M.R.O. 1—99,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No. 987 Press ~~Mis.~~

Dated 24-11-~~19~~1857

Not to be folded or roughly handled

No. 29. From SYED AHMUD ABDUL RAZAK KHAN BAHADOOR MOOBAZIZ JUNG MOOBAZIZ OOD DOWLAH; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 2nd November 1857.

RESPECTED SIR,

I beg herewith to forward to you a Petition to the address of the Right Honorable the Governor in Council, which the Agent has declined to submit to the Government by his endorsement on it of the 3rd November 1856, and trust that you will be pleased to lay the same before the Right Honorable the Governor in Council, for his favourable consideration.

It appears from the Extract from Minutes Consultation of Government, dated 18th June 1853 No. 241, that 136 Rupees, the remaining portion of the ⅔ of the lapsed allowance of my father was fixed as my share of allowance, but in granting it to me in their Extract from the Minutes of Consultation, dated 10th May 1856, No. 138, they have, I believe, erroneously inserted in it 130 Rupees, instead of the former amount less by 6 Rupees.

I am sorry that the Agent seems to be under an impression that the Government have in passing the latter Minute, been guided by a consideration that my allowance should be equal with that of my younger brother. If the surmises of the Agent were based on truth, I beg to say that the Government had in their former Minute, no other intention in fixing 136 Rupees for me than to distinguish me as the eldest son and consequently the head of the family, which I consider is the main ground upon which my present claim rests.

(Signed) سید احمد عبد الرزاق خان بہادر مبارز جنگ مبارز الدولہ
SYED AHMUD ABDUL BAZAK KHAN BAHADOOR
MOOBAZIZ JUNG MOOBAZIZ OOD DOWLAH.

To the Right Honorable GEORGE LORD HARRIS, Governor in Council, Fort Saint George, dated 13th September 1857.

MY LORD,

Under date the 10th May 1856, your Lordship in Council were graciously pleased to confer on me personally a Stipend of 130 Rupees per mensem from the date of the death of my late Father, this gracious consideration was made on account of the circumstances set forth in my humble address. While I beg with earnest respect to offer my humble and most grateful thanks for the consideration thus benevolently shown to me by your Lordship in Council, yet I crave permission to point out, what appears to me, an oversight. By the 2nd Para: of the Extract from the Minutes of Consultation, dated the 18th June 1853, No. 241, it is declared "that the sum "of Rupees 136 being the remaining portion of the two-thirds of lapsed allowance (of Syed "Ahmed Sahib) will be reserved as the share of Syed Abdoor Ruzzach, the eldest son of the "deceased Stipendiary, and will be granted to him in the event of the death of his wife occurring "first, when her separate Stipend of Rupees 298 per mensem will lapse to Government, and *his* "*own allowance* be continued." Thus it will appear apparent to your Lordship in Council that your humble Servant's present Stipend of Rupees 130 is less by 6 Rupees, than that fixed by Government in the orders above quoted, and I have reason to believe that the amount originally fixed, *viz.*, Rupees 136 *was in consideration of the fact*, that I was the eldest surviving son of my late Father, and as such the head of the family. Furthermore I beg deferentially to submit that the distinction so made between the allowance allotted to me and that enjoyed by my younger brother, *viz.*, Rupees 130 is in accordance with Mahomedan custom and which have long received the sanction and countenance of the British Government. Should your Lordship in Council be of opinion that I have correctly stated the facts of my case, I beg your Lordship will be graciously pleased to sanction the difference of my Original Stipend, *viz.*, Rupees 6 may be disbursed to me in arrears from the 20th December 1852, the date of my Father's death, the late Syed Ahmed Sahib.

For this further gracious mark of the consideration of your Lordship in Council, I shall feel additionally grateful and thankful and with sentiments of unbounded respect I beg to subscribe myself.

(Signed) سید احمد عبد الرزاق خان بہادر مبارز جنگ مبارز الدولہ
SYED AHAMED ABDOOL RAZAK
KHAN BAHADOOR MOOBURIZ JUNG
MOOBARIZ OOD DOOLAH.

No 30. Endorsement of the Government Agent at Chepauk.

The Government Agent is not able to send on this Petition to Government, as he cannot concur in its prayer. The Right Honorable the Governor in Council having, in Extract Minutes Consultation, 10th May 1856, No. 138, clearly and distinctly granted Rupees 130 per mensem to Petitioner, being the same amount his late brother had received, and there are no reasons for altering that grant.

GOVERNMENT AGENT'S OFFICE,
3rd November 1857.

(Signed) EDWARD BALFOUR,
Government Agent.

No. 31. ORDER THEREON, No. 987; dated 24th November 1857.

The Petitioner represents that the Government having in the first instance assigned him a Stipend of Rupees 136 per mensem, subsequently by an oversight ordered Rupees 130 only to be disbursed to him; and he asks that the error may be rectified. The Agent declines to recommend the application, on the ground that the orders last referred to are "clear and distinct."

2. The Government have given their careful attention to the correspondence and orders which have passed in this case, and are of opinion that the claim of the Khan to the higher rate of Allowance is satisfactorily shewn.

3. The circumstances are as follows:

On the 19th March 1853, a report was made to the Government of India of the death of Syed Ahmud Sahib, a Carnatic Jaghiredar Stipendiary. The deceased's Allowance was Rupees 1,081-8-0, and it was recommended that two-thirds or Rupees 721 per mensem should be continued in certain portions to his heirs, *viz*:

To Petitioner, his eldest Son,	Rupees	136	0	0
To the rest of the family.	,,	585	0	0
Total	Rupees	721	0	0

In the case of the other heirs the Pensions were to take effect from the date of the Jaghiredar's demise. In regard to Petitioner, however, his share was to remain in abeyance, to be disbursed to him only in the event of his wife pre-deceasing him. His wife was represented by the Agent as having a separate Stipend in her own right of Rupees 298 a month, and, unless she died before her husband, it was suggested that her income would well maintain him to the end of his days.

4. These several arrangements were approved by the Government of India, and finally ordered to be carried out in Extract Minutes Consultation, dated 18th June 1857, No. 241.

5. Subsequently—(Extract Minutes Consultation, No. 138, dated 10th May 1856)—the Government on receipt of a Memorial from the Petitioner, submitted through the Agent, proceeded to review so much of their former order as placed Petitioner's share of his late Father's Stipend in abeyance pending the death of his wife. Dr. Balfour reported that he had been in error in stating that Petitioner's Wife had a Pension in her own right; the Pension being her mother's—and, owing to domestic dissensions, Petitioner's position in point of fact was a very had one, and his

maintenance extremely precarious. It was recommended, therefore, that Petitioner should draw in arrears from his Father's death the monthly sum of Rupees 130, the same amount as "his younger brother receives."

6. This the Government agreed to. But the Agent did not mention nor the Government therefore advert to the fact, that in their orders of the 18th June 1853, the amount reserved for this, the eldest, son of the late Jaghiredar, was Rupees 136 (one hundred and thirty-six) per mensem, agreeably to the recommendation made to and concurred in by the Government of India. After the whole amount of Rupees 721 had been portioned out among the deceased's heirs in certain proportions, there still remained over—to complete the aggregate assignment of two-thirds of the lapse—the sum of Rupees 6. This was added to the share of the eldest son. Subsequently from inadvertence it was again subtracted from the same; and the Government now resolve to remedy the error by ordering it to be continued to Petitioner, with payment of arrears from the date of his Father's demise.

Exd. J. A. Wilson.

Political Depch 13 X

No 987

Ent. 24th November 1857.

Read the following address from Syud Ahmed Abdool Fazyak Khan Bahadoor, styled Moobarezuj Jung, Mostarjid ood Doulah. } Rec'd 2nd Dec'r

Read also the endorsement of the Govt agent at Chepauk }

The Petr represents that the Govt having in the first instance assigned him a stipend of Rs 136 per mensem, subsequently an overcharge ordered Rs 130 only to be distributed to him; and he asks that the error may be rectified. The Agent declines to recommend the application, on the ground that the orders last referred to are "clear & distinct".

2. The Govt have given their careful attention to the correspondence & orders we have passed in this case, and are of opinion that the claim of the Khan to the higher rate of allowance is satisfactorily shewn.

3. The circumstances are as follows.

130-170-41
127-50

On the 19th March /53, a report was made to the Govt of India of the death of Syed Ahmed Sahib, a Carnatic Jaghiredar stipendiary. The deceased's allowance was Rs 1081..8, and it was recommended that two thirds or Rs 721 per mensem should be continued in certain portions to his heirs: viz.

	Rs
To Petitioners mother	136
To the rest of the family	585
Total Rs	721

In the case of the other heirs the pensions were to take effect from the date of the Jaghiredar's demise. In regard to Petitioners, however, his share was to remain in abeyance, to be disbursed to him only in the event of his wife predeceasing him. His wife was represented by the Agent as having a separate stipend in her own right of Rs 298 a month and, unless she died before her husband, it was suggested that her income would well maintain him to the end of his days.

4. These several arrangements were approved by the Govt of India, and finally ordered to be carried out in S. M. G. D/ 15th June /53 No 241.

5. Subsequently — S. M. G. No 138 D/ 10th May /56 — the Govt on receipt of a Memorial from the Petr submitted through the Agent, proceeded to review so much of their former order as placed Petr's share of his late father's stipend in abeyance pending the death of his wife. Dr Balfour reported that he had been in error in stating that Petr's wife had a pension in her own right; her pension being her mother's — and, owing to domestic dissensions, Petr's position in point of fact was a very hard one, and his maintenance extremely precarious. It was recommended, therefore, that Petr should draw in arrears from his father's death the monthly sum of Rs 130, the same amount as "his younger brother receives". 6. This the Govt agreed to. But the Agent did not mention nor the Govt therefore advert to the fact, that in their orders of the 15th June /53 the amount received for his, the

eldest son of the late Jaglieedar, was Rs 136 (one hundred & thirty six) per mensem, agreeably to the recommendation made to and concurred in by the Govt of India. After the whole amount of Rs 721 had been portioned out among the deceased's heirs in certain proportions, there still remained over — to complete the aggregate assignment of two thirds of the Lapse — the sum of Rs 6. This was added to the share of the eldest son. Subsequently from inadvertence it was again subtracted from the same; and the Govt now resolve to remedy the error by ordering it to be continued to Peer, with payment of arrears from the date of his father's demise.

To the Com'r Deccan & Dependants
Accountant General
Civil Auditor
and Treasurer
To Syud Ahmed Abdool Rasak Khan Bahadoor

} Disp'd 30th

DG 11-11-57.

Disp'd 30th

C/12 Nov
R. 21—11—