M.R.O. 1—88,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No. 973 Press ~~Mis.~~

Dated 18-11-~~19~~ 1857

Not to be folded or roughly handled

No. 1. From Surgeon E. G. BALFOUR, Government Agent at Chepauk ; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 22nd October 1857, No. 275 of P. C. S.

SIR,

With Extract Minutes of Consultation of the 2nd and 8th Instant, Nos. 838 and 863, there was forwarded to me the Petitions, dated 21st and 27th Ultimo, from Khader Hoossain Ally Khan Munsoor Jung to Government and to Mr. E. Maltby.

2. In the 1st paragraph, he discusses in the usual vague manner, which these Stipendiaries have adopted in such a matter, the grant in 1801 of Stipends which he states to have been in lieu of Jaghires, and other matters which, as I entered fully into, and, as I think, completely refuted all the Statements of these Stipendiaries in my Memorandum *passim* with my letter of 25th October 1856, it will be sufficient to refer to that Memorandum.

3. In the 2nd and 3rd paras : of his letter he alludes to the case of his deceased Nickah Wife the late Carnatic Stipendiary, No. 265, Fattimah Begum. She was the nickah granddaughter of Wallajah and she was married in early life to a person of the same name as her present husband and as her fist husband is still alive it is not very clear how she left him, nor how she married again.

4. When she died in 1855, I reported to Government, and her stipend of Rupees 53-14-0 lapsed as per orders on the margin.* Her husband the present applicant being alive in the receipt of Rupees 87 per mensem and married to another wife who is in the receipt of 90 Rupees per mensem.

* *Vide Extract Minutes of Consultation, No. 325, dated 7th August* 1855.

5. Cognizant of the fraud which this applicant had, years ago been convicted of, it was painful to me to receive an application in behalf of the children from a stranger as Fukhroon Nissa Begum was ; and though, in para : 3 of his Petition, the English person who has written it had evidently seen the construction which would be put on this Petitioner's silence on that occasion, and has put it in the best light it could bear, I was and am of opinion that this person's refraining to put forward, on the death of his wife, an application on behalf of their infant children, was his consciousness that his former fraud would thus be brought to light. In paras : 4, 5 and 6 he discusses the fraud he was guilty of, and with reference thereto, I have the honor to place on the margin† the dates of correspondence bearing on the fraud committed by Carnatic Stipendiary, No. 375, Khader Hoossain Ally Khan Munsoor Jung.

Memo.

† *In* 1801, *the annual pension of* 5,000 *Rupees was granted to Azeezoon Nissa Begum, nicka daughter of the Nabob Wallajah.*

Vide Letter to Government reporting the demise of the Begum (*5th*) *June* 1838, *Extract Minutes Consultation,* 19*th June* 1838, *granting a pension of* 130 *Rupees to Khader Hoossain Ally* (*son of the Begum*) *and Rupees* 144 *to the dependants.*

Do. letter to Government, dated 11*th November* 1846, *No.* 109, *regarding fraudulent suppression of casualties.*

Do. Extract Minutes Consultation, dated 21*st November* 1846, *No.* 419, *authorizing Sheristadar to draw the shares of the dependants and rejecting the claim of Khader Hoossain Ally Khan.*

Do. letter to Government, dated 3rd June 1847, *submitting Memorial from the said Khan.*

Petition on the death of his

Vide Extract Minutes Consultation, dated 12th June 1847, regarding Khader Hoossain Ally Khan.

Do. Extract from a general letter, dated 19th January, No. 1 of 1848, paras: 59 and 60, stating that Khader Hussian Ally Khan has in suppressing casualties been guilty of a fraud for which he must undergo a punishment similar to that inflicted on other Stipendiaries.

Do. Extract Minutes Consultation, 7th November 1848, No. 503, reducing ½d of Khader Hoossain Ally Khan's stipend as a fine for fraud.

Fattimah Begum was the nickah wife of the Petitioner, whose stipend of 53-14-0 lapsed to Government (Vide Extract Minutes of Consultation, 7th August 1855.)

Vide Letter to Government, dated 31st July 1855.

6. I have repeatedly detailed the history of the present rules regarding Stipends and it is only necessary briefly to allude to the points connected with this application.

7. From the year 1820, to about the year 1830, the rule in letter to Paymaster Carnatic Stipents and to Nabob of 28th of July 1812 was not acted upon by the Circar, but in 1839, Colonel Walpole's rules clearly defining the rights of individual Stipendiaries were introduced and a list of all co-sharers ordered. *Vide* G. O. dated 19th March 1839, No. 79.

8. After waiting till 1845, Government called for it again, and in 1846, it was furnished, this applicant, who had in the mean time every month, from the date of grant in 1838, been drawing for 36 dependants at the rate of 4 Rupees each per mensem, the same being expressly so stated upon each Stipend receipt issued in his name, and which passed through his hands for the seals and signatures of the Nabobs and Government Agents at least four time every month, this applicant sent, on the 3rd November 1843, a list bearing his own seal and witnessed by 3 Stipendiaries testifying that all the 36 individuals whose names he submitted in 1838 in his petition to Government continued alive and the Nabob so reported to the Agency.

9. The correspondence above quoted will show that the man committed a gross fraud on the State, and on the 10th instant having summoned him before me he acknowledged that he perfectly knew that when sending monthly for 36 people's Stipends that they were not alive and not present, though he continued to assert that there was no fraud in so drawing. The man is a bad man as will be seen by referring to Extract Minutes of Consultation, 20th November 1848, No. 540, in which he barely escaped out of another disreputable transaction; there is nothing that has occurred since in his conduct to justify any recommendation of his prayer for relief from the fine imposed on him, I have the honor to submit as my opinion that he having a pension of Rupees 87 of his own, as also another grant of Rupees 36 in his own name for the tomb of the late Afzuloon Nissa, as also he being married to a wife in receipt of Rupees 90 per mensem, as also the late Fattimah Begum, his deceased nickah Wife, having been but a nickah granddaughter of Wallajah, not a person of importance or a principal representative of any branch of the family, the rules laid down by the Honorable the Court of Directors preclude compliance with his request for continuance of her Stipend. When present before me on the 10th instant I was not able to understand the reasons which have incited this person, convicted of gross fraud, after a silence of ten years, through two administrations, to come forward making claims, which, conscious as he must have been that every thing he had done would be again exposed, proper feelings should have induced him to keep silence regarding.

Honorable Court of Directors' letters of 11th March 1846, and 22nd May 1850, Paras: 14 and 51.

(Signed) EDWARD BALFOUR,
Government Agent.

No. 2 ORDER THEREON, No. 973; dated 18th November 1857.

Dr. Balfour reports on the Petitions of Carnatic Stipendiary Khader Hussain Ally Khan Munsoor Jung, referred to him in Extract Minutes of Consultation, Nos. 838 and 863, dated the 2nd and 8th October respectively.

2. Petitioner's prayer is two fold. He asks, *first*, that the orders of Government, No. 503, dated 7th November 1848, reducing the amount of his Stipend may be rescinded; and, *secondly*, that the Allowance enjoyed by his late wife, Fatimah Begum, may be continued to him for the support of her children.

3. In regard to the first point, the Petitioner's request is shewn to be wholly inadmissible. It is observed, that in the year 1838 Petitioner, on the death of his Mother, a Nickah Daughter of the Nabob Wallajah, was assigned out of deceased's Allowances, a Pension of Rupees 274 per mensem, "for himself and the dependents of his late Mother" as under:

For himself and Family.....	Rupees	130
For the 36 Slaves, at 4 Rupees per month.....	„	144
Total Rupees		274

In the following year, certain Rules were drawn up by Colonel Walpole, the Agent, and approved* by Government, "regarding the distribution, &c., of Carnatic Pensions." By one of these Rules it was provided, that a List should be procured by the Nabob from all Heads of Families, specifying the names of all Partakers in the Pensions drawn by them under their respective names and Seals; it being the intention of Government to pass orders on every lapse among these minor Sharers, continuing the Stipend to the heirs or otherwise, as the circumstances of each case might demand.

* *Extract Minutes Consultation, No. 79, dated 19th March 1839.*

4. The foregoing order remained in abeyance till the year 1845, when it was strictly enforced. One or two Heads of Families, and Petitioner among the number, continued contumacious. The Stipend of Khader Hussain was accordingly suspended† until the descriptive Rolls should be furnished by him.

† *Extract Minutes Consultation, dated 9th September 1845.*

Petitioner [illegible] his

5. For this contumacy it afterwards appeared, *vide* Major Rowlandson's letter of the 3rd June 1847, the Petitioner had very good reasons of his own; he having been guilty of drawing to the very last the sum allowed for the 36 dependents of his Mother, long after the major portion of them had departed this life. The Government resolved* to report this peculation to the Honorable Court, by whose directions† the Petitioner's Stipend was reduced by one third or from Rupees 130 to Rupees 87 per mensem, the punishment ordinarily awarded to similar mal-practices.

* *Extract Minutes Consultation, No. 256, dated 12th June* 1847.

† *Paras: 59 and 60, Despatch, dated 19th January*, No. 1 *of* 1848.

6. Petitioner's *second* request is that the Pension enjoyed by his late wife, Fatimah Begum, may be continued to him for her children. The demise of this Begum was, it is observed, reported by the present Agent in his letter, No. 79 of the 31st July 1855, on which occasion her Stipend of Rupees 53-14-0 per mensem, which deceased held in her own right, as Grand Daughter of Wallajah, was declared‡ by Government an escheat; nor do they see any reason to modify that decision. By the Honorable Court's Despatch, No. 1 of 1850, para: 51, it is laid down that the continuance or otherwise of the Pensions of *Collaterals* (and the late Fatimah Begum was no more) to their Heirs must be determined by Government "with reference to the nature and extent of the claims of the family generally." Now the two infant heirs of the Begum are not reduced by her death to penury, they having for their other parent the Petitioner, a Stipendiary drawing Rupees 87 a month. It is true their father has a second family by another wife, but this wife is herself in the receipt of a Carnatic Stipend to the amount of Rupees 90 per mensem.

‡ *Extract Minutes Consultation, No. 325, dated 7th August* 1855.

Exd. J. A. Wilson.

Fort Saint George, Political Consultation, 24th November 1857.

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Exd. J. A. Wilson.

Petitioner on the death of his

Fort Saint George, Political Consultation, 24th November 1857.

No. 2. ORDER THEREON, No. 973; dated 18th November 1857.

Dr. Balfour reports on the Petitions of Carnatic Stipendiary Khader Hussain Ally Khan Munsoor Jung, referred to him in Extract Minutes of Consultation, Nos. 838 and 863, dated the 2nd and 8th October respectively.

2. Petitioner's prayer is two fold. He asks, *first*, that the orders of Government, No. 503, dated 7th November 1848, reducing the amount of his Stipend may be rescinded; and, *secondly*, that the Allowance enjoyed by his late wife, Fatimah Begum, may be continued to him for the support of her children.

3. In regard to the first point, the Petitioner's request is shewn to be wholly inadmissible. It is observed, that in the year 1838 Petitioner, on the death of his Mother, a Nickah Daughter of the Nabob Wallajah, was assigned out of deceased's Allowances, a Pension of Rupees 274 per mensem, "for himself and the dependents of his late Mother" as under:

For himself and Family.....	Rupees	130
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Total Rupees		274

In the following year, certain Rules were drawn up by Colonel Walpole, the Agent, and approved* by Government, "regarding the distribution, &c., of Carnatic Pensions." By one of these Rules it was provided, that a List should be procured by the Nabob from all Heads of Families, specifying the names of all Partakers in the Pensions drawn by them under their respective names and Seals; it being the intention of Government to pass orders on every lapse among these minor Sharers, continuing the Stipend to the heirs or otherwise, as the circumstances of each case might demand.

* *Extract Minutes Consultation, No. 79, dated 19th March 1839.*

4. The foregoing order remained in abeyance till the year 1845, when it was strictly enforced. One or two Heads of Families, and Petitioner among the number, continued contumacious. The Stipend of Khader Hussain was accordingly suspended† until the descriptive Rolls should be furnished by him.

† *Extract Minutes Consultation, dated 9th September 1845.*

Political Dept

No 973.

E M C under date 18th November/57.

the following letter } Sent enclosed No 275
the Govt Agent at Chepauk } dated 22d October/57.

Dr Balfour reports on the petitions of Carnatic Stipendiary Khader Hussain Ally Khan Munsoor Jung, referred to him in E M C Nos 838 and 863, dated the 2d & 8th October respectively.

838
dated 2-10-57

2. Petitioner's prayer is two fold - he asks, first, that the orders of Govt, No 503 dated 7th Novr 1848, reducing the amount of his stipend may be rescinded; and secondly that the allowance enjoyed by his late wife, Fatimah Begum, may be continued to him for the support of her children.

In regard to the first point, the Petitioner's request is shewn to be wholly inadmissible. It is observed, that in the year 1838 Petitioner, on the death of his

mother, a Mekah Lascar
to the late Watch Killadar,
was assigned out of deceased
allowances, a pension of
Rs 274 per mensem, "for him-
-self and the dependents of the
"late mother" as under

For himself & family	}	Rs 130
For the 36 slaves at 4 Rs per month	}	" 144
	Total	Rs 274

In the following years, certain
rules were drawn up by Col. Walpole
the agent & appointed by Govt,
"regarding the distribution of the
"Carnatic Pensions" By one of
these rules it was provided, that
a list shd be presented by the
Patels from all Heads of Fami-
-lies, specifying the names of all
partakers in the pensions drawn
by them under their respective
names & seals; it being the inten-
-tion of Govt to pass orders on every
case among these minor shares,
either terminating the stipend to the
heirs or otherwise, as the circumstan-
-ces of each case might demand.

4- The foregoing orders remained in abeyance till the year 1845, when it was strictly enforced- One or two Heads of Families, and Petr among the number, contumacious contumacious. The stipend of Khader Hussain was accordingly suspended until the descriptive Rolls shd be furnished by him-

5- For his contumacy it afterwards appeared - vide Messrs Rowlandson's letter of the 3d June /47 - the Petr had very good reasons of his own; he having been guilty of drawing to the very last the sum allowed for the 36 depen-dents of his mother, long after the major portion of them had departed this life. The Govt re-solved to report his peculation to the Board, by whose di--rections the Petr's stipend was reduced by one third, or from Rs 130 to Rs 87 per mensem, the punishment ordinarily awar-ded to similar malpractices.

6. Petr's second request is that the pension enjoyed by his late wife,

E.M.C. No 79
d/ 19th March /39

+ E.M.C.
d/ 9th Sept /45

+ E.M.C. No 256
d/ 12th June /47

Penal Sg & Cg No 60
despatched d/ 19th January
No 10 of 1848.

Fabirsah Begum, may be continued to him for her children.
The demise of his Begum was, it is observed, reported by the present Agent in his letter No 79 of the 31st July /55, on which occasion her stipend of Rs 53.. 14 per mensem, which deceased held in her own right, as grand daughter of Wallajah, was declared by Govt an escheat; now do they see any reason to modify that decision. By the Hon'ble Court's despatch No 1 of 1850, para 51, it is laid down that the continuance or otherwise of the pensions of Collaterals (and the late Fabirsah Begum was no more) to their heirs must be determined by Govt "with reference to the natural extent of the claims of the family generally". Now the two infant heirs of the Begum are not reduced by their death to penury, they having for their other parent the Petr, a stipendiary drawing Rs 87 a month. It is true their father has a second family & another wife, but his wife is herself in the receipt of a Carnatic stipend to the amount of Rs 90 per mensem.

+ Mr Gr No 325 dy 7th August/55

To Agent at Chepauk. Dispd 21st
To ~~Rr~~ Resident Nundeira Alley Khan. Mundoor Sungi Dispd 21st
5 Nov: 16.

4/11/57.

POLITICAL 185 DEPARTMENT.

From Surgeon E. G. BALFOUR,

Government Agent at Chepauk.

To

Chief Secretary to Government

Fort St. George

Dated 185

Received 185

No.

Madras :—Printed at the Government Press.

Pol. Cons. 26 Nov.

Political 1857 Depart. 26

Replies to 27th October
No 1 & 158

No. 1773

Abstract Mins: of Cons.

18th November 1857.

Cannot accede to the Requests of Carnatic Nujeeb: Khans Khader Hussain Ally Khan & Hussoor Jung & to consider the Government orders No. 3384 & 3803 and to Continue the late Wifes Pensions to their Children.

1—2