Political (1895) Department.

(1)

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G.O., No 385-A, 386

Dated 17th June 1895.

INDEXED.

BOARD-37-

[Despatch Abstract.]

ATTA-ULLA-KHAN

Submitting a report to the Government of India on the memorial of --, a State prisoner in Pudukkottai, requesting that he may be liberated and that the debt due to him by the late Raja may be paid.

37.
5)

FOR ORDERS.

HON'BLE MEMBER.

G.O.	No.	Department.	Date.
C.	150		94

FURTHER

G.O.	No.	Department.	Date.
Cri	150		95
Cri 18/97			

பாதுகாப்பு பிரிவு - 1

செப்பனிடுபவர் பெயர்: V. [illegible]
06/08

செப்பனிடுவதற்காக எடுக்கக் - 10/08
கொடுக்கப்பட்ட நாள்

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கரியாற்கும் முதல் முறையாக கையொப்பம் | கரியாற்கும் 2ம் முறையாக கையொப்பம் | உதவியாளர் கையொப்பம்

Clean Print

17th June 1895, No. 385, Political.

2/385

POLITICAL DEPARTMENT.

W
17 June

Letter—from

The CHIEF SECRETARY to the GOVERNMENT of FORT ST. GEORGE,

To

The SECRETARY to the GOVERNMENT of INDIA, Foreign Department.

Sir,

In reply to Captain Daly's letter of the 30th March 1895, No. 1077-I, I am directed to submit, for the information of the Government of India, the following report on the case of Atta-ulla-Khan, a State prisoner in Pudukottai.

2. Atta-ulla-Khan is, according to his own statement, a Pathan of Candahar. He and one Abdul Rahim Khan, whom he originally alleged to be his uncle, travelled in various parts of India in the capacity of cloth merchants and in the course of their wanderings visited Pudukottai, where the latter entered into dealings with the late Raja.

3. An emphatic warning, to which the widest publicity was given, was issued by this Government in 1854 that all persons supplying the Raja on credit did so at their own risk. It was nevertheless found in 1874 that the Raja's debts amounted to 15 lakhs. In borrowing money, the Raja had, however, signed bonds for even ten or fifteen times the sum lent and it was anticipated that, under careful scrutiny and judicious arrangements to be carried out by the Political Agent, the sum of 4½ lakhs then in the State Treasury would go far towards a full settlement of all claims.

4. The Right Hon'ble the Secretary of State for India, to whom the above facts were reported, while expressing his regret that it had been deemed necessary to again move in the matter, directed that, after devoting the Treasury balance mentioned above to the extinction of the existing debt, there should in future be an entire abstention on the part of the Government from the Raja's private affairs.

Despatch dated 10th September 1874, No. 10, Political. [G. O., dated 1st December 1874, No. 486, Political.]

The Political Agent, observing it to be only too probable that, notwithstanding a very diligent scrutiny, many fictitious sums might still be included, furnished, in January 1875, an account showing as the total amount payable on the 31st December previous Rs. 9,85,568-8-0, of which nearly 3 lakhs were set down as interest.

G.O., dated 29th January 1875, No. 66.

The instructions of the Secretary of State being clear, the Government declared its fixed determination on no account to assign a rupee over the 4½ lakhs available, towards the discharge of the Raja's private liabilities, out of the revenues

of a State, in which so many reforms were urgently needed and so much of the public revenues of which had already been diverted from legitimate expenditure to supply the follies and extravagance of its ruler. It observed that upon the last occasion on which the Raja's debts had been taken in hand, the process of liquidation had continued for many years; that the resolution to interfere no further as regards the registered liabilities was notorious; that many petitioning creditors had subsequently been referred to this resolution; and that it was unable to admit that the absence of a direct proclamation created any presumption in favor of a second intervention on the part of Government and still less required that actual warning should be given to every creditor concerned in the settlement then made.

It was therefore decided that, so far as the 4½ lakhs would serve to meet them, the debts of the Raja might be settled. The State jewels and the ornaments of the ladies of the family which had been mortgaged were first to be redeemed after which the balance was to be appropriated amongst those who might be found to have the best claim to consideration. Creditors living in the State of Pudukottai itself or in the adjoining districts would, it was observed by Government when passing orders regarding the disposal of the debts, naturally not be of this preferential class, the presumption in their case of a full knowledge of the risk they were running being of the strongest character possible.

5. On investigation it was found that the total of the Raja's admitted liabilities amounted to ten lakhs, four lakhs of which were secured by the mortgage of jewels and the State head-dress and the remainder unsecured. Of the secured debts, three lakhs were liquidated by handing over the jewels pledged to creditors, the remaining one lakh being paid in cash. This arrangement left 3½ lakhs to be distributed amongst the balance of the creditors whose claims amounted to 6 lakhs.

G. O., dated 27th September 1875, No. 625.

6. In October 1875, His Excellency the Governor in Council once again remarked that "the settlement lately sanctioned for "the payment of Raja's debts is the last that would "be allowed. This is perfectly well understood by all concerned."

G.O., dated 15th October 1875, No. 703 (para. 6).

7. Atta-ulla-Khan was one of the creditors of the Raja and, in the settlement of 1875, was registered as a claimant for Rs. 31,783—Rs. 739 being on his own account and Rs. 31,044 on account of Abdul Rahiman, the so-called uncle mentioned above who had died. Atta-ulla-Khan, having become involved himself, was arrested ostensibly at the instance of his creditors and placed in confinement by order of the Pudukottai Civil Court, creditor after creditor proceeding against him. In 1876-77 two *pro rata* payments were made on account of the Raja's debts (at 25 *per cent.* and 10 *per cent.*) one of Rs. 7,946 and the other of Rs. 3,178, and again in 1882, when the last of his personal effects were sold, *pro rata* sums of Rs. 1,877 and Rs. 4 were paid. These amounts were sometimes paid to Atta-ulla-Khan himself direct, but mostly for the benefit of his creditors in obedience of the injunctions of the Civil Court. His claims received exactly the same consideration as those of other unsecured creditors, and the instalments amounting in all to Rs. 13,005 left an unliquidated balance in his favor of Rs. 18,778. On the occasion of the last instalment in 1882, it was notified to all the creditors, including Atta-ulla-Khan, that no further payments would be made.

8. Whilst in the civil prison, Atta-ulla-Khan was reported to have used insulting and threatening language with regard to the Raja. This was represented to the Political Agent, who directed that the Kabuli, on being set at liberty, should be immediately arrested by the Police, escorted outside the limits of the Pudukottai Territory and there released, and that in the event of his returning to the State the same course should be followed. Atta-ulla-Khan was released from the Civil Jail on the 18th March 1879 and produced before the Political Agent. The Sirkele at

the same time represented that the Raja, knowing the violent character of the man, entertained serious fears as to his safety so long as Atta-ulla-Khan's claim remained unliquidated. The Sirkele requested that effectual steps might be taken to prevent Atta-ulla-Khan re-entering Pudukottai Territory, pending some means for ensuring peace. The Political Agent personally informed Atta-ulla-Khan that as he had threatened the Raja with violence he must not return to Pudukottai and that if he did, he would be at once re-arrested and conveyed out of that State. He was also warned that if there was any likelihood of his committing a breach of the peace, he would be at once bound over in heavy security and in default would be imprisoned. The Political Agent considered that it was out of the question to give this creditor any payment in preference to the other creditors, as had been suggested by the Raja.

9. Shortly afterwards, the Political Agent suggested to the Sirkele that Atta-ulla-Khan might be allowed to remain at Pudukottai for six months in order to settle his business matters, security being found for his good behaviour. In reply, the Sirkele, on behalf of the Raja, represented that Atta-ulla-Khan was "rash and daring;" that he had stated in a petition to the Civil Court that he had no other property than what was due from the Raja; that there was no necessity for his remaining at Pudukottai; that his motive in continuing there was simply to create a disturbance; that he was likely to carry out his evil intent even if he was kept under a guard; that judgment creditors were ready to move the Civil Court for his incarceration; and that, being a Kabuli and a very powerful man smarting under a sense of having been ruined and wronged by the Raja, he should not be shown any consideration.

10. In August 1879, Atta-ulla-Khan returned to Pudukottai without permission and from statements made by him to the Head Quarter Inspector of Police and to the Sirkele, it was evident that he did not intend to keep out of the State as long as his debt remained undischarged. Under the terms of the Political Agent's order referred to in para. 8 *supra*, he was again deported, but this was not accomplished without compulsion and until after the Police had found it necessary to threaten the use of handcuffs.

11. He subsequently returned a second time and was deported to Tanjore. In November 1879 he returned a third time and was lodged in the Police Head Quarter Office. The Sirkele once again addressed the Political Agent on behalf of the Raja and urged the necessity for something being done to prevent Atta-ulla-Khan repeating his visits to Pudukottai. He suggested that the Kabuli should be detained as a State prisoner but should be treated with the consideration due to him in the peculiar circumstances of the case. The Political Agent intimated that Atta-ulla-Khan might, for the time, be dealt with under the Criminal Procedure Code if he were likely to become dangerous.

12. The Magistrate, who was instructed by the Sirkele to take proceedings against the Kabuli under Section 491 of the Criminal Procedure Code, which was the only legal provision under which his case could fall, was of opinion that no sufficient grounds were disclosed to justify action against the man thereunder. The Sirkele thereupon intimated to the Political Agent that, not feeling himself at liberty to set at large one from whom the ruler of the State feared danger, he had detained Atta-ulla-Khan as a "quasi" State prisoner and had granted him a subsistence allowance of Rs. 45 *per mensem*, sanction to the continuance of which was requested. The Political Agent accorded this sanction and submitted the matter for the orders of His Excellency the Governor in Council.

13. The Government, in passing orders, observed that it saw no sufficient reason for interfering and pointed out that if the alleged threats of the Kabuli merely referred to using legal measures for the recovery of what might be due to him nothing

G.O., dated 13th July 1880, No. 306.

unlawful had been done but that if he had gone beyond this and threatened personal violence to the Raja the law would of course reach him. It expressed the opinion that the proper course was to make a settlement of the man's equitable claim. The Political Agent was requested to report the details of the case.

14. In reply, the Political Agent submitted a report from the Sirkele in which the latter drew attention to the fact that Atta-ulla-Khan was in no worse a position than 41 other creditors of the Raja who had lent and had lost; that a settlement of his claim in full was out of the question and would be holding out a inducement to others to do as he had done; that there were no legal measures open to him for the recovery of his dues as the Raja was not amenable to any Court; that the treasury had been declared irresponsible for the debts; that but for his own conduct in uttering the threatening language imputed to him he might have been at large and that the attempt to bring him under the Criminal law had been unsuccessful.

G.O., dated 16th August 1880, No. 369.

In forwarding this letter the Political Agent stated as follows:—

"The Sirkele looks on the case from a different point of view from that which a Magis-"trate can adopt. He knows that the Raja occupies a peculiar position, that Atta-ulla-Khan "can get no redress from him, that Atta-ulla-Khan comes of a fierce revengful race, that he "has been deeply wronged and that, whether he has used threats or not, it is very likely that "he cherishes revenge and may take it on the first opportunity. A Magistrate cannot deal "with probabilities such as these and the question is whether special measures are not neces-"sary to protect the ruler of the State by removing from his neighbourhood a person so "likely to be dangerous to him and, if so, how such removal can be made effectual."

Upon this, the Government directed that Atta-ulla-Khan should be warned that if he attempted any personal annoyance or insult to the Raja he would be summarily dealt with both by the Pudukottai and British authorities and that, should he desire to remain in Pudukottai, he would be required to abstain from any aggressive acts.

15. On this order being communicated to the Raja, he again addressed the Political Agent through the Sirkele re-iterating his fears. The latter reported that Atta-ulla-Khan continued to be detained under surveillance and treated as a State prisoner on a liberal subsistence allowance of Rs. 1½ a day for himself and family; that he had not complained to the Sirkele in regard to his detention; that, as a State prisoner, he found himself much more comfortable than he had been for years past; and that his apparent contentedness to remain in his present condition was accounted for, to some extent, by the fact that if he were released it would only be to re-enter the Jail as a Civil debter, his creditors having again moved the Court for his incarceration.

G.O., dated 5th December 1880, No. 512.

In submitting the above representations, the Political Agent drew the attention of Government to the tenour of the Raja's letter, which expressed forcibly the dread he entertained of the Kabuli, and stated that the Sirkele had explained that it was desirable to avoid the man's confinement in the Civil Jail because of the odium that would attach to such a confinement from the fact that if Atta-ulla-Khan were only paid the money certainly due to him he could clear his own debts. The Political Agent further reported that he had spoken to the Kabuli on the subject of his detention, or rather surveillance (for he went about freely though attended by a guard), and he appeared to prefer it to any other circumstances under which he could reside at Pudukottai except those which would attend the payment of his whole claim by the Raja. The Political Agent expressed the opinion that if the Government saw fit to sanction the detention of Atta-ulla-Khan as a quasi State prisoner it would be as satisfactory a solution of the difficulty as could be arrived at, since if Atta-ulla-Khan found detention irksome, he would probably manage to escape from the State and would not return for fear of being again placed under surveillance.

The Government intimated that it saw no objection to the Pudukottai Minister taking such means as might receive the approval of the Political Agent by way of preventive measures against the Kabuli's proceedings.

16. Atta-ulla-Khan continued under surveillance in a spacious room of the Police Head Quarter Office at Pudukottai.

17. In 1885, the Political Agent having received two petitions—one from Atta-ulla-Khan, requesting his release and the other from his son requesting his father's liberation with payment of his dues—requested the Diwan to consider whether it would not be possible to release the man altogether and to send him back with his family to his native place on condition of his not returning.

The Diwan reported that there was not the slightest objection to setting free the Kabuli on the condition mentioned. He pointed out, however, that Atta-ulla-Khan dated his domicile in Pudukottai from the time when his so-called uncle commenced dealings with the Raja; that he had married in Pudukottai and had children, and there seemed, therefore, to be no probability of his leaving the State or if he quitted it of his not returning, as there was no law or power to prevent him repeating at any time what he had often done before when deported; that on each occasion on which Atta-ullah had been before him (the Diwan) he had demanded payment of his debt and not his mere freedom; that his allowance of Rs. 45 *per mensem* was more than he could earn anywhere, for, leaving out of consideration the irrecoverable debt, he was worth nothing in the world and knew no other profession than that of a horse-dealer, which required capital; that in fixing the subsistence allowance, the singular hardships of the case had been taken into consideration; that Atta-ulla-Khan's meals were cooked at home and brought to him by a servant or by some member of his family; and that his release could not be granted since the only condition on which it could be permitted was one which could not be enforced.

18. In December 1886 Atta-ulla-Khan prayed His Excellency the Governor in Council to direct his release from confinement, and about the same time a petition on his behalf was received by Government from one Aisha Bi, calling herself his sister. These petitions were forwarded to the Political Agent for report. In reply, the latter submitted an exhaustive account of the case from the Diwan-Regent, who reported to the following effect:—

G.O., dated 10th March 1887, No. 169-A.

In October 1886, for the first time after the death of the Raja, he had received a petition from a woman calling herself the elder sister of Atta-ulla-Khan praying for his release in order to enable her to take him to her own country. She had been informed that if Atta-ulla-Khan himself made such a request, it would be considered. Atta-ulla-Khan had then addressed the Diwan-Regent praying for payment of his debt and for his release. In reply it was intimated to him that if he wished to return to Kabul, proper arrangements for his so returning would be considered but that the payment of the debt was, as he well knew, impossible. He had thereupon presented a further petition praying for permission to return to his country whether with or without payment of the debt. On examination by the Head Quarter Inspector of Police as to the genuineness of this petition, Atta-ulla-Khan owned to having written it and stated that if the sum due to him was fully paid, he would leave Pudukottai and return to his country; that if payment was not made and he was released from custody he would seek payment through the Government of Madras; and that if the Government directed him to go back to Puddukottai to obtain payment, he would, of course, return to the State. The surveillance exercised over the Kabuli was not strict. In November 1886 he had assaulted an old debtor of his and was fined Rs. 40 for the offence.

This amount had been paid at once. On this occasion he became very violent and, in January 1887, he seemed to have got worse and was reported by more than one witness to have behaved violently. He had informed the Pudukottai policemen in whose charge he was, that, unless permitted to go to Trichinopoly he would "kill "the important man of the State, who was like an elephant," and commit suicide so that he might thereby establish a name for himself. When examined personally as to having used such language, he replied that as he was no longer able to continue as a State prisoner he would voluntarily put an end to his life in such a manner as to ensure "everlasting glory to his name on the earth."

The Diwan-Regent further stated that he had originally intended to suggest that rather than maintain Atta-ulla-Khan as a State prisoner at a cost of Rs. 45 *per mensem*, exclusive of the proportionate cost of police surveillance which might be placed at the least at Rs. 200 *per mensem*, it would be far better to transport him under police escort, with the permission of the Madras Government, and ensure his being lodged safely on the last stage on the road to Kabul, supplying him there with about Rs. 2,000 with which to reach his home, if a home he still had, and set himself up in some sort of business. The Diwan-Regent, however, considered that after the recent conduct of the Kabuli, so lenient a method of dealing with him was of doubtful expediency.

The Political Agent, in forwarding the above report, stated that he had on several occasions spoken to the Diwan-Regent on the subject and that the latter was quite willing to release Atta-ulla-Khan and give him something to start with in his own country, provided that he could be taken back under guard. Considering the character and disposition of the Kabuli, the Political Agent was of opinion that it would be most dangerous to release him immediately as he would probably attempt some act of vengence.

His Excellency the Governor in Council, on a full consideration of the facts, declined to interfere with the action of the Pudukottai authorities.

19. Aisha Bi, shortly afterwards, again petitioned the Government for her brother's release and was informed that His Excellency in Council, having enquired into the matter, saw no reason to interfere. She then prayed for permission to see her brother and was informed that Government was not aware of any prohibition against her doing so; she was however at liberty to apply to the Diwan-Regent in the matter.

G.O., dated 7th April 1887, No. 270.

G.O., dated 7th June 1887, No. 461.

20. Atta-ulla-Khan next petitioned Government in November 1892 but, as he was reported by the Political Agent to be still obstinate and determined on renouncing neither his debt nor the idea of revenge, Government declined to interfere. Another petition from him in the following June received the same reply.

G.O., dated 24th December 1892, No. 764.

G.O., dated 30th January 1893, No. R-25.

G.O., dated 25th July 1893, No. 497.

21. On receipt of the earlier of the two petitions referred to above the Political Agent was instructed to suggest to the Diwan-Regent that another attempt should be made to get Atta-ulla-Khan out of the State before the young Raja came of age. In reply the Political Agent forwarded a letter from the Diwan-Regent in which the latter strongly deprecated the man's release on the ground of the danger to which the young Raja would be thereby exposed.

22. In November 1894, the Political Agent reported that Atta-ulla-Khan's obstinacy continued and that he would come to no terms although successive Political Agents had offered him lump sums with which to start business or a pension ranging between Rs. 25 and Rs. 50.

23. As to the memorial under report, the Political Agent states that the Diwan has asked Atta-ulla-Khan if he wrote and understood it and if he would accept a monthly allowance of Rs. 50 for life in addition to travelling expenses to his native place, on condition that he would not return to Pudukottai and that he would not ask for further payment.

The Diwan reports as follows:—"He says that he signed the enclosed petitions "and is able to give out their contents. He objected to paragraph 14 of the "petition addressed to His Excellency the Viceroy stating that the writer of it has "not correctly understood him, that it was never his intention to receive the sum "of Rs. 35,000 once offered to him, that he did not so express himself to Mr. L. "C. Miller and that he is willing to leave the State for ever if any proper arrange-"ment were made for the repayment of the loan advanced by him to His late "Highness. He would not accept the terms proposed in the memo."

24. With reference to the statements made by Atta-ulla-Khan as to the hardships and sufferings undergone by him in Jail, the Political Agent states:—

"I questioned the man [redacted] as to what hardships and sufferings he "had undergone in Jail. He stated that what he complained of was ill-treatment "by the constables during his confinement in the Police station previous to one year "ago. He made two specific charges against the Police, viz., (1) that they used "constantly to abuse him for not surrendering to the authorities the bond executed "in his favor by the late Raja (2) that on the Muhammadan fast-days he was not "allowed to take his meals after dark in accordance with the rules of his religion. "On my enquiring whether he has prepared to prove these allegations he admitted "that he could not substantiate them owing to want of witnesses. The authorities "deny that Atta-Ulla-Khan was ever subjected to ill-treatment. He himself allowed "that he had had no cause for complaint since his removal from the Police station "to the common jail in June 1894, and appeared to me to be comfortable and well "cared for in his head quarters.

"The prisoner is at present lodged in a small, but airy, building that was "formerly used as a hospital for females undergoing punishment in the common jail. "He is allowed to obtain on payment from outside the jail without restriction "whatever food he may choose to order.

"He still receives the allowance of Rs. 45 *per mensem*.

25. The Political Agent is of opinion that the terms offered by the Diwan, at his suggestion, were very liberal and that Atta-ulla-Khan's continued refusal goes far to support the late Diwan-Regent's opinion that he does not want to be released at all and is quite comfortable on his present allowance of Rs. 45 *per mensem* with free quarters in the Jail. The present Diwan apprehends that, in the event of Atta-ulla-Khan being released without payment of what he considers due to him, there is a risk of his molesting and annoying His Highness the Raja. In this ~~opinion~~ view the Political Agent agrees with. On the occasion of the visits of the latter to Atta-ulla-Khan last year, his son was very excited and violent and the Kabuli himself expressed his fixed determination to obtain payment of his debt.

26. The Political Agent considers it out of the question to pay the slightest attention to Atta-ulla-Khan's demand for payment. To attempt to ascertain the precise amount due, and to pay him such amount, would necessarily, in equity, involve the treatment of all other creditors of the late Raja in the same way, and this would not only re-open the whole question decided in 1875 but would add to the burden of the people by making them pay (out of State funds) still more for the extravagance of the late Raja, to the benefit of creditors who so grossly ministered to that extravagance.

With these views of the Political Agent, His Excellency the Governor in Council, I am to say, entirely concurs.

1895.

POLITICAL DEPARTMENT.

From the Government of
Fort St. George.

Issued

Recd *Encl.*

Letter, 17th June 1895, No. 386

JUNE.

Atta.ulla Khan

Submitting a report on
e memorial of —, a
ate prisoner a Pudukkottai
questing that he may be
eased and the debt due to him
y late Raja may be paid.

LOCAL AND MUNICIPAL DEPARTMENT.

D. O. No. 252

6
885

From

J. Andrew Esq.

No.

Dated 3.4.95

Received 4/4

Enclosures

SUBJECT.

Rr. the release of the State
Prisoner Atta ullah Khan
Pudukottai:

Ref
Here is another D.O.
flung at my head without
papers. CS
5/4/95

Put up 8/4 8.75 497
20/4/95 25-7-93

PTO

189A
10.7.93
766
29.12.92
461
17.6.93

from to me
Hon
2/4/95

8/4/95.

D.O. No. 252

Trichinopoly

1/385

CHIEF SECRETARY
GOVERNMENT OF MADRAS
4 APR. 1895

Dear Mr Irvine

I am writing by
today's official about the
rewards, &c.,
State Prisoners, I must ~~&~~
attention to your D.O. of 22 Nov 94
on the subject. When you informed
me of the Rs 100 at the disposal
which he became due
receivable. I mentioned this
to, & I don't think I replied
D.O. in your Confidential.

Yours sincerely
J. Cleveland.

CURRENT No. 459

B/385 P.A.

From

The Govt of India

Foreign dept

Telegram recd. from Govt of India Foreign dept
Clerk 1.6.95
Cust No 1077 I

Dated 30. 3. 95
Recd 5 4. 95
Regd 6. 4. 95

Subject

Forwd petn of Attaullah Khan re his imprisonment in the Cudikar Shai State and his claim on account of articles supplied to the late Raja and requests report on the same

1457

No. 1077 I.

9
2385

Government of India.

Foreign Department.

Fort William, the 30th March 1895.

To

The Chief Secretary to the

Government of Fort St. George.

Sir,

I am directed to forward to you the petition of which the particulars are noted in the margin, and to request the favour of a report on the case for the information of the Government of India.

I have the honor to be,

Sir,

Your most obedient servant,

Assistant Secretary to the Govt. of India.

Petition dated the 11th March 1895.

from Athavulla Khan.

Subject Regarding his imprisonment in the Pudukkottai State and his claim on account of articles supplied to the late Raja.

to be returned

F. D. Press. Simla,—No. 123—14-5-95—500.

10/385

To

HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL OF INDIA

CALCUTTA,

The Humble Memorial of Athavullakhan, the unfortunate State Prisoner in Pudukota.

MAY IT PLEASE YOUR EXCELLENCY.

With the most sanguine hope that Your Excellency in Council may be graciously pleased to accord deliberate consideration to the following circumstances connected with Your Excellency's Memorialist's most pitiable case and administer to him that simple justice which has been denied to him in these quarters, Your Excellency's Memorialist humbly solicits permission to lay his case before Your Excellency in Council.

2. Your Excellency's Memorialist is a respectable merchant of Kandahar dealing extensively in valuable Benares and Cashmere clothing, highly valued by native nobility.

3. In the course of his mercantile transactions during which he and his father visited several important towns in India, they paid a visit to Pudukota, where His late Highness Ramachandra Maha Raja borrowed of them articles to the value of nearly Rs. 75000.

4. This debt having remained undischarged for several years and Your Excellency's Memorialist's father having died in the interval, Memorialist was constrained to the necessity of demanding his dues and the consequence has been that instead of his debt being paid or some arrangement made for the satisfaction thereof, he has been dealt with with a treatment so unjust and oppressive that the parallel of which could nowhere be found in the annals of the civilized world.

5. Your Excellency's Memorialist was made a State Prisoner in Pudukota for the simple reason that he demanded the payment of his debt and during the last 15 years of his incarceration, he has been exposed to inexpressible oppression and hardships in Jail.

6. In vain he applied to the State authorities and the Political Agent for Pudukota for redress, and subsequently addressed the Madras Government on the injustice dealt out to the Memorialist, but it is his misfortune that even the Go-

vernment of Madras were not pleased to grant that justice which is his due, inasmuch as they were, Your Excellency's Memorialist believes, misguided by the false representations of Mr. A. Sashiah Sastriar the late Devan-Regent of Pudukota who then stood in their good graces and who looked upon Your Excellency's unfortunate Memorialist as his deadly foe.

7. To give a color to his unjust and arbitrary actions Mr. Sashiah Sastriar falsely and deliberately represented to Government that Your Excellency's humble memorialist threatend to attempt at the life of his late Highness. There was no regular accusation against him to that effect, except the vague and unsupported statement of Mr. Sashiah Sastriar and no justification or explanation was demanded of him. All those rules of justice ordinarily observed by British Courts were entirely set aside in his case; but all on a sudden came the terrible blow & he was sent to jail

8. Your Excellency in Council will surely feel campassion for him, when Your Excellency knows that it is 15 years since he has been put in confinement and that during this length of time, he has been undergoing inexpressible hardships and sufferings in jail. He feels his existence most unhappy and miserable, having been torn away from his native home, from his wife & children, from his friends and relations and consigned to the dullness and isolation of a melancholy solitude. His public career has been blasted, and his wife & children are cast abroad to shift for themselves, and not only he, but also the whole of his family has been completely ruined.

9 Memorialist humbly submits that the amount due by the late Maharaja is nearly Rs. 75000 for which his late highness has executed a bond (True translation of which is herewith enclosed for your Excellency's perusal.

10. During the time of Mr. J. B. Pennington one of the late Political Agents, Memorialist was asked if he would accept Rs 35000 in total satisfaction of his debt; the amount being but a moiety, he declined with the hope that some addition might be made to it and thus arrangements made for discharging at least major portion of his debt.

11. At this stage Memorialist's father's undivided brother's widow, filed a Suit on behalf of her Minor daughter against Memorialist in the Civil Court of Pudukota for her share of this debt and obtained a decree; and in satisfaction of that decree, she was paid by the state Rs 9000 out of the amount of Rs 35000 offered to him and which he declined to accept.

12. It will thus be evident that the state authorities looked upon the said Rs. 35000 as your Excellency's Memorialist's property (else they would not have satisfied the decree passed against him), that they had the amount in their custody on his behalf and for his sake, and were bound to pay it to him whenever he might make a demand. Even this amount was not paid to him nor any other arrangement made for the repayment of his loan for several years.

13. Subsequently during the time of Mr. W. H. Welsh, Political Agent, Memorialist was asked if he would agree to accept a monthly allowance of Rs. 200 for life and leave the state for good. Memorialist submitted that he was quite prepared

to leave the state for ever, if a suitable arrangement was made for the satisfaction of his debt or at least a major portion thereof.

14. Again during the time of Mr. L. C. Miller Political Agent, memorialist was asked if he would accept Rs. 2000 and leave Pudukota for ever and submitted that he would leave the territory and will never return, if at least the amount of Rs. 35000 already offered to him was paid.

15. Memorialist respectfully begs to submit that he is undergoing hardships and pining in sorrow in Jail.

16. He begs submissively to ask whether all this cruelty inflicted on him for the simple reason that he demanded what by law is his legal right, becomes any benign and Civilized Government.

17. Memorialist is aware that your excellency's just and humane Government is ever bent on administering justice and clemency and he therefore appeals to your excellency in council with all the entreaty of a really helpless, unfortunate and miserable man and trusts that Almighty God will not let his appeal go in vain.

18. He therefore most humbly begs that your excellency in council may be graciously pleased to take all the circumstances of his deplorable case into your excellency's benign consideration and order the payment of his just and lawful debt and his release from prison.

For which as in duty bound he shall ever pray.

Pudukotah,
//—3—95.

عطاوالله خان

Translation of deed executed by the late Maha Rajah of Pudukotah to Athavollakhan.

Simple debt bond executed by M. R. Ry. Ramachandra Tondiman Bahadur Avergal of Pudukotah Territory to Athavollakhan, son of Abdullakhan, Benaras cloth Merchant of Kabul, Kandahar now in Pudukotah on the 12th day of April 1872, corresponding to the first day of Chithrai of Angirasa year according to Calendar. Previous to this I have executed on the 14th September 1871, a simple loan bond for Rs. 680 in favor of your uncle Abdul Rhahim Khan after settling accounts with him up to that date regarding a simple loan bond executed by me in his favor on the 29th August 1871 corresponding to 10th Auvani of Prajothpathi year of tamil Calendar for Rs. 68905—9—0; another Bond executed by me in your favor on 20th November 1871 for Rs. 351; another bond executed by me in your favor on the 29th December 1871 for Rs. 515; another bond executed by me in your favor on the 28th February 1872 for Rs. 550; Rs. 265 due to you from me for cloths purchased from you by me up to 18th Masi of the year Prajothpathi. In settling all accounts with you including the above mentioned, it is found that the net amount that I owe you now is Rs. 73133-10-8. I agree to pay you without discount this amount with interest thereon at 12 percent per annum on the

11th September ensuing. If payments on account of this bond be made by me the same shall be entered here in and any payment otherwise pleaded shall not be valid. I executed this bond and took from you detailed accounts for the above amount.

(Signed) MAHARAJAH Avl.

On the 22nd of July 1873 payment towards amount of this bond Rs. 1500,

Do. on the 10th December 1873 Rs 1500.

Do. on the 17th January 1874 Rs 100 towards the principal of this bond.

Do. on the 7th Mrch 1874 Rs 500. But Rs 400 will be paid this month and Rs 100 in April ensuing,

Do. Through the Dalayat Chokalingam Rs 250 on the 31st June 1874.

Do. Through the Dalayat Chokalingam Rs 190 on the 14th July 1874.

(As near a translation as can be from the original).

Pudukota
11th March 1895

Enc to Letter No. 96-0/519
of 3-4-95 from Pol Agent

Subject

Petition from the State
prisoner Attamilli Khan

OFFICE OF THE
POLITICAL AGENT FOR PUDUKKOTTAI,
Trichinopoly, 3rd April 1895

No. 96-0/519. 12/385

N. 5-4-95.

FROM

James Andrew. Esquire.

POLITICAL AGENT FOR PUDUKKOTTAI,

TRICHINOPOLY.

To

THE Chief Secretary to Government
Political Department
Madras

SIR,

I have the honor to forward a petition addressed by State Prisoner Attamilli Khan to His Excellency the Viceroy asking that orders may be issued for his release from Prison and the payment of what he calls his "just and lawful debt."

2. As I only received the yesterday Dewan's report on the subject, I am having perused the petition to him to see if the petitioner had actually sent it and understood the contents the same not having come through the Jail authorities and as I have over charge today, I regret the

I have found it impossible to go through all the former correspondence in order to criticise in detail the misstatements contained in the petition. As I am however familiar with the whole question, I think it as well to forward the petition at once, without troubling my successor, as Government is acquainted with the facts which led to the State prisoner's incarceration. I would here refer to the correspondence ending with Government order dated 15th July 93 No 497 Political in which Government declined to interfere on his behalf].

As to his present request the Diwan who asked the prisoner if he wrote and understood the petition and if he would accept a monthly allowance of Rs. 50 for life in addition to passage money to his native place on condition that he would not return to this part of country and that would not ask further payment, reports as follows:— He says that "he signed the enclosed petitions and is able to give out the contents. He objected to para 14 of the petition addressed to His Excellency the Viceroy stating that the writer of it has not correctly understood him, that it was never his intention to receive the sum of Rs 35,000 once offered to him, that he did not so express himself to Mr L.B Miller and that he is willing to leave the State for ever if any proper arrangement were made for the repayment of the loan advanced by him to His late Highness. He would not accept the terms proposed in the memo."

4. From this you will see that he is as extravagant as ever in his demands, and will not accept even Rs. 35,000 ~~or~~ in fact anything less than what he considers his just dues. The terms offered by the Diwan — at my suggestion — were very liberal and his continued refusal goes for to support the late Diwan Regent's opinion that he does not want to be released at

t all and is quite comfortable
his present allowance of Rs 45
er diem with free quarters in
e jail.

As to the risk of his molesting
annoying with His Highness the
Raja in the event of his being
released without payment of what
he considers due to him, the Diwan-
agreeing with the late Diwan Regent-
considers that there is risk, and in
his opinion I concur. When I said
him last year, his son became very
xcited and violent on two occasions,
nd on one occasion when I asked
he prisoner what he would do if
released without payment of his
laim he said he would prostrate
imself before me in the Streets
nd failing that he would do the
ame to His Highness and failing
hat he said he would go to Madras
nd lie down in the road before
His Excellency the Governor's carriage.

The terms offered are
very liberal and I think it out of the
question

question to pay the slightest
attention to his demand. To attempt
to ascertain the precise amount due
and to pay him such amount, would
necessarily, in equity, involve the
treatment of all the other creditors
of the late Raja in the same
way, and this would not only reopen
the whole question decided by Government
order dated 9th April 1875 Rs. 212 but would
add to the burden of the people
by making them pay (out of State funds)
still more for the extravagance of the
late Raja for the benefit of his
creditors who so grossly minimised of
his Extravagance.

I have the honor to be,
Sir,
Your most obedient servant,
C. Brandreth
Political Agent

1895.

Pol. Department.

From.

The Political Agent
for Pudukkottai

To.

The Chief Secretary
to Government
Pol. Dept.
Madras.

Dated 3rd
Despd. 5th } April 1895
Recd 6
Read
Copy rec'd in Judl. Dept. on 6 APR 1895
Judicial Office, GOVERNMENT OF MADRAS
Enc. one.
CS 1/55 1.95 Subject

Thanikachalam. State Prisoner.

Submitting the memorial from ——

Hd
Order
No.

It is observed that the alleged has already forwarded this petition to the Govt of India direct instead of through this Government. The Pol. Agent will inform the Petr that this procedure was irregular.

2. A report on his case will now be forwarded to the Govt of India and its orders, when received, duly communicated to the Petr.

Pol. Agent
Pudukkota

WD
1.5.

CONFIDENTIAL No. 123

[G/10]

DEPARTMENT.

Do.

15/385

From

J. Andrew Esq. ICS.

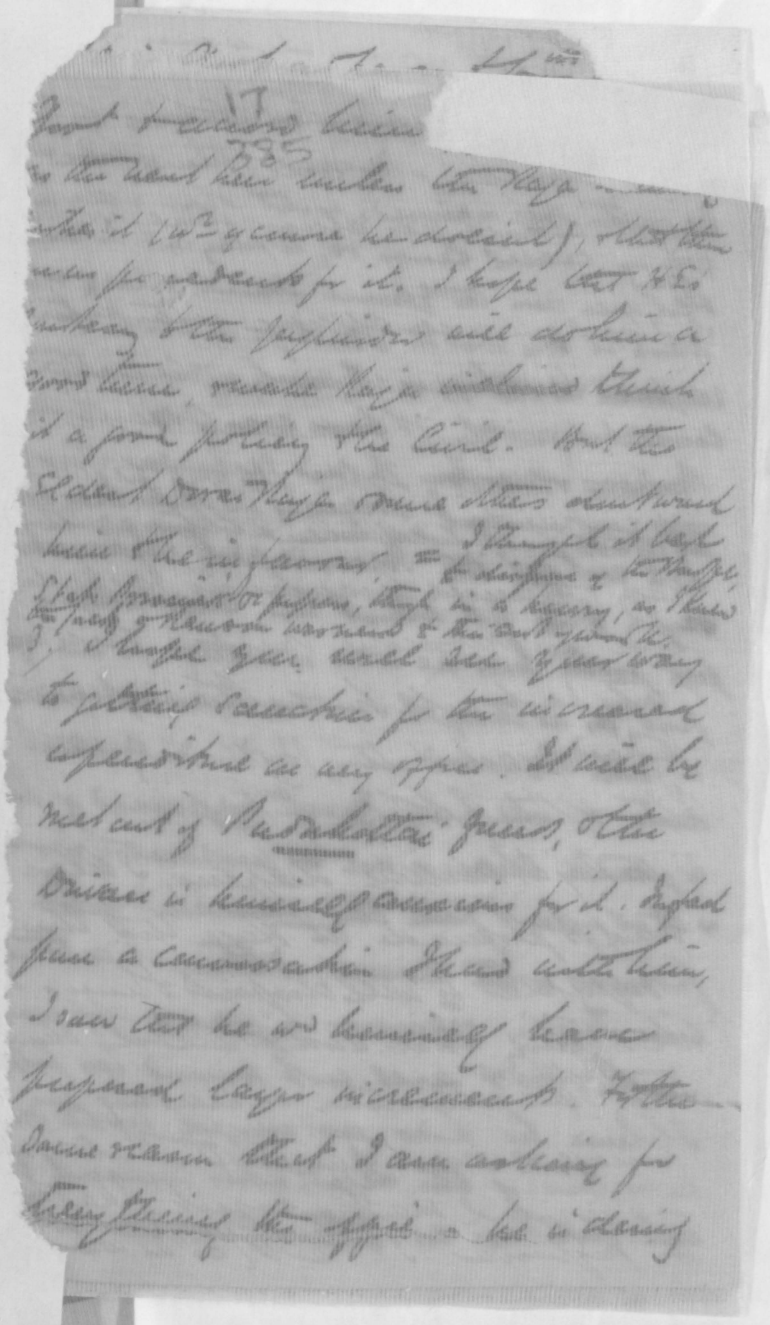
No.

Dated 6 } April 1895
Received 9
Enclosures

Papers received 20/4/95

SUBJECT.

Regarding visit of the Dowai Raja (of Pudukkotta) to Madras. increased expenditure in the Office of the Pol. Agent, Pudukkota, the Chairmanship of the Trichinopoly Municipality &c.



Copy of Letter

Brantford

August 6. 85

10
85

Dear Mary

I was very glad
to receive your letter & learn I called
at the right time. Have had
a few things about which I wanted to
consult Mr Hamilton. I wrote you some
appeals to Mary Elizabeth including the
Budget Estimate. There is such a
rush I must hurry up into clothes
as my aunt has invitations to make
for the Duke Princess & Louise
Mr Brown, the Mary Lyon, Elizabeth
Mr Bright Robinson, Duke Manners Sutton,
& send the Letter in pursuance of
Regulations &c / & this evening of them
Bank at Can't remember last time to
Fine, & [illegible] by my bright [illegible]

[illegible] that [illegible] of the
[illegible] feeling as well. I am glad to
say the change has already stood us in
good.

2. I hope you will approve of the notice
appearing in the Advocate in answer to the
letter from Raja in the Times. It is quite
plain that a Party, & some of the who
stirred up the ill feeling between the
Raja & Chinese Association [illegible]
about the Mercantile Marine, [illegible] is likely
to take part with his wife in preparing
the Raja against the Jaffna Tamils.
Colin is likely to have a hard time of
it & the Raja's visit the days are
said to [illegible] the Raja has
Jaffna as well as [illegible] I
am so glad that Lord Carlisle showed
Jaffna
him attention in spending his
Carriage & [illegible] at the Kachcheri
as a personal mark of respect. I hope
the Jaffnamen [illegible] [illegible]

P.S. I got as far as [illegible]
I believe Sambandhen is one of them,
but of this I am not sure). Father Laurie
was at the municipal meeting (as well
as Saint Vickers) & endorsed his
letter but [illegible] they became they
said he [illegible] first [illegible] and
passages disrespectful [illegible] I believe he pardons so.
They do
told me that they misunderstood the
object of the vote, & thought their vote
only meant that they approved of the
proposal that the Chairman [illegible]
at liberty [illegible] of the letter, without
implying that they approved of the contents.
They blundered however as the Resolution was perfectly clear. Hope
we shall have a paid official
or Chairman soon. 17/3/85

It is getting late & I shall
stop. With kind regards
Yrs Sincerely Blanchard.

Political Dept

D.O. 875 / 11.12.95 Memo was Read and put up in the file before C.S. 18/385

Memo 1073 / 18/5/95.

The Political Agent Sudutta is requested to report, at a very early date, on the allegations made by Atta-ulla Khan in his Memorial of the 4th March 1895 as to the hardships & sufferings undergone by him in Jail - It should also be stated where the Kabuli is at present lodged. Mr. Andrew reported in a D.O. of the 15th December 1894 that he was removed to the Common Jail on the 12th June 1894 - It is understood that he still receives the allowance of Rs 45 p.m. "-

C.S. / 16.5.95

18/5/95.

Pr. Agent Sudukottai (C. No 472 & with copy of Memo. to be returned)

Dept

and what arrangements he is permitted to make as regards his meals.

Note for Mr. C.S.

This is submitted as the reference to Mr's remarks - Para 7 of the letter has been made clearer & a clear proof will be obtained whilst the Pr. Agent is replying to this Memo

C.S.

urgent CURRENT NO. 748

OFFICE OF THE
POLITICAL AGENT FOR PUDUKKOTTAI,
Trichinopoly, 1st June 1895

Ref. on. cur. No. 96-0.

From 19/385

E. A. Edwin Esquire.
POLITICAL AGENT FOR PUDUKKOTTAI,
TRICHINOPOLY.

To
The Chief Secretary
to Government. Pol. Department
Ootacamund.

Sir,

With preference to Political memo-
-randum No. 1073 dated 18.5.95 and
reminder dated the 29th idem, I have the
honor to inform you that I propose
visiting Pudukkottai on the 5th instant
and ~~will~~ shall. after personal enquiry -
report in detail with preference to the
subject referred to therein.

I have the honor to be
Sir
your most obedient Servant
E.A. Edwin
for
Political Agent for Pudukkotta

1895 No. 748

Pol. Department

From

The Political Agent
for Pudukkottai
Trichinopoly

To.

The Chief Secretary
to Government
Pol. Department
Ootacamund

Dated 1st
Despd. 1st } June 1895
Recd.

Ref. mem. No. 96—0

Enc. ..

Subject.

Attaullah Khan - State Prisoner.

Informing that hardships
undergone in jail by —
will be duly reported —
on personal enquiry after
visiting Pudukkottai.

To await receipt of the
report —

CHIEF SECRETARY'S OFFICE
3 JUN. 1895
GOVERNMENT MADRAS

CURRENT No. 771

OFFICE OF THE
POLITICAL AGENT FOR PUDUKOTA,

Ref on corr. No. 96-6 Camp Pudukkottai

20/385 Trichinopoly, 6th June 1895.
Recd 8th do

From

E. A. Elwin Esquire.

POLITICAL AGENT FOR RUDUKOTA,
TRICHINOPOLY.

To

THE CHIEF SECRETARY TO GOVERNMENT,
POLITICAL DEPARTMENT,
MADRAS.

Sir

I have the honor to reply to your memo No. 1073 / 18.5.95 × about the Pudukkottai State prisoner Attaullah Khan. I have made personal enquiries into the matters on which Government required to be informed.

× Enclosure is returned herewith

Dictd [2] I questioned the man [this morning] as to what hardships and sufferings he had undergone in Jail. He stated that what he complained of was ill-treatment by the constables during his confinement in the Police station previous to one year ago. He had two specific charges against the Police

Police, viz: (1) That they used constantly
to abuse him for not surrendering
to the authorities the bond executed
in his favor by the late Raja (2)
that on the 9th Ramadan Arrival last - days
he was not allowed to take his
meals after dark in accordance
with the rules of his religion. On
my enquiring whether he has prepared
to prove these allegations he admitted
that he could not substantiate them
owing to want of witnesses. The
authorities deny that Atta-ulla
Khan was ever subjected to ill-treatment,
or himself alleged that he had
had no cause for complaint since
his removal from the Police Station
to the common Jail in June 1894, and appeared
to be very comfortable and well cared
for in his new quarters.

The prisoner is at present
lodged in a small, but airy building
that was formerly used as a hospital
for

for females undergoing punishment
in the common Jail. He is allowed
to obtain on payment from outside
the Jail without restriction whatever
food he may choose to order.

[4.] [The presumption that he] The
receives the allowance of [Rs 4 5...
per diem is correct.]

I have the honor to be,

Sir,

Your most obedient servant

Political Agent

6.6.95

Pol. Dept.

CURRENT No. 771

875/94
163/94
184/93
497/93
R25/93
764/93
1585 & 21.7.87
461
270 } 187
189 A.S

1895

Department

512
369 } 180
306

875/92
486 } 88
25
212 } 90

From E. A Elwin Esqr.

The Political Agent

for Pudukota,

Trichinopoly.

CHIEF SECRETARIAT GOVERNMENT OF MADRAS 3 JUN. 1895 RECEIVED

To

The Chief Secretary to Government,

Political Department,

MADRAS.

Rotacamund

Dated 6th
Despd 6th } June 1895
Recd

Reference No. 96-6

Enclosure one

Subject

State Prisoner Atta Ullakhan.

Reporting on the

25

20. Atta-ulla-Khan next peti... he wa... obst... debt... to ... follo...

G.O., dated 24th December 1892, No. 764.
G.O., dated 30th January 1893, No. R-25.
G.O., dated 25th July 1893, No. 497.

21. On receipt of the earlier ... cal A... Regen... Atta-ulla-Khan out of the State befor... Political Agent, forwarded a letter ... strongly deprecated the man's releas... young Raja would be thereby expose...

Confidential No. 154 of 1893.

22. In November 1894, the P... obstin... terms ... offered him lump sums with which t... Rs. 25 and Rs. 50.

Confidential No. 163 of 1894.

23. As to the petition under re... has asked Atta-ulla-Khan if he wro... accept a monthly allowance of Rs. 5... his native place, on condition that h... would not ask for further payment.

The Diwan reports as follows:—
"and is able to give out their con...
"petition addressed to His Excellen...
"not correctly understood him, that...
"of Rs. 35,000 once offered to him...
"C. Miller and that he is willing to ...
"ment were made for the repaym...
"Highness. He would not accept ...

The Political Agent considers ... suggestion, were very liberal and the... to support the late Diwan-Regent's... at all and is quite comfortable on hi... free quarters in the Jail. The pr... Atta-ulla-Khan being released with... there is a risk of his molesting an... opinion the Political Agent concu... to Atta-ulla-Khan last year, his son ... himself expressed his fixed determin...

The P...tical Agent considers ... attention to ...tta-ulla-Khan's dema... precise amo...t due, and to pay hi... involve the treatment of all other c... this would not only re-open the wh... the burden of the people by making ... the extravagance of the late Raja ... ministered to that extravagance.

With these views of the Polit... Council, I am to say, entirely conc...

...vernment in November 1892, but as ...ed by the Political Agent to be still ...etermined on renouncing neither his ...n of revenge, Government declined ... Another petition from him in the ...e received the same reply.

...petitions ~~from~~ referred to the Politi... instructed to suggest to the Diwan-... another attempt should be made to get ...oung Raja came of age. In reply the ... the Diwan-Regent in which the latter ... ground of the danger to which the ...

... Agent reported that Atta-ulla-Khan's ...tinued and that he would come to no ... successive Political Agents had ... business or a pension ranging between ...

... Political Agent states that the Diwan ...derstood the petition and if he would ... in addition to travelling expenses to ... return to Pudukottai and that he ...

... that he signed the enclosed petitions ... objected to paragraph 14 of the ...proxy stating that the writer of it has ...never his intention to receive the sum ... did not so express himself to Mr. L. ...ate for ever if any proper arrange... ...loan advanced by him to His late ...proposed in the memo."

... terms offered by the Diwan, at his ...a-ulla Khan's continued refusal goes far ...on that he does not want to be released ...allowance of Rs. 45 *per mensem* with ... Diwan considers that in the event of ...ment of what he considers due to him ...ing His Highness the Raja. In this ... the occasion of the visits of the latter ...ry excited and violent and the Kabuli ...obtain payment of his debt.

... of the question to pay the slightest ...payment. To attempt to ascertain the ...amount, would necessarily, in equity, ...s of the late Raja in the same way, and ...tion decided in 1875 but would add to ...pay (ous of State funds) still more for ...benefit of creditors who so grossly ...

...ent, His Excellency the Governor in ...

J. F. PRICE,
Chief Secretary.

Ja - Wla Khan

Z: Ula Sreenivas

Note for Mr. Ilse Sec.

The draft is a long one but it appears
desirable to give an account of the
case as it is as the latter
a peculiar one - I have had
the draft re-typed which when
compared with that originally
sent up, I do not see
how it can be cut down
any much more

DD
16/5/55

submitted an exhaustive account of the
to the following effect:—

In October 1886, for the first time
a petition from a woman calling herself
for his release in order to enable her to
been informed that Atta-ulla-Khan hims
sidered. Atta-ulla-Khan had then ad
payment of his debt and for his release
wished to return to Kabul, proper arran
considered and that the payment of t
He had thereupon presented a further pe
his country whether with or without pa
Head Quarter Inspector of Police as to t
ulla-Khan owned to having written it a
~~would~~ fully paid, he would leave Pudukotta
ment ~~were~~ not made and he ~~were~~ release
through the Government of Madras; a
him to go back to Puddukottai to obtain p
the State. The surveillance exercised ove
ber 1886 he had assaulted an old debtor of
This amount had been paid at once. On t
in January 1887 he seemed to have got wo
witness to have behaved violently. He ha
whose charge he was, that, unless permitte
"the important man of the State, who was
so that he might thereby establish a name f
as to having used such language, he repli
tinue as a State Prisoner he would volunta
manner as to ensure "everlasting glory to

The Diwan-Regent further stated that
that rather than maintain Atta-ulla-Khan
per mensem, exclusive of the proportionate
be calculated at ~~lowest~~ at Rs. 200 *per mense*
him under Police escort, with the permi
ensure his being lodged safely on the last st
him there with about Rs. 2,000 with which t
had, and set himself up in some sort of
considered that after his recent conduct, so
was of doubtful expediency.

The Political Agent, in forwarding the
several occasions spoken to the Diwan-Regen
was quite willing to release Atta-ulla-Khan
in his own country, provided that he could b
ing the character and disposition of the Kabu
that it would be most dangerous to release h
attempt some act of vengence.

His Excellency the Governor in Council,
declined to interfere with the action of the P

19. Aisha Bi, shortly afterwards, again
brother's rele
cellency in Co
She then prayed
was informed
any prohibition
ever at liberty to apply to the Diwan-Regent

G.O., dated 7th April 1887, No. 270.

saw no reason to interfere.

G.O., dated 7th June 1887, No. 461.

om the Diwan-Regent, who reported

eath of the Raja, he had received
sister of Atta-ulla-Khan praying
im to her own country. She had
e such a request, it would be con-
d the Diwan Regent praying for
reply he was informed that if he
ts for his so returning would be
t was as he well knew, impossible.
praying for permission to return to
of the debt. On examination by
uineness of this petition, Atta-
ated that if the sum due to him
return to his country; that if pay-
n custody he would seek payment
hat if the Government directed
t, he would, of course, return to
Kabuli was not strict. In Novem-
el was fined Rs. 40 for the offence.
asion he became very violent and
was reported by more than one
ued the Pudukottai Policemen in
to Trichinopoly he would "kill
elephant," and commit suicide
lf. When examined personally
he was no longer able to con-
an end to his life in such a
on the earth."

originally intended to suggest
te Prisoner at a cost of Rs. 45
lice surveillance which might
be far better to transport
the Madras Government, and
e road to Kabul, supplying
is home, if a home he still
The Diwan-Regent however
nethod of dealing with him

ort, stated that he had on
subject and that the latter
im something to start with
k under guard. Consider-
tical Agent was of opinion
ely as he would probably

consideration of the facts,
authorities.

the Government for her
as informed that His Ex-
enquired into the matter,
ion to see her brother and
rnment was not aware of
doing so; she was how-

he found himself much more com[illegible] he had been for years past; and that his apparent contentedness to [illegible] was, was accounted for, to some extent, by the fact that if he were [illegible] it would only be to re-enter the Jail as a Civil debtor, his creditors ha[illegible] moved the Court for his incarceration.

In submitting the above rep[illegible]s, the Political Agent drew the attention of Government to the tenour [illegible]'s letter, which expressed forcibly the dread he entertained of the Kabul [illegible]d that the Sirkele had explained to him, confidentially, that he wishe[illegible] the man's confinement in the Civil Jail because of the odium that [illegible] to such a confinement from the fact that if he were only paid the mon[illegible] due to him from the Raja he could clear his own debts. The Politic[illegible]arther reported that he had spoken to Atta-ulla-Khan on the subject of [illegible], or rather surveillance (for he went about freely though attended by [illegible]nd he appeared to prefer it to any other circumstances under whic[illegible] reside at Pudukottai, except those which would attend the payment [illegible] claim by the Raja. The Political Agent expressed the opinion that [illegible]rnment saw fit to sanction the detention of Atta-ulla-Khan as a [illegible]isoner it would be as satisfactory a solution of the difficulty as could [illegible], as if Atta-ulla-Khan found detention irksome, he would probably [illegible]cape from the State and would not return for fear of being again pla[illegible]rveillance.

The Government intimated [illegible] objection to the Pudukottai Minister taking such means as might rece[illegible]val of the Political Agent by way of preventive measures against the [illegible]eedings.

16. Atta-ulla-Khan continu[illegible]eillance in a spacious room of the Police Head Quarter Office at Pu[illegible]

17. In 1885, the Political [illegible]g received two petitions, one from Atta-ulla-Khan requesting his re[illegible] other from his son requesting his father's [illegible] with payment of [illegible]ested the Diwan to consider whether it would not be possible to relea[illegible]gether and to send him back with his family to his native place on [illegible]s not returning.

The Diwan reported that t[illegible]e slightest objection to the release on the condition mentioned. H[illegible]wever, that Atta-ulla-Khan dated his domicile in Pudukottai fro[illegible]n his so-called uncle commenced dealings with the Raja; that he [illegible] Pudukottai and had children, and there seemed, therefore, to be [illegible]his leaving the State or if he quitted it of his not returnin[illegible] no law or power to prevent him repeating at any time what he [illegible]fore when deported; that on each occasion on which Atta-ullah [illegible]im (the Diwan) he had demanded payment of his debt and not [illegible]; that his allowance of Rs. 45 *per mensem* was more than he coul[illegible] for, leaving out of consideration the irrecoverable debt, he was [illegible] the world and now no other profession than that of a horse-de[illegible]quired capital; that in fixing the subsistence allowance he (the [illegible] into consideration the singular hardships of the case; that [illegible]eals were cooked at home and brought to him by a servant or [illegible] his family; and that his release could not be granted since th[illegible] which it could be permitted was one which could not be enfor[illegible]

18. In December 1886 [illegible]d His Excellency the Governor [illegible] his release from confinement, [illegible]me a petition on his behalf was [illegible] herself his sister. These peti-

G.O., dated 10th March 1887. No. 189-A.

received by Government fro[illegible] report. In reply, the latter tions were forwarded to t[illegible]

Atta-ulla-Khan might, for the time, be de
Code if he were likely to become dangerous

12. The Magistrate, who was instruc
against the Kabuli under Section 491 of th
the only legal provision under which his or
grounds were disclosed to justify action ag
thereupon intimated to the Political Agent
at large one from whom the ruler of the
Atta-ulla-Khan as a ~~kind of~~ State prison
allowance of Rs. 45 *per mensem*, sanction to
The Political Agent accorded this sanction
of His Excellency the Governor in Counc

13. The Government, in passing o
reason for
G.O., dated 13th July 1880, No. 306. alleged thr
using legal measures for the recovery of
nothing unlawful, and that if he had go
violence to the Raja, the law would of cou
that the proper course was to make a
The Political Agent requested to rep

14. In reply to this the Political A
in which
G.O., dated 16th August 1880, No. 369. Atta-ulla-
other creditors of the Raja who had le
claim was out of the question
the recovery of his as the Raja
treasury had been declared irresponsib
duct in uttering the threatening langu
large and that the attempt to bring him
ful.

In forwarding this letter the Polit

"The Sirkele looks on the case fr
"a Magistrate can adopt. He knows
"that Atta-ulla-Khan can get no redr
"a fierce revengful race, that he has
"used threats or not, it is very likely
"on the first opportunity. A Magis
"these and the question is whether s
"the ruler of the State by removing f
"be dangerous to him and, if so, how

Upon this, the Government dire
that if he attempted any personal ar
summarily dealt with both by the
should he desire to remain in Puduk
aggressive acts.

15. On this order being comm
Politi
G.O., dated 5th December 1880, No. 512. fears.
continued to be detained under su
liberal subsistence allowance of Rs.
not complained to the Sirkele in re

with under the Criminal Procedure

the Sirkele to take proceedings
inal Procedure Code, which was
was of opinion that no sufficient
the man thereunder. The Sirkele
feeling himself not at liberty to set
feared danger he had detained
had granted him a subsistence
tinuance of which was requested.
bmitted the matter for the orders

bserved that it saw no sufficient
ring and pointed out that if the
the Kabuli merely referred to
night be due to him, ~~there was~~
nd this and threatened personal
him. It expressed the opinion
of the man's equitable claim.
tails of the case.

bitted a report from the Sirkele
drew attention to the fact that
in no worse a position than 41
lost; that a settlement of his
be holding out a inducement to
legal measures open to him for
nable to any Court; that the
ts; that but for his own con-
to him he might have been at
minal law had been unsuccess-

ated as follows:—
point of view from that which
occupies a peculiar position,
that Atta-ulla-Khan comes of
nged and that whether he has
es revenge and may take it
al with probabilities such as
are not necessary, to protect
urhood a person so likely to
n be made effectual."

lla-Khan should be warned
t to the Raja he would be
British authorities and that,
required to abstain from any

a, he again addressed the
the Sirkele re-iterating his
rred that Atta-ulla-Khan
d as a State Prisoner on a
and family; that he had
that, as a State Prisoner,

benefit of his creditors in obedience of t
claims received exactly the same considera
tors; and the instalments amounting in a
balance in his favor of Rs. 18,778. On the
it was notified to all the creditors, includin
ments would be made.

8. Whilst in the civil prison Atta-ulla
ing and threatening language towards th
Political Agent and the Raja expressed fea
the time came for the release of the Kabu
directed that, on being set at liberty, he
Police, and escorted outside the limits of th
and that in the event of his returning
followed. He was released from the Civ
duced before the Political Agent. The
the Raja, knowing the violent character
believed he would be never free from
remained unpaid. The Sirkele request
prevent Atta-ulla-Khan re-entering Pudu
ensuing peace. The Political Agent pe
he had threatened the Raja with violen
that if he did, he would be at once re-a
He was also warned that if there was a
the peace, he would be at once bound o
be imprisoned. The Political Agent co
give this creditor any payment in prefe
by the Raja.

9. Shortly afterwards, the Poli
Atta-ulla-Khan might be allowed to re
his business matters, security being fo
Sirkele, on behalf of the Raja, repr
daring; that he had stated in a peti
property than what was due from th
pleasure at Pudukottai; that his mot
a disturbance; that he was likely to c
under a guard; that judgment cred
his incarceration; and that, being a
under a sense of having been ruined a
shown any consideration.

10. In August 1879, Atta-ulla
mission and from statements made
Police and to the Sirkele, it was evi
State as long as his debt remained u
Agent's order referred to in para. 8
accomplished without compulsion a
to threaten the use of handcuffs.

11. He subsequently returne
In November 1879 he returned a
Quarter Office. The Sirkele once
the Raja urged the necessity for
repeating his visits to Pudukot
detained as a State Prisoner but sh
in the peculiar circumstances of

junctions of the Civil Court. His
as those of other unsecured credi-
Rs. 13,005, left an unliquidated
on of the last instalment in 1882,
ulla-Khan, that no further pay-

was reported to have used insult-
This was represented to the
noyance, insult and danger when
e Political Agent consequently
be immediately arrested by the
ottai Territory and there released
tate, the same course should be
the 18th March 1879, and pro-
the same time represented that
n, entertained serious fears and
ctiveness so long as his debts
fectual steps might be taken to
rritory, pending some means for
formed Atta-ulla-Khan that as
not return to Pudukottai and
d conveyed out of that State
of his committing a breach of
y security and in default would
at it was out of the question to
e other creditors, as suggested

suggested to the Sirkele that
ukottai for six months to settle
ood behaviour. In reply, this
Atta-ulla-Khan was and
vil Court that he had no other
here was no necessity for his
there was simply to create
il intent even if he were kept
to move the Civil Court for
very powerful man smarting
the Raja, he should not be

to Pudukottai without per-
Head Quarter Inspector of
not intend to keep out of the
der the terms of the Political
n exported, but this was not
olice had found it necessary

d was deported to Tanjore.
lodged in the Police Head
Political Agent on behalf of
to prevent Atta-ulla-Khan
at the Kabuli should be
e consideration due to him
tal Agent intimated that

Nothing is said in this letter about the "intolerable oppression & hardship" experienced by the petitioner in jail.
If I remember right this matter was looked into a little while ago. A reference should be made to it - more circumstantial than is done in the letter - v. paras. 16 & 17.
Also my remarks on para 7.
G
16 May

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TH MAY 1895 LITICAL.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

POLITICAL DEPARTMENT.

READ—the following papers :—

Letter from the Government of India, Foreign Department, dated 30th March 1895, No. 1077-I forwarding report petition from Atta-ulla-Khan, regarding his imprisonment Pudukottai State and his claim on account of articles supplied e Raja.

C. No 459.

Letter from the Political Age ottai, dated 3rd April 1895, No. 96-O / 519, submitting Memorial the Government of India.

from Atta-ulla Khan

C. No 472

ORDER—dated 17th May 1895, No
Ordered that the Government

To the Political Agent, Pudukottai.

LETTER—to the Secretary to the
30th March 189

In reply to Captain Daly' directed to submit, for the inform report on the case of Atta-ulla-K

2. Atta-ulla-Khan is, acco
D. O. No. 414 of 1893, (a continuation of D. O. No. 164, dated 18th October 1893.)
course of their wandering, the dealings with the late Raja.

3. An emphatic warnin in 1854 that all persons supp It was nevertheless found in borrowing money, the Raja h or fifteen times the sum len and judicious arrangements 4½ lakhs then in the State claims against him.

Nov
DO. 419/1893 in Confidential No 154 13.10.93

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Pud/131/5

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C. No 459 & 472.
D.O. No 252
Confdl. No 123.

C. No 459.

C. No 472

cil.
il be addressed.
t.)

J. F. PRICE,
Chief Secretary.

f India, Foreign Department, dated
litical.

30th March 1895, No. 1077-I, I am Government of India, the following prisoner in Pudukottai.

wn statement, a Pathan of Candahar. various parts of India with one Abdul whom be originally alleged to be his and apacity of cloth merchants, the ottai, where the latter entered into

idest publicity was given, was issued by this Government on credit did so at their own risk. ja's debts amounted to 15 lakhs. In known to sign bonds for even ten ticipated that, under careful scrutiny by the Political Agent, the sum of far towards a full settlement of all

4. The Right Hon'ble the Secretary of State for India, to whom the above facts were report[illegible] while expressing his regret that it had been deem[illegible] necessary to again move in the matter, was [illegible] to direct, that, after devoting the Treasury ba[illegible] above-mentioned to the extinction of the existing debt, there should [illegible] be an entire abstention on the part of the Government from the Raja's pri[illegible] irs.

Despatch dated 10th September 1874, No. 10, Political.
[G. O., dated 1st December 1874, No. 486, Political.]

The Political Agent, admitting it to [illegible] probable that many fictitious sums might [illegible] included a very diligent scrutiny [illegible] nished, in January 1875, an account showing as the total amount pa[illegible] the 31st December previous Rs. 9,85,568-8-0, of which nearly 3 lakhs w[illegible] down as interest.

G.O., dated 29th January 1875, No. 66.

The instructions of the Secretary of [illegible] being clear, the Government declared its fixed determination on no ac[illegible] ssign a rupee over the 4½ lakhs available, towards the discharge of the Raj[illegible] liabilities, out of the revenues of a State, where so many reforms we[illegible] ly needed and where so much public money had already been diverted fr[illegible] nate expenditure by the follies and extravagance of its ruler. The last [illegible] ja's debts had been taken in hand, the process of liquidation had conti[illegible] many years; the resolution made by the Government to interfere no fu[illegible] notorious. Many petitioning creditors had been referred to it [illegible] the Governor in Council was unable to admit that the absence of a direct[illegible] ation created any presumption in favor of a second intervention on the part [illegible] less was required that actual warning should be given to every creditor [illegible] in the settlement then made.

It was therefore decided that, so far a[illegible] lakhs would [illegible] the debts of the Raja might be settled. The [illegible] els and the ornaments of the ladies of the family which had been mo[illegible] could be first redeemed after which the balance was to be appropriated [illegible] hose who might be deemed to have the best claim to consideration. Cre[illegible] g in the State of Pudukottai itself or in the adjoining districts would [illegible] ved by Government naturally not be of this preferential class, the presu[illegible] heir case of a full knowledge of the risk they were running being of th[illegible] character possible.

5. On investigation it was found th[illegible] of the Raja's admitted debts amounted [illegible] four lakhs being secured by the mort[illegible] s and the State head-dress and the remainder being unsecured. [illegible] d debts, three lakhs were liquidated by handing over the jewels pl[illegible] tors, the remaining one lakh being paid in cash. This arrangement [illegible] be distributed amongst the balance of the creditors whose claims am[illegible] khs.

G. O., dated 27th September 1875, No. 625.

6. In October 1875, His Excelle[illegible] nor in Council once again remarked [illegible] tlement lately sanctioned for "the pay[illegible] debts is the last that would "be allowed. This is perfectly well u[illegible] concerned."

G.O., dated 15th October 1875, No. 703 (para. 6).

7. Atta-ulla-Khan was one of the [illegible] Raja and, in the settlement of 1875, was registered as a claimant f[illegible] s. 739 on his own account and Rs. 31,044 on account of Abdul R[illegible] lled uncle mentioned above who had died. Atta-ulla-Khan, having [illegible] , was arrested ostensibly at the instance of his creditors and place[illegible] by order of the Pudukottai Civil Court, creditor after creditor p[illegible] him. In 1876-77 two *pro rata* payments were made (at 25 per [illegible] ent.) one of Rs. 7,940 and the other of Rs. 3,178, and again in 1[illegible] of the personal effects of the Raja were sold, *pro rata* sums Rs. 4 were paid. These amounts were sometimes paid to Atta[illegible] direct, but mostly for the

[G/ 25.]
500—21-5-95.

Political Department.

~~O. No.~~

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FOR ORDERS.

Marked with slip X

With reference to H. E. the Governor's note of 16th May on the draft letter regarding Atta-ullah Khan, a clean proof is submitted in which para 7 has been made clearer and a revised para 24, containing the information obtained from the Pol. Agent since the first draft was submitted, has been added

C.S.
13.VI.95

15/6/95