M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 373 Press Mis.

Dated 9—6—1838

Not to be folded or roughly handled

Read again Petition from the surviving heirs of the late Meerza Mahomed Ammeenoodeen Sahib, a Carnatic Stipendiary, dated 6th June 1857.

No. 4. From Surgeon E. G. BALFOUR, Government Agent at Chepauk ; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 8th July 1857, No. 176 of P. C. S.

SIR,

Rahemoon Nissa Begum,
Katha Jathoon Nissa Begum,
Habeeb Oon Nissa Begum.

In accordance with the order in Extract Minutes of Consultation, No. 474 of the 22nd Ultimo, I have the honor to report on the Petition and Memorial from the persons named on the margin.

2. By the 9th Article of the Treaty of 1801, the British Government undertook to consider the actual situation of the families of the Nabobs Mahomed Ally and Oomdut Ool Oomrah and that of the principal Officers of the latter Nabob. These designations are precise, and limit the duty of the State to finding provision for the relatives and servants of two Nabobs, but in the seventh Paragraph of Lord Clive's Minute of the 29th September, his Lordship, in the remarks as per margin,* noticed the case of three Pensioners of Oomdut Ool Oomrah, relatives of the king of Delhi, who were then residing at Madras ; and Pensions were granted to them of the amounts as per margin,† the Individual whose case is now the subject of the memorial under report, Meerza Mahomed Ameen Ood Deen Sahib, being there described as " his younger brother" and pensioned on Rupees 100 per mensem.

* " *The three Princes connected with the family of the Emperor of Delhi have, I understand, resided in the neighbourhood of this Presidency and have been supported by the bounty of the late Nabobs Mahomed Ally and Omdut Ul Omrah during a long period of time, I have therefore judged it necessary in framing the present arrangement to secure to persons of their description the certain means of subsistence, through the Channel of the Company's Government.*"

	Rs.
† *Humacoin Bucht*.....	6,000
Ally Bucht...	4,200
His young brother...	1,200

3. Twenty five years, thereafter, after the correspondence as per margin,‡ the Madras Government raised his Stipend to Rupees 350 per mensem, the Government doing this under the supposition that he had, in 1801, been pensioned on a smaller rate than his other brothers, because he was then of tender years. This Individual died on the 27th day of September 1856, and, under the authority granted to me in para: 5 of Extract Minutes of Consultation, No. 26 of 17th January 1853, I declared his Stipend a lapse " because the Dewan of the Durbar, " in his letter of the 29th, reports his demise on the 27th September 1856, and as the deceased " was not a member of the Wallajah family, but only pensioned by the Madras Government from " charitable motives, because he was remotely allied to the Delhi family, his Pension lapses to the " State from the date of his demise." This lapse was reported to the Civil Auditor on the 1st of October 1856, I was, and am of opinion that this Stipendiary's case came clearly within the provisions of the orders in para : 5, of Extract Minutes of Consultation of the 17th of January 1853, and in the Honorable Court's orders in para : 14 of General letter, No. 2 of 1846, and para : 51, of General letter, dated 22nd May, No. 1 of 1850, for this Individual had been a dependent on the bounty of the Nabobs Wallajah and Oomdut Ool Oomrah, and, since 1801, had been a dependent on the bounty of the British ; and, in the Honorable Court's orders above quoted, the Stipends of all dependents were ordered to be lapsed with their demise.

‡ 1820, *3rd May, Chief Secretary's letter.*
1825, *15th Feby. do. do.*
,, *28th March, Paymaster Carnatic Stipends' letter.*
,, *6th May, Extract Minutes of Consultation.*

4. I have also the honor to report that the circumstances of the three Individuals now petitioning, *viz.*, Rahem Oon Nissa Begum, Katha Jath Oon Nissa Begum and Habeeb Oon Nissa Begum, are such as not to require any special consideration, the husband of the former being

Course should, I think, be pursued
Case.

Carnatic Stipendiary, No. 137, Gholam Ally, receiving Rupees 13-5-4 per mensem; the husband of the 2nd, Carnatic Stipendiary, No. 1363, Mirza Mahomed Shojot Bukht Bahadoor being in receipt of Rupees 50 per mensem, and the husband of the 3rd, Carnatic Stipendiary, No. 694, Meerza Khader Hoossain is in receipt of Rupees 13-5-4, and in Extract Minutes of Consultation, dated 13th June 1857, No. 453, a Bonus for this amount has been sanctioned for Rupees 1,840.

5. As to the matter which Petitioners put forward as giving them a claim on the British Government I feel that the Right Honorable the Governor in Council will regard the numerous instances detailed by Petitioners in the clause 2ndly of the 2nd para: of their Petition as instances of wasteful profuseness on our part to people who had not the slightest claim on the Madras Government beyond the life time of the Individuals whom we found in 1801, residing in Madras as Pensioners on the Nabob Oomdut Ool Omrah; and though there may have been reasons in 1801 for our continuing to pay to these people the Pensions we found the Nabobs had been paying, it could never have been intended to continue such Pensions to remote generations.

Pensioned in 1801, the Petitioner's father received in the first 25 years... ... ... Rs. 30,000
and in the 32 years since then he drew about... .. .. „ 96,000
a total of about ... ... „ 1,26,000
as a Pensioner of the State from 1801, till he died in 1856.

6. I would only add that the casualty was declared a lapse on the grounds above detailed and it seemed utterly unnecessary to inquire into the relationship of any person claiming to be a member of the deceased family and the claim of these people to be daughters of rank has not been investigated. If indeed daughters of the Pensioner whose Stipend has lapsed, they are the great-great-great-grand Children of the King of Delhi Mahomed Mooz Ood Deen, whose great-great-grandson, Suraj Ood Deen, is the present Titular King.

7. I have the honor to re-enclose the Triplicate memorial and to report that, in my opinion, Petitioners have not the slightest claim to the consideration of Government.

No. 5.

ORDER THEREON, No. 373; dated 9th June 1858.

In the foregoing letter the Government Agent at Chepauk reports upon the application of the three daughters of the late Meerza Mahomed Ameenoodeen Sahib, for the grant of a suitable allowance out of the monthly Stipend of Rupees 350 declared by the Agent to have lapsed to the State by the death of their father on the 27th September 1856.

2. The Agent submits that, in his opinion, "Petitioners have not the slightest claim to the "consideration of Government," and refers to the orders of the Honorable the Court of Directors noted in the margin, in support of his views of their cases. It is observed that the last orders of the Honorable Court above adverted to apply particularly to the *portions detached* from the main branch of a Stipend for the support of *collaterals or dependents*, which, *unless in special cases*, cease entirely on the death of the firs Grantee. Whereas in the instance under notice the Pension is that of the *original* Stipendiary and the Right Honorable the Governor in Council taking into consideration the position and circumstances of the Petitioners, who are the daughters of the deceased, is disposed to view their case in a liberal spirit, and he resolves accordingly that the sum of Rupees (116-10-8) One hundred and sixteen, Annas ten and Pice eight, being one-third of the lapsed Stipend, be divided equally amongst the three daughters* and continued to them in arrear from the 27th September 1856, the date of their father's demise, with the distinct understanding that the portion of each will lapse on her decease.

Despatch, dated 11th March, No. 2 of 1546, para: 14, and 22nd May, No. 1 of 1850, para: 51.

116-10-8
38-14-2

* 1st. *Raheemoon Nissa Begum.*
2nd. *Kadjathoon Nissa Begum.*
3rd. *Habeeboon Nissa Begum.*

3. The Agent will communicate the above decision to the Petitioners, in reference to their Petition to the Government, dated the 6th June 1857, and return to them their Appeal to the Honorable the Court of Directors, the transmission of which is now unnecessary.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. J. A. Wilson.

— For orders. —

The Agent has misunderstood the order given in Cons. 17 June 1853-85- He was not merely invested with authority to decide whether stipends & allowances were to lapse or not but was merely directed to abstain from reporting separately such lapses as occurred in conformity with the terms of grants.

- Good intended by the order to prevent useless correspondence & not to restrict the Agent the authority which peculiarly belongs to itself of deciding whether pensions are to be continued or not, when the terms of the grant do not authoritatively determine the point. -

The Agent appears also to have misunderstood the scope of the Hon. Court's orders. If Pensions like these are suddenly extinguished altogether suffering & discontent must be caused whatever may be the State of the Pensioner's family. - The usual course has therefore been to continue a moiety or a third to the heirs of the deceased - Instances are given in the Memorial & the course should, I think, be followed in this case.

Ellis

Political Dept

No 373

Extract from the Minutes of Consultation
Under date 9th June 1858.

Read again Petition
from the Surviving heirs
of the late Seeyud Mahomed
Ameenoodeen Sahib a Car-
natic Respondency, dated
6th June 1857.

Read letter from the
Govt Agent at Chepauk:
dated 8th July 1857 No 1761

Resolved That the foregoing
letter the Govt Agent at
Chepauk reports upon the
application of the three
daughters of the late Seeyu-
da Mahomed Ameenoodeen
Sahib for the grant of a
suitable allowance out
of the monthly stipend
of Rs 350 declared by
the

I struck the view taken by the Agent can be supported by the terms of the Court's order of May/50 - but I do not think it was the intention to adopt entirely such provisions as this - & it is extremely improbable to [illegible] the Court

The three daughters should have a third of the pensions provided equally amongst them - with the understanding - that the portion of one [illegible] dies on the decease of each -

Et

the Agent to have lapsed to the State by the death of their Father on the 27th September 1850.

2. The Agent submits that, in his opinion, "Petitioners have not the "slightest claim to the "consideration of Govt" and refers to the Orders of the Hon'ble the Court of Directors noted in the margin in support of his opinion of their case. It is observed that the last Orders of the Hon'ble Court above adverted to apply particularly to the Pensions detached from the main branch of a stipend for the support of collaterals or dependants - which, unless in special cases, cease entirely on the death of the first grantee.

Despatch dated 11th March No. 2 of 1846 para 11 and 22nd May No. 1 of 1850 para 57

Whereas in the instance under notice the pension is that of the original Stipendiary - and the H. H. the Governor in Council taking into consideration the position & circumstances of the Petitioners, who are the daughters of the deceased, is disposed to view their case in a liberal spirit, and he resolves accordingly, that the sum of Rupees (116-10-8) One hundred and sixteen, Annas ten and Pies eight, being one-third of the lapsed stipend, be divided equally amongst the three daughters and continued to them, in arrear from the 27th September 1850 the date of their Father's demise, with the distinct understanding

*1st Rahemoon Nissa Begum
2nd Radjahoon Nissa Begum
3rd Kheeloon Nissa Begum

understanding that the portion of each will lapse on her decease.

3. The Agent will communicate the above decision to the Petitioners in reference to their Petition to the Govt. dated the 6th June 1857, and return to them their application to the Honble. the Court of Directors, the transmission of which is now unnecessary.

Elle

To the Govt. Agent at Chepauk
" Secretl. General
" Civil Auditor

Desp. 14

Political Letter to Engd. d/28th Septr.
No 24 of 1858

Paras 9 & 10

Ex 54 to Lons. 15 June

Political 1858 Departt

No 373

Extract Minute of Council

25th June 58

For reasons stated we dispose to view the case of the three daughters of the late Meerza Mahomed Ameerbood commended to Sahib in a liberal spirit and direct that the Sum of Rupees 116-10-8 being one third of the deposed Stipend be devided equally amongst the 3 and continued to them in arrear from the 27th September 1856

475

C 10 Aug
R 14