[Poll. 8]
500—28-7-96

Political (1895) Department.

ORDINARY MS.

G.O., No. 12

DATED 8th Jan. 1895

INDEXED.

[Despatch Abstract.]

JALIL-UN-NISA BEGAM.

Informing -- that her memorial to the Secretary of State in the matter of her late father's stipend has been withheld as time-barred under the rules in G.O., dated 17th May 1894, No.320, and that the rules quoted by her do not govern the case.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	294		795				
	198		22-3-95				

To

His Excellency the Right Honorable
the Governor in-Council
Fort St. George

The humble petition of Jamil Oon Nipa Begum, Nicka daughter of the late Comduth Ood Doulat Br., residing in 2043 Akber sail's street Triplicane, Madras

Respectfully Sheweth

That Petitioner on the 17th October last, submitted to your Excellency's Govt. a Memorial for transmission to the Right Honorable the Secretary of State appealing against the order passed by your Excellency's Government and the Government of India in the matter of the stipend of Petitioner's late father, and that Petitioner in a covering letter, requested that the Memorial may be duly transmitted to its address.

That

That by G.O. dated 12th November 1894 No. 786, on said letter, Petitioner has been informed through the Paymaster, that the Memorial has been with-held in as much as the appeal preferred has been submitted more than 12 months after the date on which Memorialist was informed of the order against which she appeals.

That Petitioner begs respectfully to submit that though more than 12 months may have elapsed since she was informed of the decision of the Government of India, her case falls within and is governed by the first sentence in Rule VII of the Memorial Rules wherein it is provided that "No limit is fixed to the time within which an appeal from an order of the Governments in India may be preferred to the Home Government." Petitioner submits that the last clause of

There are two A Mem. Rules

of the aforesaid rule in which a limit of 12 months has been fixed and which has apparently been applied to the circumstances of Petitioner's case, has reference only to the cases of appeals from Judicial decisions which are taken out of the general rule and provided for exceptionally and as Petr's appeal is not from a "Judicial decision", the rule quoted against her is unapplicable.

Petitioner respectfully submits that the words in Rule VII can bear no other interpretation than that suggested by her alone, for otherwise the opening words of the rule, viz, that no limit is fixed for appeals to the Home Government can have no meaning or significance.

Petr begs also to invite attention to the provisions of Rule XIII of the Memorial Rules whereby power is given

given to the Government of India to withhold Memorials addreped to the Secretary of State, "unless the Memorialists have previously memorialised the Government of India and the Local Governments concerned on the same subject." Petitioner respectfully trusts that as her memorial is practically an appeal to the Secretary of State against the orders of the Government of India, and the Local Government concerned, your Excellency in Council will be pleased to apply the rule prescribed for the guidance of the Govt. of India and not withhold transmission of Petitioner's Memorial.

Petitioner humbly trusts that your Excellency in Council will take the facts herein stated into your Excellency's kind consideration and by a just & liberal interpretation

of

of the conditions of Rules VII & XIII will be pleased to cancel the orders paped in G. O. dated 12th November 1894 No. 786, and to direct that Petitioner's Memorial to the Secretary of State be duly transmitted to its address.

For which act of justice Petitioner as in duty bound will ever pray

Seal of Jamil Con
Nipa Begum

Akbar Saib's street,
No. 43. Triplicane
Madras
7th December 1894

With Memorial & six Enclosures

1863

From

Jamil un Nissa Begum
Akbar Sahib St.
Triplicane

Dated 7/12
Received 8/12
Regd. 8/12
} 1894

Encl. C No 1377 Ed.

Subject

Requesting to cancel G.O. No 786 withholding the Memorial & to direct that the Petr's Memorial be transmitted to the Secretary of State

W.O.

G.O. 786 : 12-11-94 Pol
G.O. 563 : 16-8-93 Pol
G.O. 323 : 25-5-93 "
G.O. 165/6 : 27-3-93 "
G.O. 731 : 14-12-92 "
G.O. 701 : 2-12-92 "
G.O. 470 : 4-8-92 "

H.E.
Mis.

8 Jan 1895 No 12

Order

W
6 Jan

The petitioner will be informed that the rules referred to by her do not apply to her case, which is governed by those ~~quoted~~ ~~to by Govt~~ in G.O. of 17th May ~~12 Nov~~ /94, No 320 ~~786~~, Pol.
(Copy enclosed)

C.S.
15/12

22/12/94

Note Petitioner quotes the A. Memorial rules. She comes under the D. Memorial rules.
C.S.

To the Petr. (thro' P.C.S.) (q) with enclosures etc & copy of D. Memorial rules ~~[illegible]~~

DESPATCHED
11 JAN 95
IN N.S.

1626

14/12

When given for copying
When copied
When examined
When signed
} 189

Read again G.O., No. 189 , Dated

Current No.

Enclosures to C. No.

Order of Government	A	A	A	A	A	A	A
Letter of Government.							
Statement with ditto.							
Papers not filed up, being meant for despatch in original.							

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only