

Political (1896) Department.

ORDINARY MS.

G.O., No. 401

Dated 24th June 1896

INDEXED.

[Despatch Abstract.]

MEMORIAL

Withholding, under rule 6 (5) of D Memorial rules, the-----
addressed to the Government of India by C. Muhi-ud-din Husain appeal-
ing against the orders of this Government rejecting his petition for a
continuance from the stipend of the late Afsar-un-nisa Begam Sahiba.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1155	577	1896				
	1566/96	33					
	314/97	14-1/77					

To,
His Excellency the Right Honorable
The Viceroy and Governor-General
of India in Council
(through the Government of Madras)

The humble memorial of C. Mo.
hiud Din Husain, foster son of
the late Afsar-un-Nisa Begum
Sahiba widow of Nawab Shum-
sud Dowlah Bahadur, and
Carnatic Stipendiary N^o 1316
A, of Madras.

Most respectfully sheweth:-

That memorialist is the foster son
of Afsar-un-Nisa Begum Sahiba, wife of
Shumsud Dowlah Bahadur, son of H. H. Na-
wab Azimud Dowlah Bahadur of Car-
natic.

I. That on the demise of memorialist's
foster mother, the said Afsar-un-Nisa Begum
Sahiba, he (the memorialist) petitioned
the Government of Madras, praying for a con-
tinuation from the lapsed stipend amounting
to Rs. 200/- per mensem of the said deceased Be-
gum Sahiba to him. The Government held (as per
their order N^o 3 dated 4th January 1894 Poli-
tical) that memorialist's claim was in-
admissible, inasmuch as the original grantee
in this case, of the stipend was Padsha Begum
Sahiba, the mother-in-law of memorialist's fos-
ter mother.

On the 16th March 1896, memorialist sub-
mitted another petition to the local Government
advancing new, important and material points in

Copy of petition enclosed
marked I

Copy enclosed marked II

Copy enclosed marked III

consideration whereof he prayed them to grant his request which they further declined to sanction advising him to consider their order No. 3 dated 4th January 1894, Political, to be final. Although it was clearly pointed out by memorialist that the original grantee being Padsha Begum his claim to a continuation was valid and maintainable on the grounds that to the families of 2 different individuals continuations, similar to the one prayed for by memorialist were granted, and both of these said individuals had their stipends continued to them from the stipend of the original grantee the very same Padsha Begum Sahiba.

The subjoined tabular form, extracted from the genealogy accompanying memorialist's 2^d petition to the Madras Government, marked enclosure III in this memorial, shall show your Excellency that in so many as two several cases continuations were granted to the third holders, which concession is now denied to your memorialist. The memorialist is at a loss to understand the fairness of the principles, acted upon by the Madras Government; should they (the said principles) not apply themselves to memorialists in individual case. The Government cannot, memorialist believes, exclude him, in particular, from enjoying the rights which were universally granted to so many claimants sprung from the one single stipend of Padsha Begum Sahiba. If the original grantee being the said Begum should be held a bar to the granting of memorialist's just claims, the same rulings should have had their effect similarly in the other cases hereunder mentioned in the tabular statement above spoken of.

Vide copy of their order, No. 2 dated 4th April 1896, Political, marked IV.

No. in the genealogy of the grantee	Name of the original grantee	Name & age of the 2 ^d grantee	Name & age of the 3 ^d grantee	Remarks
5	Padsha Begum	5(a) Afsar-un Nisa Begum (daughter-in-law of No. 5)	C. Mohi-ud Din Husain (memo. admissible by memorialist) ... Govt. of Madras.	claim held in
X 5	Do	5(b) Budrud Din Husain (brother of No. 5)	5(b) Abdullah Husain (son) Ashraf-un Nisa (wife) Mahmud Ma (wife)	claims held maintainable & continuations already granted.
X 5	Do	5(c) Ashraf Husain (nephew of No. 5)	5(c) wife of Ashraf Husain	Do Do

The facts viz: that of non-admissibility of memorialist's claim, he being third in title to a continuation; and those of admissibility of the claims of Abdullah Husain, Ashraf-un Nisa, Mahmud Ma, and Ashraf Husain's wife, who hold similar rank and position to the memorialist, to a continuation, cannot reasonably be reconciled to one another. Memorialist fails to understand the justness of the procedure adopted by the Madras Government, who in the cases of the above individuals considered their claims valid and sanctioned them; while memorialist's claims, based on the very same points are considered invalid and as such are rejected by the local authorities.

Memorialist has here to point out that in all the cases shown in the above table Padsha Begum is the original grantee & that of the three second grantees Afsar-un Nisa Begum's claims must receive exceptional consideration, inasmuch as she was the daughter-in-law of Padsha Begum, who

got a stipend for the up-keep of the position 4
and rank of Shumsud Dowlah Bahadur,
the husband of Afsar-un-Nisa Begum Sahiba,
and the son of H. H. Nawab Azim ud Dowlah
Bahadur, from whose "Punjum Hissah" (a fifth
part of the revenue of the Carnatic agreed upon
by the Honorable East India Company to be
paid to him and his successors every year)
these stipends were granted. The persons
justly entitled, under these circumstances
and under all established and prevalent
law, to a superior claim are Shumsud
Dowlah Bahadur and his family; whereas
the local Government have gone to con-
sider the claims of Padsha Begum's brother
and nephew, in preference to those of the
wife of Shumsud Dowlah Bahadur.

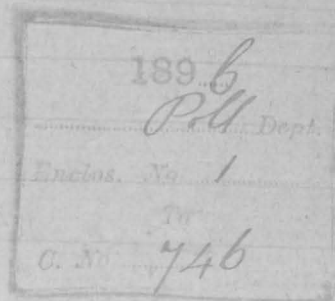
III. Memorialist believes that his case
has not received the justice, it ought to have,
and he, therefore, appeals to your Excellen-
cy in Council to consider his claims favor-
ably and to order sanction of a continua-
tion to him from the lapsed stipend of the
said Afsar-un-Nisa Begum Sahiba.

Many other grounds were advanced
and examples given. But unfortunately
for memorialist, the local Government
seem to have taken them into no consi-
deration whatever.

Memorialist shall ever remain pray-
ing for your Excellency's and family's health,
wealth, long-life and prosperity.

Dated, Kaveripauk } The humble memorialist begs
North Arcot Distt. } to remain, your Excellency's
the 1st June 1896 } ever obedient servant.

Sd/- C. Mohi-ud Din Husain.



CURRENT No. 746

To

His Excellency the Right Honorable
the Governor in Council,
Slone House Hill.



The humble memorial of C.
Mohi-ud Din Husain, foster-
son of Afsar-un-Nisa Be-
gum Sahiba, Carnatic-
Stipendiary No. 1316 A.

Most respectfully Sheweth:-

That memorialist herewith en-
-ses a memorial dated 1st May 1896, to-
-gether with 4 enclosures, addressed
to the Viceroy and Governor-General
of India in Council for favor of its
submission to its destination.

II The said memorial is an appeal
to the Government of India in Council
against the orders passed by your Ex-
cellency's Government (No. 242 dated
4th April 1896, Political) in memori-
alist's case.

The memorialist begs
to remain, of
your Excellency's most hum-
ble and obedient servant.

Dated, Kaveripauk }
North Arcot District }
the 1st May - 1896 }

Sd/- C. Mohi-ud Din Husain

CURRENT No. 746

From
C. M. L. ind. din Muzam
Haveripaul

Dated 1st
Recd 2nd
Rgd 3rd } June 1896.

Enclor. - Five

Subject.

Forwarding a memorial ^{for submission} to
H.E. the Viceroy appealing against
the orders of this Govt on his
petition for the continuance
of his foster-mother's pension
to him

M.O. for papers.

And
5/6
Papers recd from
Muzam & subm'd
S. 2/6.

Please send up complete file

242: 4-4-96. papers man
16: 9-1-88- ✓
62: 1-1-88- ✓
812: 23-9-57- ✓
5: 6-1-88- ✓
174: 29-3-58- ✓
332: 4-10-56- ✓
221: 27-3-58- ✓
513: 29-8-60- ✓
274: 12-3-86- ✓

Political DEPARTMENT.

Oct 746/86
These were the two
cases in which
According to
Continuation of
made. It was
in the original
I think in the
taken in the file.
Note for the CS
The cases are those ment'd
on page 3 of the Memorial
to India and marked X. These

$$\begin{array}{r} \text{Cms} \\ \hline 1616196 \\ \hline \end{array}$$

1,000-21-3-96.

C. No. 746

79. Deer 1893, ~~which~~
Enclosure I. to the
present current

Location any portion of the elephant
 of Agas-lu-nia-Begum which
 it had been already stated would lose
 at her death. Apparently against this order
 were prepared ^{at the G. O.} within the time allowed
 by the rules by B G. O. 242
 These persons see 4. 4. 96
 a similar position to
 the pet^o. who could only claim as
 a dependent, and rejected.

Mutu-ud-din Husain's petition to the Govt. for a continuance from the suspend of the late Afsar. um. m. Begam Sahiba was rejected as inad-
=missible in G.O. No. 3 P.R. 74. 1. 94
In reply to a second petition on the same subject 716" March 1896 (Encl III to the present current) he was informed that G.O. No. 3 794 was final. He now forwards a memo to the Govt. of India which he states is an appeal against G.O. No. 242 P.R. 74 - April 1896 - This order, however, merely informed him that G.O. No. 3 of 1894 was final and the appeal is really directed against G.O. No. 3 P.R. 74. 1. 94. It will be seen that an appeal from another of the dependants of Afsar. um. m. Begam was rejected by the Govt. of India - vide G.O. 289.90 & 434 5.5.94 22.6.94

Political. The present memorial is, however, time-worn. ~~it is submitted~~

Memorial to the S. J. from
Muh. W. bin Humam

ORDER

N^o 401 & 24th June 1896

The memorial, which is an appeal against G.O. N^o 3 P.D. 7 4. 1. 94, will be withheld under the following rule:

[H.E. rule 6(5) of D. Meml. rules]

C.S.
12. 6. 96

16. 6. 96

Memorialist (q/) Despd 11/7/96.
with 4 enclosures
Withdrew Meml. List (in origl)

The case stated by the P.C. has
not been looked up - as if
what is alleged is true - the
chances are that it is not - the
present case would not be
affected.

FOR ORDERS.

H. E. THE GOVERNOR.

THE HON'BLE MR. H. W. BLISS, C.I.E.

THE HON'BLE MR. J. GROSE, C.I.E.

When given for copying

When copied

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.

SLIP 6 17/10