Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Depart-ment.	C. No.	Year.			

Political (1895) Department.

ORDINARY MS.

G.O., No. 198

Dated 22nd Mar. 1895.

INDEXED.

[Despatch Abstract.]

JAMIL-UN-NISA BEGAM

Declining to accede to the request of -- that her memorials addressed to the Secretary of State praying for the grant of the full pension (Rs.900) of her father from date of Ghausia Begam's death may be transmitted to its addressee.

BACK PAPERS.

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

FURTHER PAPERS.

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

Ist

CURRENT № 294

884

Fo. 12:8-1-95 Pol
Fo. 875: 11-12-94 Pol
Fo. 786: 12-11-94 Pol
Fo. 320: 17-5-94 Pol Ag 1085.

From

Jamil-un-nissa Begum

Dated 25. 2. 95

Recd 3. 3. 95

Subject

Requests for reasons stated within that her Case may be taken as a Special one & that accordingly her Memorial to the Secy. of State be transmitted

Refer

Put up the Gazette notice quoted in para 4 and also the Petition

Rules A & B please

JB 5/3

Secy

CURRENT No 294

To

H. E. The Right Hon'ble the
Governor in Council,
Fort St. George.

SECRETARIAT
5 MAR 95

The humble Petition of JAMIL-UN-NISA BEGUM, *Nicka daughter of the late* OOMDUTH-UD-DOWLAH, *residing in Triplicane, Madras.*

RESPECTFULLY SHOWETH,

That Your Excellency's humble Petitioner is in receipt of Government Order, dated 8th January 1895, No. 12, Political Department, and though bowed down and crushed with the decision of Your Excellency in Council, therein communicated, Your Petitioner begs once more to appeal for commiseration and pity, humbly beseeching that in the circumstances explained herein, Your Excellency in Council will be pleased to give your most generous consideration to the facts herein set out.

II. That, in consideration of the very grave and momentous pecuniary and domestic issues involved in the Memorial to the Secretary of State which Your Excellency's Petitioner had the honor to submit in October last and which, to Petitioner's great misfortune, has been withheld by Your Excellency's Government on the *sole* ground that it was not preferred *within one year* of the date on which the last order was communicated to Petitioner (*vide* Government Orders, 12th November 1894, No. 786, and 8th January 1895, No. 12, Political Department,) Your Excellency's Petitioner is constrained very respectfully to beg that Your Excellency will take into your merciful and generous consideration the melancholy fact that Your Excellency's Petitioner is by habits and customs a "GOSHA" lady, belonging as she does, to the Moslem faith, and consequently is in *absolute* and *total ignorance* of Government rules and orders.

III. That in consideration of the above fact, and of the further deplorable circumstance that she is a poor and uneducated woman, with no opportunities whatever of learning what is taking place in the outside world, much less of acquiring any knowledge of Government Orders and the changes made in them from time to time, Your Excellency's Petitioner prays that Your Excellency, moved by the consideration of these special facts, will be pleased to treat Petitioner with some indulgence, and relaxing the rules in her favor will reconsider the Orders quoted above, by which her Memorial to the Secretary of State has been withheld.

IV. That while thanking Your Excellency for the great consideration shown in directing Your Excellency's humble Petitioner to be furnished with copy of Government Order, 17th May 1894, No. 320, Political Department, and of the

Rules recently passed regulating the submission of Memorials to the Secretary of State, Your Excellency's Petitioner begs also to humbly invite Your Excellency's attention to the fact that the Rules quoted therein are of *very recent* date, and—as Petitioner is advised—have not yet been published in the *Fort St. George Gazette* for general information and guidance.

V. That Your Excellency's Petitioner has also reason to believe, that Your Excellency's Government has been pleased on the occasions marginally noted, to publish in the *Fort St. George Gazette* the Rules in force regulating the submission (1) of appeals to the local Government, (2) to the Government of India and (3) to Parliament, and that the modifications and additions made from time to time have also been similarly published, a course which to Petitioner's misfortune has not, unfortunately, been observed in regard to the Rules to which Petitioner's attention has now been drawn.

Fort St. George Gazette, 14th January 1890, p.p. 35, 51, and 70; 29th October 1889, p.p. 765, 793, and 809; 10th October 1891 p.p. 1176, 1190 and 1215; and 9th July 1889, p. 469.

VI. That Your Excellency's Petitioner therefore respectfully submits that unless some such publicity as that referred to by Petitioner is given to the changes made in the Petition and Memorial Rules, it will not be possible for Mahomedan ladies and their male relatives, who are for the most part, unfortunately also, uneducated men, to obtain any knowledge of the material changes and modifications made in them from time to time. In the present instance Your Excellency's kind attention is invited to the important fact that while under the old rules which have been in operation for many years, *no limit of time* was fixed in respect to appeals to the Secretary of State, the change recently made in the new Rules and pointed out to Petitioner is of so radical a character that unless some steps had been taken to bring the fact specially within the knowledge of political pensioners, through the *Fort St. George Gazette*, or by other means, the operation of the new Rules, Petitioner very respectfully submits, should not be enforced till publicity of some kind is first given to them.

VII. Finally, Your Excellency's Petitioner begs respectfully to submit that as the power vested in Your Excellency in Council to withhold Memorials is "discretionary," and as it is therefore quite within Your Excellency's competence to transmit a memorial in certain circumstances, Your Excellency in Council will be pleased, taking into consideration the special facts explained in the foregoing paragraphs, to waive the operation of the Rules to which Petitioner's attention has been drawn, and to transmit, as a special case, her Memorial to the Secretary of State.

For which act of justice and mercy, Petitioner will, as in duty bound,

EVER PRAY.

TRIPLICANE,
25th February 1895.

Seal of Jamil Un Nisa Begum

Political Dept

C.no 294

For orders

Jamil-un-nisa Begam, nikahi daughter of the late Imdat-ud-daula Bahadur, son of Azim Jah, first titular Prince of Arcot, appeals again G.O. 312 Nov. 1894, No 786 in which her memorial to the Rt. Hon the Secy of State for India [regarding the grant to her of the full stipend of Rs. 900 of her father from the date of Ghousia Begam's death] was withheld under para 6 (5) of the rules+ printed on page 30 of G.O. 317 May 94, No 320. The ground on which she prays for a reconsideration of G.O. 312 Nov 94, No 786 is "absolute and total ignorance of the above memorial rules. She urges that the rules are of very recent date and have not yet been published in this Gazette ⊕ and that the other petition rules have been so published and that she is a poor + uneducated ⊗ goshia lady with no opportunity of learning what is taking place in the outside world.

+ i.e. the D. Rules

The rules are however not

⊕ i.e. the A. B & C rules.

⊕ But if ~~she is uneducated, as she says she is~~ this is so, what good would publication in the Gazette have done her?

C.S.

very recent date. The clauses regarding limitation of time seem to have been first introduced in 1892 when the Govt. of India observed that these clauses should be brought into force gradually and applied with caution so as to avoid any apparent hardship. These memorial rules were not published in the Fort St George gazette either in 1892 or in 1894. They do not seem to have been published in the Gazette of India either.

If it is considered that there any hardship is caused by withholding this Jamil-un-nisa Begum's memorial, it might, it is submitted, be forwarded to the Govt of India, explaining the circumstances under which it was withheld and now transmitted. Opportunity might also, it is submitted, be taken to inquire if there is any objection to publishing the rules in G.O. 320 / 17-5-94

Perhaps the best course would be to forward the Memorial to the Govt. of India as suggested above, though it will create a bad precedent.

The 1892 rules were not published in the Gazette [vide G.O. dt 21.3.92

Jamil-un-nisa Begum

80 155 / 1.3.92

Fort St George

Pet 7

was followed with the 1894 rules which are merely a revised edition of those of 1892.

C.S. 10.3.95

Ignorance of the existence of rules is no valid excuse for breach of them.

If the rules are to be adhered to the Petr's suit was long out of time on Oct. 1894.

It is optional with Govt. to allow an case which is time barred to go on but the practice - as far as I know always of late years the absolute practice - is to with-hold all petitions which are not presented within the time allowed by the rules. If the Petr. had anything like a case there might be some reason for a relaxation of the rules but she has absolutely none. She was distinctly illegitimate and not a nikkahi daughter. The whole matter was fully gone into by the Govt & explained at length on appeal to the Govt. of India and the petitioners request was rejected by both authorities. It is a matter of certainty that it

× vide G.O. No. 470 / 4.8.92

⊗ " No. 165-166 / 27-3-93

would be refused if sent up to the Secty of State.

I submit that the petition should be rejected.

LD
18/3/95

Yes – there is absolutely no reason why he should depart from the rules laid down.

W
18 Mar

Jamil-un-nisa Begam's Memorial

H.E. the Governor

For Orders

C.S.
19/3

ORDER 22 March 1895. No. 195. 198

Petitioner will be informed that the Govt. declines to accede to her request.

(From Orders)

C.S.
19/3/95

LD
20/3/95

DESPATCHED
23 MAR 95
IN M.S.

Petitioner. (thro PCS) [illegible]

Copd
22/3.

c 15/3

When given for
When copied
When examine
Wh[illegible] signed

READ AGAIN G.O., 1
189 ,

CURRENT No.

ENCLOSURES TO O

Read petition from Jamil un Nisa Begum, widow daughter of the late Govindutt and Dowlah of

appealing against G.O. No. 786 of 12 Nov/94 withholding her memorial to the Secty of State praying for the grant of the full pension (Rs. 900) of her father from date of Ghauria Begum's death

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.