

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 126

Press

~~Mis.~~

Dated 25. 4. 1918

Not to be folded or roughly handled

*Proceedings of the Madras Government, Political Department,
25th April 1863.*

No. 28. Read the following letter from MOHTAMID KHAN BAHADOOR, late Dabeera Khas to His Highness the late Nabob of the Carnatic; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 18th April 1863.

I beg you will do me the favor to lay before His Excellency the Governor in Council the accompanying Memorial to the address of the Right Honorable the Secretary of State for India, which I request may be transmitted by the earliest opportunity, as it is of great consequence to me that the President and Members of the Council of India should have before them my late petition to the Government when passing a decision on my case.

I consider this the more necessary as the Government Agent at Chepauk has endeavored to impugn the correctness of my statements, and it is important that Her Majesty's Government should also have under its consideration, when disposing of my appeal, the correspondence appended to my petition, which is a complete confirmation of those statements, and a refutation of what the Agent has urged against my claim to a provision for myself and father's family.

TO THE RIGHT HONORABLE SIR CHARLES WOOD, BART.,

Secretary of State for India.

The humble Memorial of MOHTAMID KHAN BAHADOOR, late Dabeera Khas to His Highness the Nawab of the Carnatic.

RESPECTFULLY SHEWETH,

That your Memorialist, under date the 19th ultimo, addressed a petition to His Excellency the Governor in Council of Fort Saint George, in which he submitted certain documents and additional grounds in support of his prayer for pensionary relief. As the circumstances set forth in this petition are important to the full consideration of his case, he ventures to lay a copy of it and its several enclosures before your Honorable Board, in the fervent hope that his application for the grant of a pension for the support of himself and his father's family will receive due consideration from Her Majesty's Government in disposing of the Despatch from the Madras Government on the subject, which he is informed was transmitted to England by the second Steamer in March last.

2. Your Memorialist thinks it unnecessary in this place to do more than to draw the particular attention of your Honorable Council to the facts contained in the documents appended to his petition to the Government, and to solicit your favorable consideration of all the circumstances of his case as set forth in those and the previous papers; and he humbly trusts that they will be deemed sufficient to entitle him to every consideration from Her Majesty's Government, and to justify the grant of a suitable allowance for his support and that of his father's family from the 14th June 1859, the date on which he was discharged by the abolition of the establishments of the late Nawab of the Carnatic.

And your Memorialist, as in duty bound, will ever pray.

MADRAS, 18th April 1863.

(Signed) MOHTAMID KHAN BAHADOOR.

TO HIS EXCELLENCY THE HONORABLE SIR W. T. DENISON, K. C. B.,

Governor in Council, Fort Saint George.

The humble Petition of MOHTAMID KHAN BAHADOOR, late Dabeera Khas to His Highness the Nawab of the Carnatic.

RESPECTFULLY SHEWETH.

That your Petitioner addressed your Excellency in Council on the 27th of November last, respecting the grant of an allowance for the support of himself and his father's family; that your Petitioner has not yet received a reply to this address, and he presumes that his case is still under the consideration of Government.

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2. That with his former petition of the above date, your Petitioner submitted the opinion of Counsel touching the property belonging to his own and his brother's daughters, which, it was shown, was not at all at the disposal of your Petitioner, and he also forwarded two original documents given to him by the late Dewan of the Carnatic Circar, and the Cazee of the High Court showing that your Petitioner's circumstances were such as to need pensionary relief.

3. Your Petitioner now begs to submit for the consideration of your Excellency in Council the annexed extract and copies of correspondence, which he humbly trusts will afford satisfactory evidence of the fact that his father Moulavee Hussain Allee, who was originally in the College of Fort William, was invited from thence to take up the post of Deputy Arabic Master in the College of Fort Saint George. Your Excellency in Council will observe from these documents that his late father was furnished with a Certificate under Regulation V, of 1817, declaring him qualified by his great proficiency in the sciences of Grammar, Law, Logic, &c., &c., to discharge the duties of Cazee or Mooftee, and that in July 1829, the College Board obtained the sanction of Government for presenting his father with certain works of the value of 110 Rupees, on his relinquishing the post of Head Arabic and Persian Master in the College to take up the appointment of Mooftee in the Sudder Court.

4. Your Petitioner would also respectfully solicit the attention of your Excellency in Council to the 3rd paragraph of the letter from the Judges of the Sudder Udalt, dated 25th May 1839, submitting the Memorial of the Cazee-oal-Coozat and Mooftees of whom your Petitioner's father was one, in which the Judges observe to the following effect: "The Government will be aware that it was in consequence of Mahomedans of proper qualifications for the post of Law Officers being in want in this Presidency, that such persons were invited to come from Bengal, and among the various considerations which finally overcame their natural reluctance to quit their Native country, it is reasonable to infer that not the least weight was the expectation now urged by the Memorialists as the main ground of their request," and again in the preceding paragraph, they submit in support of the Memorialists, "that if any relaxation of the rule referred to be admissible, it may perhaps be conceded to Officers of the high rank and superior attainments of the Memorialists, who may have been induced to come to this Presidency from Bengal by the expectation of an eventual provision for their families which was secured by the rules in force at the period of their coming here."

5. Your Petitioner would further humbly submit for the favorable consideration of your Excellency in Council that the services of his late father Moulavee Hussain Allee, which are highly spoken of both by the College Board and the Judges of the Sudder Udalt, and the position which your Petitioner held in the service of the late Nawab of the Carnatic, entitle him to every consideration at the hands of your Excellency in Council, especially as by the abolition of the Nawab's establishment he has been deprived of a comfortable maintenance and having been allowed no pension, which Officers who occupied similar positions in the Nawab's service now enjoy, he has been reduced to poverty, and is suffering great distress. Your Petitioner therefore prays that a suitable allowance may be granted for his support and that of his father's family, from the date he was discharged, viz., the 14th June 1859.

And for this act of charity your Petitioner, as in duty bound, shall ever pray.

MADRAS, 19th March 1863.

(Signed) MOHTAMID KHAN BAHADOOR.

From J. C. MORRIS, Esq., Secretary; to the Chief Secretary to Government, Fort Saint George, dated College, 27th November 1826.

I am directed by the Board of Superintendence for the College of Fort Saint George and for Public Instruction to report the death of Moulavee Turab Allee, the learned and respectable Head Arabic Master of the College, who departed this life on the 21st of last month, at Serinapatam on his return from Mecca, whither he had proceeded on a pilgrimage, under the permission granted to him by Government.

2. The Board have appointed as his successor Moulavee Hussain Allee, a person of superior acquirements, and a native of the provinces under the Supreme Government who at their request

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was obtained from the College of Fort William, to fill the situation of Deputy Arabic Master here, which he has held for a number of years, during which, they have had every reason to be satisfied with his conduct, and they direct me to convey their respectful request, and that the increased salary of 80 Pagodas per mensem which was granted to the late Moulavee in Mr. Secretary Macleod's letter of the 10th December 1824, may be continued to his successor.

3. In support of their recommendation the Board beg particularly to call the attention of Government to their letters bearing dates the 31st of May 1818, and 24th of May 1819, in which they discussed at length the claims of the Head Sanscrit and Arabic Masters to an increase of salary on the ground of the duty of superintending the studies of the Law classes having been imposed on them, which was not contemplated at the time their salaries were fixed on the establishment of the College.

4. It was particularly noticed in the first of these letters that "the situation which these two Head Masters, hereafter to be called to fill the responsible situation of Law Officers and Pleadors in the Courts" seemed to render it advisable that their allowances should be better than those of individuals employed "merely to qualify persons for the situation of Teacher of languages to the Junior Civil Servants," that their superior learning also gave them every claim on a liberal Government, and that "the allowances proposed, viz., 80 Pagodas per mensem was not considerable in comparison with those received by Natives in situations inferior in importance to those they hold."

5. In addition to these arguments, the Board would beg to remark that although the Head Masters of the College, to whom they have alluded, are expected to possess the most eminent qualifications, the pay attached to their offices is only 50 Pagodas a month, whilst the emoluments of their pupils the moment they quit the College, exceed that sum, and in the cases of the Law Officers of the Provincial Courts nearly double it.

6. The Board further direct me to take this opportunity of submitting for the liberal consideration of Government, the accompanying petition from the widow of the deceased Moulavee, soliciting a pension for the support of herself and four children. The Board have caused inquiry to be made into the circumstances of the family, and the result contained in the report, of which a copy is enclosed, has satisfied them that they have been left destitute of all means of support, with the exception of what they may receive from the Native Pension Fund, and as there is reason to believe that the depressed state of the Funds of that Institution leaves little prospect of their receiving an adequate provision from that source, the Board hope they will be excused in earnestly recommending, in consideration of the late Moulavee's having left a destitute family here, besides that which he has left in Bengal, that on account of his eminent character for learning and his long meritorious services at the College, a pension of Rupees 70 per mensem may be granted in the name of Kader Ally his eldest son at Madras, until he reaches the age of 25 years, for the support of the family. The Board in conclusion beg to solicit sanction for the Civil Auditor's remitting the recovery of the sum of Rupees 370-5-2, being the difference between the advance of one year's salary granted by Government, under date the 25th January 1825, to the late Moulavee to enable him to prosecute his journey to Mecca, and the amount drawn on account of his salary, and re-paid into the Treasury up to the date of his death.

From W. ROWLANDSON, Esq., Acting Secretary; to the Chief Secretary to Government, Fort Saint George, dated College, 1st July 1829.

I have the honor, by desire of the Board for the College of Fort Saint George, and for Public Instruction, to request that you will obtain the sanction of the Right Honorable the Governor in Council, to their presenting to Moulavee Hussain Allee, late Arabic Head Master, in the College of Fort Saint George, the works specified in the margin, these not being procurable elsewhere at the Presidency, and the Moulavee having petitioned the Board to be supplied with them.

Amvari Sohiley.....	Rs. 10
Barhur-i-Katey.....	35
Fusool-i-Sinadu.....	20
Himaadet.....	15
Mentekbul-ul-loghat.....	30
Rupees.....	110

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From R. CLIVE, Esq., Chief Secretary; to the Board for the College and for Public Instruction, dated 17th July 1829.

I am directed to acknowledge the receipt of your Acting Secretary's letter of the 1st instant, and to acquaint you that the Right Honorable the Governor in Council is pleased to permit you to present to Moulavee Hussain Allee, late Arabic Head Master in the College, the books therein specified.

Certificate granted under Regulation V. of 1817.
No. 32.

This is to certify that at an examination held on the 31st May 1824, by the Board of Superintendence for the College of Fort Saint George, assisted by the Head Arabic and Persian Master at the said College, Moulavee Hussain Allee was declared to be qualified by his great proficiency in the sciences of Grammar, Law, Logic, &c., &c., to discharge the duties of Cazee, or Mooftee.

This Certificate has been granted to the said Moulavee Hussain Allee, under the seal of the College, this 31st day of May in the year 1824, corresponding with the 1st Shaval 1240, Hijree.

(Signed) J. C. MORRIS,
Secretary.

From A. D. CAMPBELL, Esq., Register; to the Chief Secretary to Government, Fort Saint George, dated Sudder Udalut, 5th January 1829.

1. I am directed by the Judges to request that you will lay before the Right Honorable the Governor in Council the enclosed translation of an address received by them from Moulavee. Coodrut Oollah, the Cazee-ool-Coozat, with the original Medical Certificate by which it has been accompanied.

2. The Cazee-ool-Coozat, has been now upwards of 18 years attached to this Court, having served in it during half of that period in his present high office, and during the other half in the not less laborious situation of Mooftee.

3. During the whole of this period, his conduct has been most satisfactory; his learning is extreme; and the acuteness of judging which he has displayed might be illustrated by several remarkable instances. In ability as a Mahomedan Lawyer he is fully equal to all who have preceded him in office; and the Judges do not think that the Government possess a more upright and laborious servant.

4. For some time past, the infirmities mentioned by the Medical Officer have rendered the Cazee unfit to perform his duties; and the object of his address is to obtain leave to resign his situation, and to retire to his Native country on such a pension as the Government may be pleased to grant.

5. Considering that this Officer stands alone at the Head of the Native Judicial establishment under this Presidency, the Judges, with reference to the correspondence noted in the margin, and to his advanced age, hope that, in recommending he may be pensioned in Sicca Rupees 500 per mensem, they will not be thought to have proposed more than is due to his very distinguished services, in the high and responsible office which he fills. They also submit that he be allowed to retain his situation until he can find a fit opportunity to quit Madras.

6. As his successor in office, the Judges have the honor to propose one of the Mooftees of their Court, Moulavee Irtiza Ullee Khan, whose great learning, superior discernment, and high responsibility gave him every claim to this advancement. For some time past most of the laborious duties of the Law Officers have devolved upon him, and he has been indefatigable in his exertions to prevent arrears. His father preceded the present incumbent in the office of Cazee-ool-Coozat, and his personal acquirements add to his hereditary claims to that office.

7. The Judges recommend that the Mooftee in question be succeeded by Moulavee Hussain Allee, the Head Arabic and Persian Master in the College as the most fit person to fill so respectable and responsible a situation.

To Government, 23rd April 1828.
From " 29th " "

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From R. CLIVE, Esq., Chief Secretary; to the Judges of the Sudder Udalut, dated Fort Saint George, 24th March 1829.

I am directed to acknowledge the receipt of your Register's letter, dated the 5th of January last.

2. The Right Honorable the Governor in Council observes that, under the rules for establishing Superannuative Pensions, a Public Officer of the Government must serve 22 years before he is entitled to a pension not exceeding one-half his pay. Koodrut Oollah's service appears to be short of this period by four years, and he is not therefore entitled to more than one-third of his pay as a retiring pension. The Government have stated that they will be prepared to allow some deviation from the strict letter of the rules in favor of the Law Officers of the Courts, and the Right Honorable the Governor in Council is of opinion that, in the case in question, the grant of a pension of one-half of the Cazee-ool-Coozat's pay, Rupees 350 per mensem will be a liberal remuneration for the past services of Koodrat Oollah, and a sufficient expression of the sense, which the Government entertain of his merits.

3. The grant of an unnecessarily large allowance in this instance would establish an inconvenient precedent, and would be inconsistent with the economical principles upon which the Government have determined to regulate the public expenditure during the present financial pressure and especially in retiring pensions.

4. The Right Honorable the Governor in Council observes that no allowances under this Government are ever granted in Sicca Rupees, and resolves that a pension of Madras Rupees 350 monthly be granted to Koodrat Oollah during the period of his natural life.

5. The Right Honorable the Governor in Council sanctions the appointment of Mooftee Moulavee Irtiza Ullee Khan to succeed to the situation of Cazee-ool-Coozat, and the appointment of Moulavee Hussain Allee, the Head Arabic and Persian Master in the College, to the situation of Mooftee in your Court.

(True Copies.)

(Signed) MOHTAMID KHAN BAHADOOR.

No. 29. ORDER THEREON, 25th April 1863, No. 126.

Ordered that the Memorial received with the foregoing letter be forwarded to its address, in reference to the Despatch to the Right Honorable the Secretary of State, dated the 24th ultimo,
No. 2.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

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Ordered that the Memorial received with
the foregoing letter be forwarded to its address, in
reference to the Despatch to the Right Hon^{ble} the
Secretary of State dated the 24th ultimo No 2.

L/R

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Imit Memorial
in Coll
Pms - ask him
for them