[7]

Confidential No. 78
1891.

Judicial DEPARTMENT.
G.O., DATED 11. 5. 91.
No. 907
Series. Mis

Confidential.

First copy sent to Press

Returned for signature

Despatched

[Despatch Abstract.]

Dy. Kazi Triplicane Communicat. to the Commr. of Police certain papers in view to enquiry regarding ——

BACK PAPER, No. of 18

READ AGAIN ORDER OF GOVERNMENT, DATED 18 , No.

FURTHER PAPER, No. 109 Conf. of 1891

ENCLOSURES.

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Submitted to C.S.

The order may now go out the last para. being omitted as shown?
Hon. Mr. Garstin has merely initialed Hon. Mr. Stokes' remarks; ~~he~~ therefore, apparently ~~[illegible]~~ does not press the point about inserting a remark to the effect that the [illegible] will be made Kazi-ul-Kuzaat.

6 May.

Yes. I have passed the ~~[illegible]~~ revised [illegible]

7/5

Recirc.d to the Hon. Mr. Garstin with reference to Hon. Mr. Stokes' further remarks.

28 ap.

Circ.d to the Hon. Mr. Garstin with reference to the Hon. Mr. Stokes' remark on the draft.

17 ap.

(2) Recirc.d to Hon. Mr. Stokes with reference to Hon. Mr. Garstin's further remarks.

24 ap.

the G.O. of 1879. as to the payment of the proceeds of the village therein referred to. [Col. Weldon might further, ~~add~~ say that if Mir Ghulam Husain consents to dismiss his Naib, Said Ghouse Badshah, the Govt. will be prepared to ~~appoint~~ consider the question of appointing him (Mir Ghulam Badshah) as Kazi in the regular way under Act XII of 1880.]

(From order)

14 ap.

Returned with C. No. 2685/1891

Despd. 13. V. 91.

To the Comr. of Police

(with copy of G.O. $\frac{1113}{20.5.79}$ Rev., and Col. Weldon's letter of 25th March 91 with two enclosures ~~in~~ original to be returned)

Note Submd. to the Hon. Mr. Stokes. The last part of the draft is in accordance with the Hon. Mr. Garstin's remarks.

I think it is better not to say this, but to leave him in the present Kazi-ship whatever sort it is. It appears from Col. Weldon's letter that two Kazis, one for the Sunnis and one for the Shiahs, have already been appointed by Govt. under Act XII of 1880.

HS
17 Ap.

Re dismissal of the Naib Kazi of Madras

Confidential

(From order)

With reference to my hon. colleague's remarks below I observe that Act XII of 1880 does not give Govt. the power to appoint a Kazi-ul-Kuzaat, i.e. a Kazi who shall have precedence or authority over other Kazies. We might of course appoint him a Kazi under the Act, if he desires it even though there are already two Kazies.

As to the proceeds of the village the position is that the inam tenure is resumed and the net proceeds are being paid by order of Govt. to Mir Ghulam Hussain. Whether the resumption was justified may be doubtful but it cannot now be contested, suit being barred. Mir Ghulam could not contest it, at any rate as he could not establish his right to the office. The payment made to him is a mere pension which he cannot sue for in Court. I think we are safe in making the threat. H.S. 27 Apr.

LHG 5/5/91

Very well, I won't press the point, but I doubt if we can meddle in any way with the Kazi's receipts from Coromandel. There are 2 Kazis, but neither of them has been appd. Kazi-ul-Kuzaat, which [illegible] to the Head Kazi - & it might be as well to tell Col: W. (D.O.) that he might hint to Mir G. Hussain that it is within our gift if he meets our wishes about the Naib - if the hint about the other matter is not strong enough.

LHG
23/4/91

Confidential

[5]

Jud^l. DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., dated 20 May '79 ~~188~~, No. 1113 Rev.

Again G.O., dated 23 Jan '91 ~~188~~, No. 37 Pol.

Confid. C. No. 39.A. of 1891 dy 23 Jan from Pol. Dept.

Confid Current No. 123 of 18~~8~~91, dated 8 Mar. from Com^r. of Police

Confid. Current No. 156 of 18~~8~~91, dated 25 Mar. from the Paymaster of Ca.

Order of 11. 5. 91. No. 907. Mis

G.O. of 20th May 1879 No. 1113 Rev. & Col. Underwood's letter of the 25th March last with its enclosures will be communicated to the Commissioner of Police. Col. Weldon should first of all ascertain from the Collector of Chingleput whether payment of the net proceeds of the village of Coromandel is still being ~~paid~~ made to ~~the so-called Kazi~~ Mir Ghulam Husain in accordance with the terms of ~~the~~ G.O. ~~of~~ No. 1113 dated 20th May 1879. Should this prove to be the case Col. Weldon will interview Mir Ghulam Husain, explain to him the facts stated in the Commissioner's letter of the 25th Nov. 1890 No. 102 which go to show that the entry made by the Naib was fraudulent & hint to him that unless the Naib is dismissed the Govt. will be compelled to consider the propriety of revis

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Confdl No. 156

From

Col. T. O. Underwood

CHIEF SECRETARIAT
25 MAR 91
GOVERNMENT OF MADRAS

Dated 25th }
Recd 26th } March 1891
Enclos. 2

Circulated in continuation of the papers relating to the charges against the Asst. to the Paymaster and the Head Clerk of the Carnatic Stipend office.

Forwarding the decision of the Court of the Kazi of Madras in regard to the marriage of Kadir Bi

These papers were detained in view to obtaining from the Rev. Dept. certain records relating to this ~~Kazi~~ so called Kazi. Those sent up are however not those required. Further search for ~~them~~ will be requested. In the meantime it seems desirable to circulate this paper

5 April

The papers about Muhammad Ishaq are not with me, but it is quite evident that an enquiry of this kind by the Kazi is quite inadequate ~~to rebut~~ the suspicion raised by the facts given in Col. Weldon's report. I would send this to Col. Weldon with the instructions noted on C.

No. 123.

Japer
11/4/91
245

C. 6/4
R 13/4

Rev
26/3

Confdl No 156

From

Col. T. O. Underwood.

Dated 25th }
Recd 26th } March 1891
Enclo. 2

Circulated in con=
=tinuation of the papers
relating to the charge
against the Asst to the
Paymaster and the Head
Clerk of the Carnatic
Stipend Office

Forwarding the decision of
the Court of the Kazi of Madras
in regard to the marriage of
... Bi

Abd-ul-qádir,
Bí were summoned
of March 1891.
selves on the above

the 2nd Witness
dent that Qádir
in after she was
ammad Husain
(Witness's) females
mad Husain.
láin Qádir stated
eard from Muham=
Muhammad Auzam
Nikah marriage.
Bí stated in
she was present
hammad Husain

-ul-qádir stated
eard from Muham=
e Nikah
his memory
him to write a
ument Agent (Chepák)
ince of the Nikah
he was not sure of
itten by some one

the 6th Witness
known that he
a servant of Nawáb
Khán Sáhib's)
ed in his (Witness's)

statements into con=
inion that in
g the Naib Qazi)
ract of the Nikah
as in accordance
the evidence of
two

* Iron Sea Office.

Paymaster Stipend Office Chepák

NOT TO BE RETURNED INDIVIDUALLY.

Jail. 2685/91

two witnesses a
stated before t
by Nikah is a
done so. Hence
wife (widow) of
alias, Khan

(O

T. O. U

S

Paymaster Carnatic }
Stipend's Office, }
Chepák March 1891 }

of the
Law of the
Mir Ghulam
Mr. Aka-
an, Qazi of
Madras

Decisi te Court of the Qazi of
the in Re- the kah marriage of Qadir Bi wife
(widow) of Muh mad Husain, alias Husain Khan

Ad rting to Colonel: T. O. Underwood's
letter dated 6th March 1891, requesting to ascertain
the fact of the Nikah marriage of Qadir Bi widow
of the late Muha mmad Husain, alias, Husain Khan
I beg to state tha t Summonses were issued by this
Court on the 12th of March 1891 in the names of the
Deputy Qazi Sai id Ghaus Sadaha and Qadir Bi
directing them t appear and give evidence that may
be required of them during the enquiry. That on
the 9th of March 1891, a letter was addressed to the
Commissioner of Police requesting him to send the
Naib's records which were then filed in his office
on condition of their being returned (when no longer
required) to which he replied that the register of
the above Naib will be sent on application from
Colonel: T. O. Underwood. Again the Court on the
10th March 18 wrote to the Commissioner saying that
the register filed at his office at the request of
Sayeing by o of the Commissioner and not under
the orders of Col. Underwood. Then the Commissioner
replied to the eff that the register may if required
be inspected at by the Munshi of this Office. In accordance to which
copy of the Extract of the Nikah Nama (Marriage
Certificate) of Qadir Bi, which he did, and on the
15th of March 1891, an enquiry was held in Re-
the Nikah of Qadir Bi.

Qadir Bi

married her by deposed that Muhammad Husain
From the Nikah.
Husain, a peon in statement of the 1st Witness Muhammad
manifest tha the Revenue Board Office, it became
aunt's daughter Qadir Bi is his cousin, i.e.: maternal
own brother Muhammad Husain was his
married an law. After his sister's demise, he
heard tha woman and after her death, he
Bi, and Muhammad Husain married Qadir
have heard e also other persons alive who
as well ma him to the above effect and
examined by the Court.

TO [illegible] RETURNED
IMMEDIATELY.

that the a...
t he married Qádir...
cient proof of his having
r Bi is the legal Nikáhi
late Muhammad Husain,

ule.

(True Translation)

Anderson
Colonel.

Paymaster Carnatic Stipends

---

d, Ghulám
am Mustafá, and Aisha
to appear at the Court on the 19
Accordingly they presented th
date.

From the deposition of
Shaikh Dávood it became evi
Bi was "be-gosha" before hi
married by Nikah to Muha
and in the same manner his
were "be-gosha" before Muha

The 3rd Witness Ghu
in his deposition that he has
:mad Husain, Qádir Bi and
of the performance of the said

The 4th Witness Aish
her deposition to the effect that
at the Nikah marriage of Mu
with Qádir Bi.

The 5th Witness Abd
in his deposition that he had
:mad Husain and Qádir Bi
marriage and that to the best
Muhammad Husain requested
letter to the Office of the Gover
informing him of the performance
marriage with Qádir Bi, but he
his having done so or got it writ
else.

From the statement of the
Ghulám Mustafa, it became
knew the Khán Sáhib who was
Azim Jah Bahádur, his (the
Nikah Marriage was perform
house.

Taking the above st
:sideration the Court is of op
this case five witnesses (excludin
have borne testimony to the
marriage of Qádir Bi, wherea
with the Muhammadan Law

مدراس و حیدر [illegible]

قادر بی زوجہ محمد حسین عرف حسین خان مرحوم کے صحت نکاح کی دریافت کرنے کرنل ٹی - او - انڈرووڈ صاحب بہادر چھٹوین مارچ ۹۱ء ۲۳ نمبر کا خط روانہ فرمائے

اسی موافق محکمہ شریفہ سے نایب سید غوث شاہ کو اور قادر بی کو اعلام روانہ کئے ۱۲ مارچ ۹۱ء کو حاضر محکمہ شریفہ ہو کر ارباب عدالت سے جو کچھ دریافت کیا جاویگا اوسکی

جوابدہی کرنا اور نہم مارچ ۹۱ء کو کمشنر صاحب بہادر سے درخواست کئے گئی دفتر نیابت جو آپکا آفس مین داخل ہے روانہ فرمانا بشرط واپس دینے کے شرط پر جسٹر بہادر موصوف

جا [illegible] کرنل ٹی - او - انڈ [illegible] درخواست بر نایب سید غوث شاہ کی رجسٹر روانہ کئے جاوینگی بار ثانی محکمہ شریفہ سے دہم مارچ ۹۱ء کو کمشنر صاحب

جانتا ہوں اور محمد حسین کے روبرو میرے لوگ جو نوشہ گواہ سیوم غلام قادر کے اظہار [illegible] یہ معلوم ہوا محمد حسین اور قا

کیفیت گواہ چہارم عائشہ بی کے اظہار سے یہ معلوم ہوا کہ خود مین محمد حسین قادر [illegible] ی کو نکاح کئے سو روز حاضر تہی گواہ

قادر بی سے سنا ہوں نکاح ہوا ہوا اور محمد حسین قادر بی کو نکاح کئے بعد مجہے خیال [illegible] ا کبنت آفس کو عرضی دینے لکہکر دیؤ گر

یقینا بول سن [illegible]

عرضی میں لکہکر دیا ہوں یا دوسری کہا بتہ سے لکہا کر دیا ہوں گواہ شش [illegible] م غلام مصطفی کے اظہار سے یہ معلوم ہوا نواب عظیم جاہ بہادر کو و

نوکر تہے سو خان صاحب کو جانتا ہوں انکا نکاح میری مکان میں ہوا [illegible] ہے — ارباب عدالت نظر کرنے اظہارات مذکور پر اپنی رائے دی

ہیں اگرچیکہ سوا نایب کے جہے گواہ گذرے ہیں ثبوت نکاح قادر بی [illegible] کہ باب میں شرعاً دو گواہ کے روبرو مرحوم میں نکاح کیا ہو

بہادر کو یک خط روانہ کیا گیا تہا آپکا حکم بر سبب سیکٹر جے سنگ کے درخواست کرنے بروے رجسٹر آپکا آفس مین داخل ہووی ناگہ کرنل ٹی - او - انڈرووڈ صاحب

بہادر کے حکم بر کمشنر صاحب بہادر کا خط پہرا آیا رجسٹر کو دیکہنا ضرور ہو تو ہمارے آفس مین آکر دیکہو وہ منشی محکمہ شریفہ کمشنر آفس کو جا کر فہرست نکاح قادر بی کی نقل لیکر

لائی بعد ۱۵ مارچ ۹۱ء کو دریافت معقد نکاح قادر بی کی گئی — قادر بی اپنے اظہار مین بتلائی ہے محمد حسین مرحوم اپنے تاین نکاح کیا سو مرد ہے گواہ اول محمد اعظم جوان

روبرو نو دگ کے اظہار سے یہ معلوم ہوا قادر بی اپنی خلیری بہن ہے اور محمد حسین حقیقی بہنوئی ہے میری بہن مر بعد دوسری کو نکاح کئے وہ مری بعد قادر بی کو نکاح کئے سو مین

سنا اور بہی چند صاحبان محمد حسین کے زبانی سے ہو موجود ہین آپ بلاکر دریافت فرمانا جس پر محکمہ شریفہ سے شیخ داود غلام قادر عبد القادر غلام مصطفی اور عائشہ بی کو اعلان نامہ روانہ

کئے گئے ۱۹ مارچ ۹۱ء کو حاضر محکمہ شریفہ ہونا کرکے تاریخ مقرری پر گواہان مذکور حاضر ہوے گواہ دوم شیخ داود جو اسی کے نتم کے اظہار سے قادر بی اپنے سامنے نوشہ محمد حسین کو نکاح

[illegible] سے [illegible] عظم [illegible] ان بر [illegible]

فیصلہ صحت نکاح خوانی قادر بی زوجہ محمد حسین عرف حسین خان مرحوم دار القضای بن

[illegible] ۱۳۰۸ھ [illegible]

24-3-91

درجی کو کرکے کیا سوال بھی ہے آیا کہ اتنے گواہوں سے ثبوت ہوتا ہے شرعاً قادر جی محمد حسین ع

فامنت ہے فقط مرقوم ۱۹ ماہ مارچ ۱۸۹۱ ع

منشی محمد [illegible] ۱۸۹۱ع کا خط روانہ فرمائے

محمد قادر محی الدین صاحب

Jud. 2685
13. 1. 91

TO [illegible] WITH REPLY.

Confidential

Royapettah
25th March 1891

From
The Paymaster Carnatic Stipends

To The Chief Secretary to Government

Sir

With regard to G.O. (Confidential) No. 37 Poll d 23d January. Para 7 I have the honour to forward a decision of the Court of the Qazi of Madras - Mir Ghulam Hussain Muhammad Aba from which it will be seen that according to his statement Qadir Bi was legally married and if this is the case that on these grounds there is no cause for suspecting the Asst. Paymaster's (Mr Ishaq Khan Bdr) honesty

X to be returned

2 I would also bring to your notice that the Qazi in question spoke very energetically regarding the grief of the Muhammadan Community in general at the Gosha woman Qadir Bi being examined by Inspector Jey Sing of the Police and said that he was making a representation direct to Government on the subject which I told him was the proper channel for his remarks

3 I am sure the Government will be glad to exculpate Mr Ishaq Khan Bd the Asst. Paymaster if it is found that with respect to the case of Qadir Bi he is innocent

I have the honor to be
Sir
Yr Most Obedient Servt
T. O. Underwood Col
Paymaster Carnatic Stipends

Confdl No. 123

Judl Dept

CHIEF SECRETARY
6 MAR 91
GOVERNMENT OF MADRAS

CONFIDENTIAL.

From
The Commissioner of Police
Madras.

To
The Chief Secretary to Govt.
Fort St. George
Madras.

Dated 5th
Received 6th } March 1891.

No. 15

Kazi Mir Ghulam Hussain

Submits further report.

Con. C Nos 110 + 123

Ans

For orders

The case will be found at length in G.O. of 23 Jan 1891 No. 37 Pol. & its enclosures.

The question of bringing pressure to bear on the Kazi Mir Ghulam Hussain with a view to getting rid of the Naib Kazi Said Ghouse Wadshah was referred to the Judl. Dept. for consideration in para. 7 of the above G.O.

Col. Weldon was asked to report on the case & it is clear from his report that no pressure can be brought to bear on the Kazi because he was not appointed under Act XII of 1880.

The Proceedings (G.O. of 20 May 1879 No. 1113 Rev.) on which Ghulam Hussain depends does not of course constitute a warrant of appointment.

25 March 91

Recd from Madras 31/3/91
Annexures & papers from Rev Dept.
Links papers
Recd 4/4

e 6/3
R 13/4

It is clear from the G.O. 20 May 1879 No. 1113 that Mir Ghulam Hussein is de facto Kazi & though not apptd under Act XII of 1880 has been recognized by Govt so far that the ~~[illegible]~~ proceeds of the inam attached to the office are being paid to him. I presume the arrangement still continues. He himself is not charged with fraud but only his Deputy. No pressure to induce him to remove the deputy can be brought to bear on him under Act XII of 1880 and I am not clear that it would be possible to alter the disposition made by ~~[illegible]~~ the G.O. as to the income of the inam. Possibly however the fear of it might induce the Kazi to remove the Naib ~~[illegible]~~ I would communicate the G.O. to Col. Weldon with ~~[illegible]~~ C. No. 156 and tell him to interview Mir Ghulam Hussein, point out to him the facts stated in the Comr's letter 25 Nov 90 No. 102 which go to show that the Naib's entry is fraudulent, & hint to him that if the Naib is not dismissed Govt. will have to consider the propriety of revising the G.O. of ?1879 1880 as to the payment. Before doing so however Col Weldon had better ascertain from the Collr. of Chingleput whether payment is still being made to Mir Ghulam Hussein.

HGS

Lapse — As the ~~[illegible]~~ 8 Apr time I think ~~[illegible]~~ it ~~[illegible]~~ is within our power to appoint the Kazi under Act XII of 1880 the Kazi ul Kuzāat of Madras [illegible] Col. W. [illegible] to hint to him that the Govt. ××

×× will not do so unless he dismisses his Naib he might, after hearing what Col: Weldon has to say agt. him, dismiss him.

HGS
11/4/91

---

as giving the desired information. This G.O. is not on the file of this Office.

I have the honour to be,
Sir,
Your most Obedient Servant
[illegible] Colonel
Commissioner of Police
Mas

City Police Office,

No. 15

CONFIDENTIAL

Madras. 5th March 1891.

From Colonel J. Weldon, C.I.E.
THE COMMISSIONER OF POLICE,
MADRAS.

To The Chief Secretary to Government,
Fort Saint George,
Madras.

Sir,

Reference on Confidential No. 39 A of 1891

In Continuation of my report No. 14 dated 4th instant I have the honour further to state that when acknowledging receipt of Kazi Mir Ghulam Hussain's reply to my reference I noted that he had failed to quote any authority for his assumption of the Office of Kazi. This has elicited a further Communication from the Kazi, this day received, in which he quotes "G.O. dated 20th May 1879 No. 1113"

Confdl. No. 11

Judl. Dept.

CHIEF SECRETARY TO GOVERNMENT
4 MAR 91

CONFIDENTIAL.

From
The Commissioner of Police
Madras.

To
The Chief Secretary to Govt.
Fort St. George
Madras.

Dated 4th } March 1891.
Received. }

No. 14.

Mir Ghulam Hussain
and
Said Ghouse Badshah.

Submits report as to how ——— became Kazi and Deputy Kazi respectively.

Mir Ghulam Husain Sahib is recognized by a portion of the Community as a Kazi though it may be doubtful if he has any kind of right to assume that he is the Kazi-ul Khuzzat of the whole Presidency.

4 — The Kazis appointed by Government under Act XII of 1880 for the City of Madras are Moulvi Muhammad Obaid-ullah Sahib for the Sunnis & Moulvi Ghulam Nabi ul Ahmed for the Shiahs.

I have the honour to be,
Sir,
Your most obedient Servant
Weldon Colonel
Commissioner of Police
Mas.

CONFIDENTIAL

City Police Office,

o. 14.

Madras, 4th March 1891.

From Colonel J. Weldon, C.I.E.
~~THE~~ COMMISSIONER OF POLICE,
MADRAS.

To the Chief Secretary to Government,
Fort Saint George,
Madras.

Sir,

Reference on Confidential No. 39 A. of 1891
Dated 21st February 1891.

I have the honour to reply to above:—

One Mir Ghulam Hussain was adopted by the late Hafiz Abdul Khadir who, on the death of his Cousin, Kazi Fakr-ud-din Ali Khan, assumed the Office of Kazi. Fakr-ud-din Ali Khan had succeeded his father Muhi-ud-din Abu Bakr, who in turn had succeeded his father Fakr-ud-din Abu Bakr, who was appointed Kazi by the late Nawab Wallajah, and probably this last named Kazi is the only one who was officially appointed by any authority.

2 ——— The present selfstyled Kazi, Mir Ghulam Hussain assumed the Office on the death of his adoptive father. He has not been appointed under Act XII of 1880 or in any other way that I know. I instructed the Manager of my Office, Abdus Salam Sahib to ask the socalled Kazi if he could give any information either as to his own appointment or that of his Naibs or Deputies, of whom there are two one being Said Ghouse Badshah. It was with great difficulty the Kazi could be found. When interviewed he first said his appointment was notified in the Fort Saint George Gazette, dated 14th December 1869. No such appointment could be traced. He then referred to a printed

* Returned to Petitioner at his request.

Copy of his Petition* to Government dated 19th November 1870 in which he claimed certain Inam land, and said that would give all required information. This does not give the information desired. On the contrary, in this Petition the Petitioner expressly says he does not claim the Inam as Kazi. I then addressed the Kazi in writing asking him when and by whom he and Said Ghouse Badshah were respectively appointed Kazi and Naib Kazi. To this I received an evasive reply questioning my authority to make any such enquiry. This reply was signed "Mir Ghulam Hussain Muhammad Abu Bakr - Kaziul-Khuzzat Madras Presidency." When asked verbally as to the date and manner of the appointment of his Naibs he promised to give the date &c but subsequently I received an unsigned memorandum stating simply that Said Ghouse Badshah succeeded his father as Naib Kazi, and that the date of such succession should be ascertained from the Deputy Kazi himself.

3 —— Thus it appears that the claims of both Mir Ghulam Hussain Sahib and Said Ghouse Badshah to exercise the Offices of Kazi and Deputy Kazi respectively rests on their own assumption of the Office and their relationship to their predecessors in that Office whose claims were based on similar grounds. At the same time, although Act XII of 1880 provides for a formal appointment by Government to the Office of Kazi it does not forbid or interfere with the exercise of such function by any one else and

Deputy Qazi
Triplicane

Reference

Judicial DEPARTMENT.

[5]

Papers to be read in Proceedings:—

Again G.O., dated 18 , No.
Again G.O., dated 18 , No.
Current No. of 18 , dated from

Current No. 39A of 1891, dated 23rd Jany from the Political Dept.

Reference dated 21st Febry 1891

With refrence to para. 7 of G.O. 23rd Jany 91, No. 37, Political, the Commissioner of Police is requested to ascertain and report the name of the Qazi who appointed Said Shouse Badshah as his Deputy at Triplicane and whether the Qazi himself was appointed by Govt. under section 2 of Act XII of 1880.

18 Feb. 19 Feb

Note — It is submitted that this information may be obtained before any further ction is taken. There are two Suni and one Shiah Qazis ppointed by Govt. in Madras t it cannot be ascertained this office whether Said house Badshah was appointed any of these as his Naib or ether he was appointed by me private Qazi.

To
The Commissioner of Police desp.d 23/2/91

CONFIDENTIAL No. 39A

[9]

Judl. DEPARTMENT.

From

The Political Dept.

No. 37

Dated 23rd } Jany 91
Received 31st } Jany 91
Enclosures

File nce 11/2

SUBJECT.

Regarding the removal of the Dy Qazi, Triplicane, from his post.

With reference

paid to Qadir Bi after the police had brought the case to his notice is only another proof how completely he placed himself in the hands of those in his office. No action is now desirable, even if it were possible to take any, in regard to those mainly concerned in this last fraud, but Col. Underwood will report the share taken in the proceedings by Muhammad Azim (para. 78 of the report) to the Board of Revenue in order that the peon may be called to account, and it will be considered in the Judicial Dept. whether steps can be taken to compel the Qazi to remove the Deputy Qazi from his present post.

(True Extract)

Fredrick Price

Chief Secretary

To

The Judicial Dept.
with extract from the Hon. Mr Bliss's note

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daughter of Shaik Hussain and Hussain Khan alias Mahommed Hussain, son of Biram[illegible]n, whereas Mahommed Hussain, the deceased pensioner with whom we are concerned, was the son of Mahomed Cassim.

81. Again, the entry of marriage said to have been solemnized on the 26th Mohurrum 1301 A.H. is found before an entry dated 24th Mohurrum of the same year, and the preceding entry bears the No. 114, while this entry bears no number and is followed by one bearing No. 115. Apart from these suspicious features, the writing and the ink of the entry is different to that of the other entries and appears to have been inserted in a small blank space at the bottom of the page between two apparently genuine entries. The Deputy Kazi, Said Ghouse Badshah, who is said to have performed the marriage, does not know the contracting parties, the witnesses present at the ceremony, nor the place where the marriage was performed. He was previously convicted for giving a false certificate, and there are reasons for suspecting that in this case also he has done the same thing and tampered with his register.

* * * *

Order 23rd January 1891, No. 37

* * * *

7 In para. 76 of Col. Weldon's report the history of a separate fraud is incidentally related as affording grounds for suspecting the Assistant Paymaster's honesty. The Paymaster's inaction in the matter of the bonus

paid

Confidential

Political Department.

CHIEF SECRETARIAT, MADRAS.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper:—

From Col. T. Weldon C.I.E., Commissioner of Police, Madras, dated 25th November 1890, No. 102.

* * * *

Para 80 In August 1890 I directed further inquiry to be made into the case of Kadir Bi. The result of the enquiry shows that Kadir Bi was never married to Mahommed Hussain. She admits this and has sworn an affidavit to this effect, and there is the evidence of her mother and others to prove the fact. With the assistance of her cousin Mahommed Azam she falsely represented herself to be the widow of Mahommed Hussain and thereby obtained from Govt. Rs 356-10-11 as commutation of pension. It would appear that when the Police brought this matter to the notice of the Paymaster of Carnatic Stipends in July 1889, a certificate of marriage was produced by Mahomed Azam on behalf of Kadir Bi to prove her "nicka" marriage with Mahommed Hussain. This certificate was accepted by the Paymaster as proof of the marriage. An examination of the register of marriages kept by the Deputy Kazi, Triplicane, and from which this certificate was said to have been copied shows that the marriage was contracted between Kadir Bi,

daughter

Extract from remarks of the

Hon'ble Mr. Bliss

* * *

It also seems clear that a fraudulent entry has been made in th marriage register Kept the Deputy Kazi. Apparent the Dy. Kazi is appointe by the Kazi. But I imagin that pressure might be brought on the Kazi un S. 2 of Act XII of 1880 to =quire him to remove Deputy Kazi, or perhaps further inquiry may show that the Kazi himself is not free from blame.

* * *

Intd. H. W. B

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