

MADRAS RECORD OFFICE.

Government of Madras.

Police DEPARTMENT.

G.O. No. 376

Press
~~Mis.~~

Dated

16/12/1915

1915

Not to be folded or roughly handled

*Proceedings of the Madras Government, Political Department,
16th December 1863.*

No. 34. Read the following Proceedings of Government in the Revenue Department, dated 7th December 1863, No. 2215.

Cancelling from date of last payment, the pension obtained under false pretences by Azeza Begum, alias Muctoom Bee. Recommending a similar punishment to Meer Hoossain Ally Khan, and Meer Mahomed Tucky who were complicated in the fraud. } *Vide Proceedings Revenue Department, dated 7th December 1863, Nos. 103 & 104.*

No. 35. ORDER THEREON, 16th December 1863, No. 376.

Communicated to the Government Agent at Chapauk, who will cancel the Pension Certificates of Meer Hoossain Ally Khan and Meer Mahomed Tucky.

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

*Proceedings of the Madras Government, Revenue Department,
7th December 1863.*

No. 103. ~ Read the following letter from J. R. BOYSON, Esq., Government Solicitor, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 26th November 1863, No. 829:—

SIR,

1. I have the honor to acknowledge the Proceedings of Government noted in the margin, (with the papers which accompanied them) relative to the expediency (or otherwise) of criminally prosecuting Azeeza Begum *alias* Muctoom Bee and certain parties supposed to have aided her in obtaining the grant of a pension from Government by falsely representing that she was the Nicka widow of one Syed Mahomed Khan Bahadoor, deceased.
2. I submitted the matter for the consideration of the Advocate General, with whom I have also conferred on the subject, and I now send you a copy of his opinion and views.
3. I also return the enclosures contained in the Proceedings above noted.

COPY OPINION.

1. I think there can be no doubt that Muctoom Bee *alias* Azeeza Begum is an impostor; that her pension was obtained upon false pretences, and that it ought no longer to be paid.
2. The Petition Writer Ewen Khan appears to be a myth, and his Petition a sort of run-away knock. The probability is that Syed Aizodeen himself got it up.
3. I attach no credit whatever to his evidence, nor to that of Jan Bee and Fatmah Bee. The last two women appear to me to be evidently tutored, and assert that the real wife of the Nabob was tall thin and fair, because that description is as opposed as possible to the appearance of the present pensioner, who I gather to be short fat and dark.
4. Aizodeen has on a former occasion put forward this very woman, Muctoom Bee, as the Nicka wife of the Nabob; he produced the registry of her marriage: he got up the Mahzarnamah. He has now quarrelled with her for some reason or other and seeks to destroy the creature of his own raising. Neither he nor the means he employs are worthy of a moment's belief.
5. There are, however, witnesses produced of respectability and without any apparent interest in the matter, whose evidence appears to me to put the question of Muctoom Bee's imposture beyond any reasonable doubt.
6. Whether or no the parties should be criminally prosecuted is a very different question.
7. On the one hand, it is very desirable to make an example of any one guilty of such malpractices, to warn others as much as to punish the guilty. But I do not think that the ends of public justice are subverted by taking up any case of the sort criminally unless it is very nearly certain that there will be a conviction.
8. As the Advocate General cannot advise a criminal prosecution. Without going at length into my reasons it will suffice to say that I see many difficulties and weak points in the case which render the chance of a conviction, to say the least, very problematical.
9. Possibly if the Police are directed to keep their eyes open and to institute further inquiries, more satisfactory evidence may hereafter turn up, in which case the papers ought to be reconsidered.
10. I observe that the pensions of Meer Hootain Ally Khan and Meer Mahomed Tucky are suspended.
11. These two men sealed the Mahzarnamah as witnesses of the facts set forth in it.
12. Their statements respecting the way in which their seals appear to the paper are in my mind quite puerile. That they were consenting parties to the Mahzarnamah must, I think, be taken as a fact.
13. But there is a marked difference between their attestation and that of the three witnesses who precede them. These three witnesses beyond all question represent themselves as having *witnessed the facts* set forth in the document. The two last only sign "as witnesses" and when the body of the Mahzarnamah is looked at, it will be found that those who have *heard* of as well as those who have *seen* the marriage, &c., are begged to sign.
14. It is possible enough that the two last witnesses may have heard rumours of the marriage, and I should be inclined to give them the benefit of this doubt, if their general conduct and character be good.
15. That they have been guilty at the very least of gross negligence in affixing their seals in witness of the truth of facts, the existence of which they had not inquired into, is, I take it,

*Proceedings of the Madras Government, Revenue Department,
7th December 1863.*

clear. Such conduct would justify the withdrawal of their pensions. Perhaps, however, the Government may think that they will have been sufficiently punished by the temporary suspension of their allowances.

25th November 1863.

(Signed) JOHN BRUCE NORTON,
Advocate General.

(True Copy.)

(Signed) J. R. BOYSON,
Government Solicitor.

No. 104. ORDER THEREON, 7th December 1863, No. 2,215.

1. Under the advice of the Advocate General the Government resolve to take no steps at present towards prosecuting the persons concerned in this fraud. The Commissioner of Police will, however, with reference to paragraph 9 of Mr. Norton's opinion, be instructed to bring this matter again to notice should any more satisfactory evidence be forthcoming.

2. The pension of 25 Rupees a month obtained under false pretences by Azizah Begum alias Muddoom Bee will be cancelled from date of last payment.

3. The last five paragraphs of Mr. Norton's "opinion" relate to the conduct of Meer Hussein Ally Khan and Meer Mahomed Tucky, the payment of whose pensions has been suspended for their complicity in the fraud. The Governor in Council would have no objection to give these individuals the benefit of the doubt as suggested by the Advocate General, did it not appear that they had taken an active part in helping Azizah Begum alias Muddoom Bee by acting as Vakeel and security in her behalf. They have not only been guilty of "gross negligence" but have positively aided in the deception which has been practised. Under these circumstances a temporary suspension of their allowance will hardly meet the merits of the case. Orders will be issued in the Public Department, to the Agent at Chepauk for the cancellation of their Pension Certificates.

4. It is presumed that the Gauzy Syed Azeemuddin is not in the receipt of any Government pension. The Commissioner of Police will report on this point. The Collector of Madras will also be requested to state whether this man is, by virtue of his office, in the enjoyment of any Inam.

Board's Proc. 22nd Oct. 1867, No. 2,585.
G. O. 16th November 1867, No. 1,189.
G. O. 30th March 1869, No. 437, Para. 2.

5. These Proceedings will be communicated to the Board of Revenue in continuation of G. O. 21st ultimo, No. 2,103, and with reference to the correspondence marginally noted.

(True Extract.)

Deputy Secretary to Government.

To the Board of Revenue.
Government Solicitor.
Collector of Madras.
Commissioner of Police.
Civil Paymaster.
Public Department.

Ext. S. T. Anantha.

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