosed printed Memorial will tend to show my connection with the jagirdars of Sankarapuram and with Tipu Sultan of Mysore and lastly the said Memorial clearly impresses the rights and privileges I have on the bounty of Government.

It is on my representation of those facts that Mr. R. C. C. Carr the then Collector of North Arcot entertained me into his office as 12th Vernacular clerk, secured temporary exemption for 6 months from the Board and permanent exemption from Examination Rules from Government. The G. O. sanctioning the said exemption is herein enclosed.

In accordance with the order conveyed in the said G. O. I was conferred acting appointments in Vellore Taluk for about 2 or 3 months and my services dispensed with when the permanent clerks reverted. For more than a year no provision of a permanent nature has been made for me.

Being given to know that vacancies in the lowest grades in the judicial and P. W. D. departments, exist, I put in my applications but the Heads of those departments interpret the restriction clause in the G. O.

"In any Taluk office in the North Arcot District" to be confined only to the Revenue

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department and they refuse to grant me the post applied for.

Although I expostulated with some officers that as I was recommended by the Collector under whose authority the Taluk offices are placed, the Government in their G.O. introduced the restriction clause whereas my exemption from Examination Rules is general and applicable to all departments but my expostulation produce no desired effect and they advised me to have the problem solved by your honour.

I am therefore led to submit this to your honour with a sanguine hope, your honour will be mercifully pleased to ponder over my rights and claims and decide my case considering the difficulty I experience in securing appointment in the Taluk office. I am brought to bear several hardships for want of pecuniary aid and it would be a boon to me and to my family if your honour be good enough to pass early orders on the subject.

For which act of kindness I shall feel ever grateful.

I beg to remain
Most Respected Sir
Your most obedient servant
Mulik Maunze Hussain Khan

(Malik Kyruddin Hussain Khan)
Member of Tipu Sultan family
Vellore.

C/o
Syed Abidur Razack Sahib
Chanda Sahib Mosque street
Vellore.

Vellore
4-11-1907.

Proceedings of the Madras Government
Read the following paper

From the Collector of North Arcot No. 97
dated 13th November, 1905.

Order No. 765 dated 22nd November, 1905
Malik Kyruddin Hussain Khan is
permanently Exempted from Examination
Rules, for appointment to a post on pay
15 per mensem in any Taluk office in the
North Arcot District.

(True Extract)

(Signed) A. Galitua
For Secretary to Government

North Arcot
Collector's office
Chittoor
Dated 21st Decr.
1905.

(True Copy)

(Signed) R. Nagatundram Aiyar
For Collector.

Copy communicated to Malik Kyruddin
Hussain Khan Sahib, Clerk Collector's office
Chittoor for information.

(True copy)

Mulik Maunze Hussain Khan
4/11/07.

To

The Government Agent

and

Pay master of Carnatic Stipends,

CHEPAUK, MADRAS.

*The humble petition of Malik Kyruddin
Hussain Khan, great grandson of Malik
Cawder Ahmed Khan Sahib, grandson of
Malik Aslam Khan, Jagirdar of Sunkara-
puram in the District of South Arcot.*

MOST RESPECTFULLY SHOWETH:—

That Petitioner's ancestors Malik Mahomed Ali Khan, Malik Ghulam Rasool Khan and Malik Aslam Khan were nominated Jagirdars by the Emperors of Delhi Aurangzeb and Furruck Seer and were deputed by Asif Jah to proceed in company with Anwaruddin Khan to the Carnatic to reduce occurrences into writing.

2. That subsequent to their arrival in the Carnatic, Nawab Anwaruddin Khan, on consideration of his noble birth, high parentage and extraordinary intellectual faculties appointed Malik Aslam Khan, Subadar of Arcot.

3. That when Nawab Anwaruddin Khan was beheaded, Malik Aslam Khan was found true to the salt and performed prodigies of valour, whereupon the Martyr's successor Nawab Mahomed Ali Khan Wallajah acknowledged Malik Aslam Khan's Subadari and allowed him to continue in his elevated position and dignity.

4. That in the meantime Hyder Ali of Mysore rose to eminence and Nawab Mahomed Ali Khan, Wallajah, having stood in terror of him sought advice from Malik Aslam Khan as to how to thwart the impending evil. The latter suggested that it would be well and advisable to court the friendship of the English as they were found brave, loyal, and wise. Wallajah approved the suggestion and as a reward for it, conferred on him the Subadarship of Nellore. In a few days Malik Aslam Khan's son predeceased his father and the latter having unable to suppress the melancholy owing to the loss of his favourite son, resigned his dignified situation and spent his days in the Court of Nawab, Wallajah.

5. That when Malik Aslam Khan departed this life, his relations and other dependents deemed it advisable for them to proceed to and settle in the Jaghir of Sankarapuram and on their way they were seized by the forces of Hyder Ali and sent as prisoners of war to Seringapatam. When they were brought in the presence of Hyder Ali, he admired at their noble countenance and granted them a monthly pension of Rs. 500 for their maintenance.

6. That in the meanwhile Hyder Ali died and the reigns of Government fell into the hands of his son Tippu Sultan. The latter disregarded them and treated them as prisoners of war. During their absence, one Khaja Asim Khan made false representation to Wallajah and obtained possession of the Jagir of Sankara-

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puram. But fortunately the said Jagir was conferred on condition that if any male or female representative of Malik Aslam Khan might happen to come and prefer a claim, the sum of 120 Pagodas per mensem should be given to such claimant out of the proceeds of the said Jagir.

7. That a few days after, the 3rd Mysore War was terminated by a treaty by which two of Tippu Sultan's sons were made hostages. During eventful period, the family of Malik Aslam Khan were liberated from their bondage. The Wallajah raj being then extinct, they placed themselves before Oomdothul Omrah who granted them a monthly allowance of Rs. 400. On his demise the Carnatic fell into the hands of English who allowed the same pension to be enjoyed by the family in the name of Malik Mahomed Ali Khan the cousin of Malik Cawder Ahmed Khan.

8. That after the demise of Malik Mahomed Ali Khan, petitioner's great grand father laid his claim when the British Government after mature deliberation resumed the Jagir and granted in lieu of it a monthly pension of 120 Pagodas which were ultimately reduced to 60 the moiety being granted to make better provision in the family of Malik Mahomed Ali Khan whose dependants were more in number than that of petitioner's great grandfather.

9. That subsequent to the demise of Malik Cawder Ahmed Khan, his eldest son Malik Kyraddin Hussain Khan (petitioner's grand father) obtained an incompatible share of Rs. 32—5—0 of pension per mensem. A protest having been made by him as to the scantiness of his pension, the Honourable Court of Directors in Para 23 of their despatch of the 28th January No. 2 of 1867 communicated in No. 74 of P. C. S. dated 25th April 1857 by the Government Agent and Paymaster of Carnatic stipends, Chepauk, Madras, raised the pension from Rs. 32—5—0 to Rs. 50 per mensem.

10. That this pension was enjoyed by him for about eleven years and he died on the 5th December 1868. The then surviving heirs ought to have preferred their legal claims on the occasion on the score that pensions granted in lieu of resumption of Jagirs are in fact continuable and never lapse to the state, but as Petitioner's father was in the enjoyment of a separate pension of Rs. 32—5—0 per mensem, they depended entirely upon the same and took no heed for its continuance.

11. That Petitioner's father Malik Ibrahim Ali Khan died a premature death on the 23rd of August 1889. On the representation of Petitioner's mother and elder brothers, the Paymaster of Carnatic stipends recommended that $\frac{2}{3}$ rd of the pension be continued to its legal representations in lieu of capitalized amounts of their respective stipends on the distinct understanding that the young men were totally ignorant of any trade to apply the amount of these shares on any profitable enterprise but the Government in their order dated 1st November 1889 No. 556 accepted his proposal to continue $\frac{2}{3}$ rd of the pension but negatived the suggestion to depart from the standing Rule regarding commutation and also directed that as Petitioner was a minor to adopt suitable precaution to the bonus due to him.

12. That eventually the bonus was drawn from the Treasury on the personal security of his mother and elder brothers and was deposited in the firm of Haji Cawder Mohiddin Sahib and Co. in Madras. Unfortunately this leading merchant became an insolvent debtor and died. The money deposited was lost and Petitioner, young as he was, was obliged to suffer the loss and entirely neglected his education.

13. That Petitioner during his minority was maintained by his elder brothers and when became an adult was forsaken by them to look after himself. He has neither money to enter into any trade nor educational qualifications to seek employment either in Public or Private service.

14. That had the benign Government be precautionary in retaining his bonus as in the case of one Political Pensioner Haji Mahomed Hussain Khan Sahib of Vellore. Petitioner would not have been left in a state of helplessness. Though the adult members of Haji Mahomed Hussain Khan's family offered to stand surities for the bonus due to his minor children but Government declined to accede to their request and retained the amount to be paid to, when the minor children would become of age.

15. That seeing no other alternative than that of laying his preferential claim to Government, petitioner submits this amongst others under the following grounds:—

- (a) That pensions granted in lieu of Jagirs resumed, should never cease but be continued to respective heirs.
- (b) That the loss of his bonus is attributable to the lack of mercy on the part of Government though the Government Agent distinctly reported the ignorance of Petitioner and recommended for pension.
- (c) That lapse of time does not prevent Government from continuing the pension as in the case of one Barkathulla Sahib who was recommended about 40 years after the death of his father by the Government Agent and who obtained a pension of Rs. 40 per mensem.

Under the circumstances Petitioner prays that his deplorable case be first enquired into by a local investigation and if the several statements be corroborated by the evidence of respectable pensioners then to recommend him to Government for the continuance in his name, of the pension enjoyed by his deceased grand father Malik Kyraddin Hussain Khan and thus save him from being fallen victim to the pangs of starvation and hunger.

For which act of kindness and equity, Petitioner, as in duty bound shall ever pray.

Arcot
August 1904

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I beg to remain,
Respected Sir,
Your most Obedient Servant,

NOTES.

2
 28. 05. 2692.

C. No. 2692 From the Malik Khair-ud-Din Hussain No. 4th, dated 4-11-1907.

SUBJECT Enquiring whether the order granting him exemption from the examination rules is limited to posts in the Revenue Department.

A.

Please see G.O. 765 Dtdy 22-11-05 and the notes connected with it. In that G.O. Malik Khair-ud-Din Hussain Khan was permanently exempted from the examination rules for appointment to a post on Rs 15 p.m. in any Taluk office in the North Arcot Dt.

2. Malik Khair Hussain now states that he was not able to get a permanent post in the Revenue Department till now, and that when he applied for posts in the Judicial Department and the Public Works Departments, his applications were refused by the officers of those departments on the ground that his exemption from the examination rules was confined to posts in the Revenue Department. He therefore enquires whether it is so.

A.

3. From the Secretary's note on page 3 of G.O. 765 Dtdy 22-11-05 it is observed that the exemption was only "for posts on Rs 15 in Taluk offices in North Arcot."

4. It is submitted that the petitioner may be informed accordingly. The draft order placed below is submitted for approval.

10/11-07

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The petition does not contain a definite prayer. The terms of the G.O. are clear and it is apparently the petitioner's request that the

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the exemption granted to him in G.O. 765 dated 22.11.05, should be extended also to the Judicial and Public work Departments. There do not seem to be sufficient grounds for granting this concession and the application is not backed by the recommendation of the Head of the Department.

DD
16.11.07

Lee.

Pets may be informed

accordingly.

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16.11.7. 9er/b
16-11-07

The draft order placed below is submitted for approval.

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18.11.07
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19.11.07

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16/11/07

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READ AGAIN G.O, No. 765 EN., dated 22. 11. 1905

" " " " ; 190

READ ALSO:—

C. No. 2692. From the Malik Khair-ud-Din, No. 2, dated 4-11-1907.
Hussain.

" "....." " "....." " "....." " "....." 190

190

ORDER.

Mrs.

No. 770, dated 20/4 1907.

The petitioner will be informed that the Government see no sufficient reason to extend ~~to other departments~~ ^{to him} the exemption granted in Gene 765

A. Eeddy 22-11-05

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To, The petitioners (Qoo).

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 When examined _____
 When signed _____

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

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

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LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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