

Political (1896) Department.

ORDINARY MS.

G.O., No. 429

Dated 6th July 1896

[Despatch Abstract.]

PETITION

Informing Ghouse-unnisa Begam and two others of Madras
that the Government declines to reconsider ^{its former orders regarding} their claim to be maintained
out of the stipend of Qadir-Muhi-ud-din Khan Bahadur.

BACK PAPERS.

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

FURTHER PAPERS.

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

[G.]
[II]
-12-3-9-

ORDINARY, MS.

Pol DEPARTMENT.	
G.O., DATED	6-7-96
No.	429

INDEXED.

When given for copying. 8/7

[Despatch Abstract.]

Informing Khousse-
un-nisa Kegan
& 2 others of Madras
that the Govt. declines
reconsider its former
orders re: their
claim to be
maintained out
of the stipend of
Qadire Muhi-ud-Din,
Khan Bahadur.

T 817

FURTHER PAPER, No.

1080/96

of 189

1232/96

1578/96

G.O.

READ AGAIN ORDER OF GOVERNMENT, DATED
189, No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

N.B.—

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

Col. H. S. Stewart

Respectable

Curative Stipend
Chapman

Most humbly

I am at the humble petitioners most
respectfully beg to bring the following lines
to your kind consideration for favorable consideration
that our father, Ghulam, whose son of Quader
Moliam Khan Bahadur, a Curative Stipendary
residing in a good and drawing a pension of Rs 120
per month. It is five years since their father has
left them and their mother and they know nothing
even of his business. I am & their grand father
the said Quader Moliam Khan Bahadur was in the
habit of paying them the sum of Rs 100 per month
for 3 years for the maintenance of them and their
mother. After that period their grand father began
to pay them once in 2 or 3 months this custom
first year and afterwards he totally stopped
paying the same.

I am & they are quite unable to maintain
themselves and to pay the school fees and to buy
the necessary books. I am & being unable
bearing the burden of this difficulty the
orphan and their mother who is a widow
respectfully beg to request that you will be
pleased to adopt some measures which
may help their grand father to take care
of his grand children and daughters in law
obedience to the law and to the law. Such
have already been occurred among the Stipendary
such as Abdul Wahab Sahib's Stipend which

B.

Peepmaster Carnatic Stiprads
Chopank

4- 2
His Excellency the Right Honorable
The Governor in Council
Coloacacund

That the humble petitioners beg to submit
that the petitioners' paternal grand father named
Ghadi Mohideen Khane Bz. belongs to the
learned family and draws from the learned
Government Rupees One hundred and twenty
whose receipt number is A. 1311. He is inclined
to sell Rs 2 of a part of his pension for the marriage
of his two supposed daughters for which he has
submitted a petition to the Paymaster learned
stipends. The petitioners humbly beg to bring
into His Excellency in Council's notice that the two
girls whom he alleges that they are his daughters
of Dohamed Haglullah Sahib son of the late Dohamed
Zacherood-dowlah Bahadur 2nd Prince of Arcot
and who draws a pension of Rupees 50 and the
maternal grand father of those two girls is
Ghulam Dohamed Khan a learned stipend
who draws a pension of Rs 200. Thus the father
and the maternal grand father of those girls are
rich enough to maintain them beyond what
they require -

A reference to the Paymaster shall corroborate
the petitioners whole statement. The petitioners
beg to request that His Excellency in Council will
kind enough to pass an order which will prevent the
petitioners' paternal grand father Ghadi Mohideen



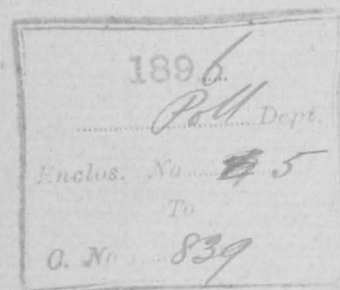
from selling No 2 of a part
of his pension -

For which act of generosity the humble petitioners
shall be ever to pray for his Excellence's continued
health, wealth and prosperity.

Ucheeglaemane
(Sgd) Ephraim Moolchand
Colonel Moolchand

Dated
26th April 1896
Madras }

(Enclosed)



Political Department
Proceedings of the Madras Government

Read the following papers:

Petition from Shri M. M. M. and
another, Madras, of 26th April 1896.

From the Paymaster, Carnatic Stipends
of 13th May 1896, No. 181.

Order No 322, of 23rd May 1896

Petitioners will be informed that the
Government having considered a report from
the Paymaster Carnatic Stipends on the
subject of their petition does not see any
grounds for interfering in the manner
indicated by them.

x x x x x

(True Extract)

(Sgd) J. D. G. G.

Under Secretary, P. W. D.
for Chief Secretary.

To

The Petitioners

Paymaster Carnatic Stipends.

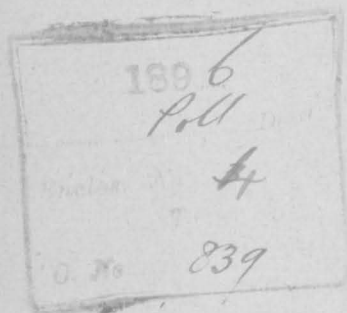
(Enclosed)

True Translation of the Dikka taken from the
Quazi's record.

The night of Monday 25th Jamadi-ul-awal
1298
Hijiri

The Dikka of Ghulam Muhammad & Ghuse
son of Khadir Mohideen Khan Bahadur with
[the woman] Ghinisa - Dissa Begum who
has attained maturity - daughter of Kazim
Ali with the Mahar (dowry) of 39 tolas of gold
and Rs 5000/- with the Wakalat of Bakrati
sahib son of Hakim Amcerati Sahib uncle of
the bride - The witnesses Ghulam Ali Basmal
and Nazher Ali on the night of Monday 25th
Jamadi-ul-awal 1298 Hijiri in the
locality of Raxapettah -

(True copy)
from the Register of
Khazi Obaidullah Sahib
by Khazi



God

Query

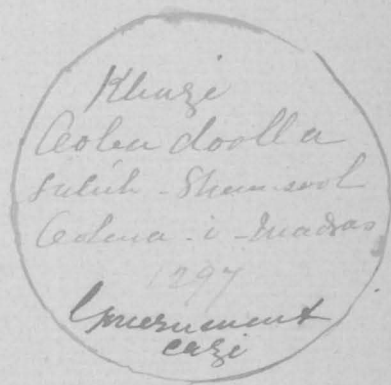
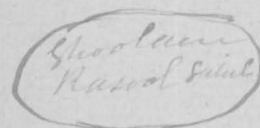
What law do the learned men of the established religion on this point. That Zia (A) made himself scarce, leaving a wife and 2 young children in an impoverished condition and his father a man of means is existing. It is not incumbent upon him to maintain those children or not?

Answer. I praise God and offer blessings and compliments to the Prophet and his descendants. In case of statement made by the man so mentioned being true - (it is laid down that) it is incumbent upon the father of Zia (A) who is man of means, to maintain those children. This is what is mentioned in books of jurisprudence. God knows the best.

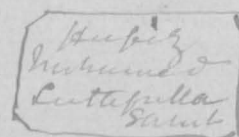
Written on the 11th Shawal 1313 Hijri year
corresponding to the 25th March 1896, in the handwriting of -
Qobaidoola - son of Shihabudulla, may God be with him

Seal of Muowlay

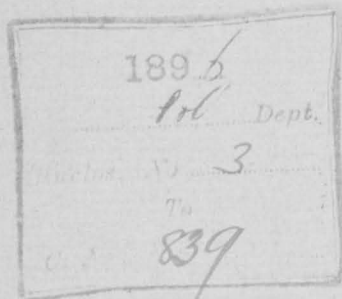
Seal of Muowlay



Seal of Muowlay



Shamsul-Qobaid -
Government Muowlay



Midyah (Dacne of the Muhammadan Book)
A father is bound to maintain his young
children.

Bahr-oor-Raig: - (Muhammadan Law Book)

Where we hold that children's maintenance
is necessary, grand children viz. children
of the sons & daughters - are also included
therein.

Minkhat-ool-Kalig: - (Muhammadan Law Book)

In case of there being no father, paternal
grandfather is to be bound to maintain his
grandson (son's son). No body shall be
included therein - Because paternal
grandfather is in the room of the father
when he is absent.

Seal of
Daulat Ali Khan
Nasir-ud-Daula
pardon them

Midyah: - (Muhammadan Law Book)

A father is bound to maintain his
young children.

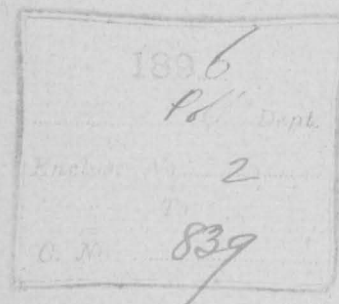
Bahr-oor-Raig: -

Where we hold that the maintenance
of children is necessary therein
grand children.

He that answered spoke
the truth.

Shams-ool-
Aqlina

Hafiz bid
Lat folla



20

CURRENT No. 839

His Excellency

CHIEF SECRETARY
22 JUN. 1896
GOVERNMENT OF MADRAS

Governor in Council
4c 4c 4c

Not examined

The humble memorial of widow
Ghansim-bisa Begum and her
orphan children Ghans Bahadur and
Alimud Bahadur residing at
Supari Gunda, Triplicane, Madras.

Most Respectfully Sheweth

The petitioners beg to bring the
following to the kind consideration of the Government
with a fervent hope that justice and mercy
be administered to them according to their right
and claim.

1. That the petitioners on the 16th April
1896 submitted a Memorial (marked Subhibit A)
to the Paymaster, Carnatic Stipends regarding
their maintenance the answer to which is
herewith submitted (marked as Subhibit B.) Again
on the 26th of April 1896 another petition (marked
as Subhibit C) was submitted to your Excellency-in-Council by
the two orphan children only, the answer of the
Government to the latter (petition is also respectfully
enclosed as Subhibit D) The petitioners beg to assure
the benign Government that their paternal
graced father Saadur Bahadur Khan Bahadur
must have disclaimed the petitioners from his
legal descent as fraudsons, after having heard

In O. 322
23.5.96

1896
P.M. Dept.
Enclos. No. 1
To
839

heard the contents of their memorial of the 26th April from the Paymaster. The petitioners only expect from their said paternal grandfather the maintenance of their livelihood and its necessities and nothing else. If that gentleman spends as he likes after having fulfilled his duties as grandfather towards the children of his son, the petitioners have no objection in any way for his so doing.

2 - The petitioners can safely assert the legality of the claim and their rightful descent by more arguments than one, but being afraid that their intrusion will cause a diversion from other more important functions of His Excellency they content themselves by submitting only two of them viz -

(A) The schedule of insolvency of their paternal grandfather the said Laddi Mohia Bahadur, which was filed on the 3rd December 1892 before the Honorable Sir A. H. Collins K. J. D. C. contains the following items: -

1. "So cash paid to my unemployed son and his family Rs 20 a month." 2. "So cash paid for the School fee of my children Rs 4 a month."

(B) The second evidence is that that the Lagnanants Kazi, Ab adulla Sahib was the gentleman who conducted the Dikka Ceremony legally according to the Muhammedana Law the copy of his record is most respectfully enclosed herewith as Exhibit C.

3. It is not hidden from the public eye that the petitioners father being the only son to their said paternal grandfather his marriage was celebrated with a grandeur that even the late 3rd Prince of Arcot Duttigamul Bahadur who had the honor of 15 Salutes and the present Prince of Arcot H. N. The Dairab Dubaud Moomer Khan Bahadur were present amongst other nobilities and gentries in the entertainment of the said marriage. The splendor of the procession was heightened by the retinue of the then Prince of Arcot on account of His Highness' condescension and kindness. Therefore it is clear by the aforesaid chain of evidence that the descent of our birth is quite consistent with the legality of the law. When this has been proved that the petitioners are the true grandsons of the aforesaid Kadir Mohia Bahadur, it is incumbent by this query of the Muhammedana Law which is respectfully enclosed herewith as Exhibit D that the said paternal grandfather should and must look after the maintenance of the petitioners who are the orphan children of his son. That the insertion of the following inconsistency in the character of their said paternal grandfather will create a displeasure in the mind of the Government, the petitioners have no doubt, but they express their heartfelt sorrow and thousand apologies for the venturous comment on the character of their father's sire

which tolering to the notice of the Govern-
ment, they have been forced on account
of their poverty. The fact is that their paternal
grandfather must have petitioned to the
Government for the marriage expenses of his
alleged maternal granddaughters. When the
petition was directed to the Paymaster for
enquiry that gentleman must have represented
to that learned officer that the maternal
granddaughters alleged to have been his own
in the Government petition were asserted
as 'adopted' by him. If these facts are true,
this is the first inconsistency in his character.
The second is that he must have deposed
before the same officer that his own son
(the petitioners' father) was not the one who
was born of him, but had been brought by
his wife when she was united to him by
Nikka which the Government will obviously
find inconsistent by kindly referring to the
previous part of this humble petition. It is now
to be considered by the Government that the
said Kadir Inshad Din Khane, having represented
to Government that the alleged children were
his adopted ones must have by this duplicity
earned the necessary money from the Government.
Cor 4 - The petitioners now venture to draw a vast
contrast between the 'alleged' and 'adopted'
children. Alleged children are those that
are brought up by a party connected or not
connected with the child or children but the

the party must possess his own natural
child or children besides. Adopted children may
be defined as the offspring of others brought up
by a party as its own in the absence of its natural
children. 'Adopted' is another word for 'Dutta' in
Sanskrit and 'Matphinna' in Arabic.
5 - The petitioners beg to point out that when the
Nikka ceremony is performed the Huzur is bound
to record the name of the bridegroom's father.
They beg to say that if their father had been the
one as the said grandfather has deposed the name
of the father of that gentleman (petitioners father)
must have been E, Y or Z but not the name of Kadir
Inshad Din Khane. Kadir Inshad Din Khane
now beg reference to the Register of the Huzur.
6 - The petitioners, viz, the one widow and the
two orphan children appeal to the mercy of the
Government that having kindly given a full
consideration to this humble petition, your
Excellency in Council will be pleased to issue
an especial order to be issued for the complete
enquiry in the grievances of your petitioners or
kindly ask the Paymaster to do the same and
thereby free them from their pecuniary and want,
as has been done with regard to several others as
the following, viz, Alidul Wahab Sahib, M.D. Jinnah
Ali Sahib & Lufder Hoopain Sahib & Begum Khannam
which act of kindness and mercy the petitioners
shall as in duty bound ever pray.
We beg to remain
Your ever affectionate servants
(sign) Widow Ghous-e-Ara Begum
Orphan Ghous-e-Ara Begum
Orphan Ghous-e-Ara Begum
Alidul Wahab Sahib

CURRENT No. 839

Pol. Dept.

Am

Ghous-un-nisa Begam & 2 others
Madras.

Dated 20th }
Recd 22nd } June, 1896
Rgd 23rd }

Enclosures: - 7

Subject

Setting forth their claims to be
maintained out of their grand-

fathers pension

Cus 718 of 96 lodged 23/5/96.
322: 23.5.96.
321: 23.5.96.
185: 17.3.94.
150: 6.3.94.
679: 22.10.88.
126: 14.2.83.
53: 10.2.80.
451: 12.9.79.
361: 10.7.78.

C.S.
Am

Order No. 429. D. 6 July 1896.

Petitioners will be
informed that the Govt.
declines to reconsider the
order already passed. If
they have any claim on
Qadir Muhi-ud-din, Khan
Bahadur, they can ^{enforce} establish
the same in a court of law.

C.S.
4/7/96 4/7/96.

Petitioners (9) depd 10-7-96

Note: Please see the Paymen
report in G.O. No 322 P.O. D
23.5.96. Col. Stewart stated
that petitioner was the
step-son of Qadir Muhi-ud-
din. Petitioners deny this but
bring nothing forward to disprove
it. In any case Qadir Muhi-
ud-din's stipend is a life
grant. Petitioners can get
nothing after his death and
in their present support they
have got the law courts to

C.S.
24/9/96 appeal to. for can be

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then examined _____
When signed _____

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

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