

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No.

96

Press

~~Mis.~~

Dated

25. 3 - 1918/863

Not to be folded or roughly handled

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

No. 53. Read the following letter from Major R. S. WILSON, Government Agent at Chepauk and Paymaster of Carnatic Stipends; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th November 1862, No. 508.

With reference to G. O., 3rd November 1862, No. 445, concluding paragraph, I have the honor to submit the following remarks.

2. The principles laid down by Government in 1833 for the continuance of Jaghire stipends, are considerably modified by the letters from the Court of Directors, dated 11th March 1846, No. 2, and 22nd May 1850, No. 1. In both of these letters, more particularly in paragraph 14 of the first, and paragraph 51 of the second, the system of continuing two-thirds of the original stipend to the second holder, and one-third to the third holder, is discountenanced; and it is directed that as lapses occur each case shall be considered on its own merits, and that the claim of every member of the family shall be settled with reference to the individuals' consequence and proximity in relationship to the original grantee.

3. It is by these rules that the claim under reference (that of Hoormat-oo-Nissa Begum, daughter of deceased Carnatic Stipendiary Budder-oo-Nissa Begum) is to be considered, and by these rules, her claim appears unfounded. In fact, even by the rules of 1833, she is not entitled to what she claims, viz., to a continuance of the *whole* of her mother's pension as a *matter of right*, for these rules only permit the continuance to her of a *third* of the said pension, as a *matter of favor*. But by the rules actually existing, any continuance of her mother's pension would appear to be prohibited, for in the letter of the 11th March 1846, above quoted, paragraph 14, it is stated that when a stipend is divided on the death of the holder, "the majority of the sharers would probably not be in such proximity of relation to the original grantees or to the family, as would require the continuance of any portion of the share allotted to them, beyond their own lives," and in the same letter, paragraph 12, it is said "we have always expressed our desire for a gradual reduction of these pensions, which indeed our Government was under no pledge by Treaty or otherwise, to continue beyond the first generation." From these passages and from the whole tenor of the letters above quoted, it appears to be the intention of Government that these stipends shall not continue except in the cases of persons of consequence and near relations of the original grantee. Petitioner being a great grand-daughter of the original grantee, cannot, I think, be considered a near relation within the meaning of the above rule, nor can she be considered a person of consequence. Her mother's share was only Rupees 4-1-8.

No. 54. ORDER THEREON, 25th March 1863, No. 96.

1. On an application from Hoormat-oo-Nissa for the continuance to herself of her mother's stipend, the whole of the circumstances connected with that grant were passed under review in the Proceedings quoted at the commencement of the foregoing letter.

2. The stipend, it appeared, was originally granted in lieu of a resumed Jaghire. In 1824 it was sub-divided in consequence of dissensions between the payee and the other members of the Jaghirdar's family. In 1833, with a view to the ultimate extinction of such grants, a resolution was passed that, at the death of the several sharers of a divided pension, their respective shares should be reduced one-third, at the death of their successors two-thirds, and at the next lapse, should entirely cease. This rule was specially applied to the stipend in question, when the original holder died in 1843. One-third of his allowance was then resumed, and the remaining two-thirds distributed among his family. The share allotted to Budder-oo-Nissa, the mother of the Petitioner, was Rupees 4-1-8.

3. Under these circumstances the Governor in Council suggested that, under the rule already quoted, a moiety of Budder-oo-Nissa's pension might yet be granted to a third and last successor in the regular line of descent. Before, however, passing an order to that effect, a further reference was made to the Chepauk Agent.

4. The letter here recorded is Major Wilson's reply. The rule quoted, he points out, was laid down in 1833, and has since undergone very material alterations. Under existing rules a

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

Jaghire stipend cannot be continued, except upon a consideration of the merits of the case, to persons of consequence, and in close proximity to the original grantee, and who would otherwise be entirely destitute. The Petitioner, he observes, can hardly be regarded as a near relation, or a person of consequence within the meaning of the rule.

5. It appears moreover from the records of Government that the Jaghire was only a life grant to the father of the original Stipendiary, and that a pension was given to his son, not by way of compensation, but out of special grace and bounty. It was also expressly stated at the time that the allowance was only to last "for the term of the grantee's natural life." Its further continuance to the Petitioner's mother and her co-sharers is thus far more than could possibly have been expected.

6. The Government therefore resolve to reject the prayer of the Petitioner by the following endorsement:—

"The Government have carefully considered the Petitioner's case and have come to the conclusion that she is not entitled to any consideration. Her prayer is therefore rejected."

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

Rd. T. McMootry.

Political Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the
Chepauk agent -

(10 Nov^r 62, No 500)

Order thereon. Rank No. 110

1. On an application from
Koorunt-~~oor~~ Nissa for the
continuance to herself of
her mother's stipend, the
whole of the circumstances
connected with that
grant were passed under
review in the Pro^o quoted
at the commencement
of the foregoing letter.

2. The stipend, it appeared,
was originally granted
in lieu of a resumed
Jaghire. In 1824 it was

See note -
The Jaghire & 16th Nov 1862
for life granted to the
See T. B. D. 15
15 Nov 1862

Subdivided in consequence
of dissensions between
the payee & the other
members of the Jaghirdar
family. In 1833, with
a view to the ultimate
extinction of such grants,
a resolution was passed
that, at the death of the
several sharers of a
divided pension, their
respective shares should
be reduced one-third,
at the death of their
successors two-thirds,
and at the next lapse
should entirely cease.

This rule was specially
applied to the stipend
in question, when the

original holder died,
in 1843. One-third of
his allowance was
then resumed, and
the remaining two-
thirds ~~distributed~~ distributed
among his family.
The share allotted to
Budder-oo-Nissa, the
mother of the Petitioner,
was Rs 4-18.

3. Under these circumstances
the Gov^t in C. suggested
that, under the rule
already quoted, a moiety
of Budder-oo-Nissa's
pension might yet be
granted to a third &
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regular line of descent.

Before however passing
an order ~~off~~ to that effect,
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of the merits of the case,

~~near~~ to persons of con-

sequence and in close

proximity to the original

franchise, and who would

otherwise he entirely

destitute. The Vet^l, he observed,

can hardly be regarded

at a lower station, or

The Governor, in Council
considers the case of the Petitioner
to be deserving of consideration,
and resolves to grant to her a
pension of \$2.10 - per month,
with effect from the date of
her mother's decease.

a person of consequence within
the meaning of the rule.

The Gov^r in Council has given the case his careful attention, and he still holds to the opinion expressed in the former Proceedings. The resolution of 1883 having once been specially applied to this stipend, + it is just, and the Pet^r might reasonably expect that its

subsequent continuance

~~should~~ be regulated by

the same principles.

H. S. in C. accordingly

resolves to allow Hoornd

20. Missa a life stipend

D. R. 2-a-10 with

effect from the date of

mother's decease.

Political Department

Proceedings of the Navas Government
Read the following letter from the
Government Agent at Chepank.

(Here enter 18th Novr 1862. No 508)

Order thereon 25th March 1863. No. 96-

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from Roomat-oo-Nissa
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in

MS
MS
JP

1863. Department.

No. 96

PROCEEDINGS OF GOVERNMENT,

Dated 25 March 1863

To Mr. Selles 16 Aug 21 10th 12th 1862

17th 4th 1866.

18th 11th 1866.

53 734

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between the payee and the
other members of the Jashir-
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a resolution was passed
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was Rs 4-1-8.

3. Under these circum-
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ment that the Jaghir
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to the father of the
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From Board 13 March 1815
para 7

To do 1 April 1815

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co-sharers is thus far more
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6. The Govt. therefore resolve
to reject the prayer of the
Petitioner by the following
endorsement:-

"The Govt. have carefully
"considered the Petitioner's
"case and have come to the
"conclusion that she is not
"entitled to any consideration.
"Her prayer is therefore
rejected."

The Govt. Agent, Chippak despd-27

MMK
C/A
S/P