Political (1896) Department.

ORDINARY MS.

G.O., No. 536

Dated 14th Aug: 1896

INDEXED.

[Despatch Abstract.]

PETITION.

Declining to interfere in the matter of the----from Muhammad Saleh of Madras complaining that he was ousted 18 years ago by Zahir-ud-daulah, the second prince of Arcot, from the post of Mutavalli of the Masjid-i-mamoor and the Mustan Sahib's durgah situated in Black Town, Madras.

BACK PAPERS.

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

FURTHER PAPERS.

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

CURRENT No. 5

To,

His Excellency the Right Honourable the Governor

in-Council

Fort St. George

The humble memorial of Mahommd Saleh,

Grandson of the late Shaikh Zainooddeen

Humbly Sheweth:-

That your humble memorialist begs to lay his case before your Excellency-in-Council, hoping to meet with justice and full consideration

2 That your memorialist's grandfather the late Shaikh Zainooddeen Sahib held the Jowlait or Superintendentship of both Mosque and Tomb, situated in Black Town, Madras, under separate Purwanahs "11th Shaban" 1202 and "10th Rajjab" 1207 Fijree respectively signed and sealed by Nabob Walleja of the Carnatic, who was accordingly performing the duties as such, receiving the monthly allowances of Rs 69 & 29-8-4 respectively for the upkeep of the above mentioned structures.

3. That after the demise of my said grandfather, my father Mahomed Azam Sahib succeeded to the said Superintendentship and after his demise Your Excellency's memorialist was appointed as such vide the Princedom of His late Highness Zaheer

ood

ood-dowlah Bahadoor, G.C.S.I., when on a
enadeu, in order to procure aliving for one
Khayoom ally Sahib, a remote relation of Prince
Umdat-ud-dowlah Bahadoor, the latter tried
his best and got memorialist removed from the
Muthwalieship of the Allastan Sahibs tomb, without
the least Cause, provocation or bad Conduct on the
part of your Excellency's memorialist. Since then
your memorialist has been petitioning the Local
Authorities, but none cared to investigate your
memorialist's case thoroughly. The last of his petitions
submitted to the present Paymaster of Carnatic
Stipends dated 17th October 1895, with its enclosures
and the endorsement given to memorialist by
that officer are herewith enclosed for your
Excellency's perusal.

3. The Endorsement of the Paymaster, your
memorialist begs humbly to submit is not relevant
to his case inasmuch as paragraph 2 of Ecll. C
№396, dated 15th November 1853 and paras 6 & 8 of
Ecll. C №365, dated 26 September 1854 warn
the Nawab of the Carnatic (and the same warning
is applicable to the Prince of Arcot as the
management of Endowment that were under
the Nawabs of Carnatic was entrusted to Princes
of Arcot on the Extinction of the titular Nawab-
ship of the Carnatic in 1855) that they were
only appointed a medium of payment and that
they should not under any circumstances dismiss
the servants attached to the Mosques & Tombs

or

Stipends
D & E

hold posts in virtue of hereditary right,
unless their incompetency to hold such post
is proved in a judicial tribunal and then
too the decree of the Court should be submitted
to Government for their consideration and orders
Consequently the Paymasters endorsement that
memorialist should seek redress in a Court
of justice is quite reverse to the rulings above
quoted. It was for the Prince to move the Courts
of justice showing memorialist's incompetency
and after the same being proved the decree
should have to be submitted to Government
recommending memorialist's removal from the post

4 Further your memorialist begs to submit
that from the translation of the Parwanah
dated 10th Rajjab 1207 Hijree it will be clearly
seen that the donor (Nawab Wallajah) sanctioned
the Yeomiah allowance of one rupee per diem
granted for the upkeep of Allastan Sahibs tomb
in two items viz:- (I) 8as for lamp oil, lighting
and Oorus or yearly ceremony & (II) 8as for the
wages of a servant (Sweeper) and Hafiz to
recite the Holy Book, Koran. These items
have undergone several changes since your
memorialist was removed from the Mootawelleship
of the Allastan Sahibs dargah. First in 1885 Khayoom
ally Saheb was only allowed Rs 5 as a Mootawelle
subsequently his salary was increased to Rs 10/8 per
mensem, and lastly by removing the expenses

of

of lightning and the salaries of servants, the pay of the Mootawallee is now shown in the returns submitted to the Collector of Madras as Rs 19 per mensem !! It will be clear my Lord by perusing the Board standing orders No 118 para 3 that the allowance of an Endowed land or property could not be interfered by Authorities, so long as the Services are performed and the funds expended according to the Conditions of the Grant

5 Lastly your Excellency's humble and helpless memorialist begs respectfully to state that a report may be called for, on this humble memorial, from the Paymaster as to the Statements contained in this humble Memorial, when it would be clear for your Excellency to decide the way in which these endowed funds are mismanaged and also the way in which your Excellency's humble memorialist was deprived of the hereditary post of Muthawallee of the Mustan Sahib Dargah - The intention of Nawab Wallajah in bestowing the Muthawalleeship of this Dargah on my late grandfather was that he should attend this work gratis, as he was already getting Rs 30/ as Muthwallee of the Mosque under Parwanah, dated Shaban 1202 Hejree and that

Ship G
Bk retained here
£47

this Mosque and the Dargah under reference were located in one and the same place, hence the pay of a Muthawallee is not provided for in any of the two items shown in para 4 of this Memorial.

6 For which act of justice, your Excellency's humble memorialist shall as in duty bound ever pray, and beg to subscribe

Your Excellency's Most humble and obedient Servant

/Signed/ Mahomed Saleh

Madras
13th / 4th April 1896

Poll

1793

Translation of a Purwana issued under the seal of Nawab Wallajah in the name of Shaik Zinuddin Mutwalli dated 10th Rajjab 1207 Hijiri regarding the expences connected with the shrine of the late Mustan Saheb which is situated near the Inamar Mosque.

Be it known to the present and future officers of the port of Pulliaghat (Pulicat) belonging to Carnatic Paighaut of the Suba of Darummer, Muhammadpur otherwise called Arcot that a daily allowance of Re One has been settled in the name of Shaik Zinuddin Mutwalli ontop the revenues of Palliaghaut from 1st Rajjab 1207 Hijri as per under mentioned particulars for the expenses of the shrine of Mustan Saheb which is situated near the Inamar mosque in the port of Chinnapattan. It is ordered that the above allowance should be paid daily to the above Mutwalli and a receipt obtained from him in order that he may defray the expenses of the shrine. The allowance should be debited to the accounts of Pulliaghaut on the authority of this document.

Dated 10th Rajjab 1207 Hijiri.

Particulars of Expenditure of the daily allowance of one rupee.

Annas eight for Lamp oil and the Expenses of offerings at the above shrine.

Annas eight for the payment of servant and Hafiz to recite Koran.

Total Rupee one daily

Poll 6
7
54

النقل مطابق باصله

حضرت مستاصاحب قدس سره

۱۱۷۶

شاه عالم یادشاه بهادر غازی

ذوالقلم فرزند عزیز از جان

السیف

بهادر ظفر جنگ سپه سالار

اللک

عمدة اصف الدوله انورالدین خان

نواب والاجاه امیرالهند

نقل

عاملان حال و استقبال بر کنه بندر پلیاگهات متعلقه کرناتک بایانگهات صوبه دارالنور

ارکات بدانند

عرف

محمد پور

مبلغ یک روپیه یومیه برای اخراجات درگاه که متصل مسجد معمور

بندر چناپتن واقع است از محصول سایر بندر مذکور از غرهٔ رجب سنه ۱۲۰۷ هجری

باهتمام شیخ زین الدین متولی حسب الضمن مقرر گشته باید که وجه یومیه مذکور

یوم بیوم به متولی مزبور رسانیده قبض الوصول میگرفته باشند که بصرف

اخراجات درگاه مذکوری در آورده باشد نانی الحال بموجب نقل همین روانه

و قبوض درج آنجا مجری و محسوب خواهد شد

دهم رجب المرجب سنه ۱۲۰۷ هجری تحریر یافت ۱۰ م

Translation of a Purwamah issued under the seal of Nawab Wallajah in the name of Shaik Zamindin Mutawalle 11th Shaban 1202 Hijri regarding the expenses connected with the Manner Mosque 1788

Be it known to the present and future officers of the port of Pallicghaut (Pulicat) belonging to Carnatic Panjhaut of the Suba Darummer Muhammadpur otherwise called Arcot that a monthly allowance of Rs 69 has been settled in the name of Shaik Zamindin and others out of the revenues of Pallicghaut from the 1st Shabban 1202 Hijri as per undermentioned particulars for the expenses and upkeep of the Manner Mosque, which is situated in the part of Chinnapntiram. It is ordered that Zamindin & others should be paid their salaries out of the aforesaid allowance and a receipt obtained from them. They in return for the aforesaid allowance should be doing their duty in the Mosque praying for the long life and prosperity of the Nawab.

The allowance should be debited to the Accounts of Pallicghaut on the Authority of this document.

Dated 11th Shabban 1202

Particulars of Expenditure of the monthly allowance of 69 Rs

Rs 30 for the payment of Sheik Zamindin Muttawallei
" 7½ do _____ do Muzzan
" 6 do _____ do Durrach
" 7½ do _____ do Butter
" 6 do _____ do Gardener
" 3 do _____ do Sweeper
" 9 for the expenses of oil

Total Rupees 69

ضمن بموجب شرح سوال درستخط که شرح آن محرف بقلم آمد

مبلغ یک روپیه بومیه برای اخراجات درگاه مسنان صاحب که متصل مسجد معمور

بندر چناپش واقع است بر محصول سایر بندر پرکنه بلیاگهاٹ متعلقه کرناٹک

بایانگهات صوبه دار النور محمدپور عرف ارکاٹ از غرهٔ رجب سنه ۱۲۰۲ هجری

باهتمام شیخ زین الدین متولی مفصل ذیل مقرر گشته

شرح سوال درستخط بنام
برای اخراجات درگاه مسنان صاحب روپیه یک بومیه
از محصول سایر بندر پرکنه بلیاگهات متعلقه صوبه محمدپور عرف ارکاٹ
مفصل ذیل مقرر گشته بروانه نویس بنام شیخ زین الدین متولی درگاه مذکور
برای خرچ تیل چراغ و مزدی و جاروب ۸ روپیه
برای خرچ خادم و حافظ جمعه ۸ روپیه
برای خرچ خادم و حافظ جمعه ۸ روپیه
مرقوم غرهٔ رجب سنه ۱۲۰۲ هجری

برای خرچ تیل چراغ درگاه ۸

برای خادم و حافظ جمعه خواندن کلام الله ۸

اب والاجاه امیر الهند عمدة الملک
اصف الدوله بهادر ظفر جنگ سپاه سالار

بمطابق اصل بمهر شریعت غرا نشان

دانه بمهر امارت و ایالت مرتبت حضرت

بازدهم شعبان سنه ۱۲۰۲ ہجری

لان حال و استقبال پرگنه بندر پلیاگهات متعلقه کرناتک پایانگهات صوبه دارالنور رحمة پور عرف ارکات
مبلغ شصت و نه روپیه ارکاتی نرخ بازار در ماهه در وجه مدد معاش شیخ زین الدین متولی
و تیل چراغ مسجد معمور واقع بندر چناپتن از محصول سائر پرگنه بندر پلیاگهات از تاریخ غره شعبان المعظم
۱۲۰۲ ہجری حسب الضمن مقرر گشته باید که در ماهه مذکور ماه بماه بشارالیه و غیره رسانیده قبوض میگرفته
باشند که بصرف معیشت خود ها در آورده بکار خدمت در روشنائی چراغان مسجد مسطور پرداخته
دولت مشغول و موظف باشند ثانی الحال بموجب نقل همین پروانه و قبوض در حساب

آی و محسوب خواهد شد لها

ضمن بموجب شوال دستخط ضمن که بنول شرح آن محرف بقلم آمد مبلغ شصت و نه روپیه ارکاتی
در ماهه در وجه مدد معاش شیخ زین الدین متولی وغیره و تیل چراغ مسجد معمور
در چناپتن بر محصول سائر پرگنه بندر پلیاگهات متعلقه کرناتک پایانگهات صوبه دارالنور
ف ارکات از غره شعبان سنه ۱۲۰۲ ہجری مقرر گشته

Translation of the Erzi of

Joubiat Khan Bahadur

To

His Highness

Nawab of Carnatic

May it please your Highness

I most respectfully beg to submit that Shaik Zain uddin Muthawalli of the Black Town Mosque and Mustan Sahib Durga misrepresenting the purport of the Purwana (Granting a daily allowance of Re one for the expences of the Durga &c to the Nawab Azeem-ud-dowla got his son appointed as the Mujavar of the Durga and thus enable him (his son) to draw the pay set apart for an attendant in the Purwana - after his death the Mosque allowance together with that of the Durga allowance, came into the charge of the Nawab and the post of Muthawalli was granted by the Nawab to Muhammad Auzam, son of the deceased - Mahommed Auzam also acting as his father did made his son as Mujavar of the Durga and allowed him to draw the

an attendant, and exacted the honorary of the attendant from other persons, paying them, therefore, from the sums set apart for Pathepa &c. This being contrary to the spirit of the Purwana, I recommend that the Mujawar may be dismissed and an attendant may be appointed instead to present unauthorized charges

/Signed/ Ghulam Muhammad
Doubat Khan, Mir Muthawalli
i-Musajid-i Sir Kur

Endorsement by Ghulam ali Mir
Munshi-i-Durbar
Forwarded by order of His Highness the Sudr
us-Sudur for opinion

Opinion of Sudr us-Sudur
dated 11 Shawal 1261 H

If the son of the present muthawalli agrees to perform the duties, an attendant may be retained, otherwise he may be discharged.

Order of His Highness
Order dated 10 Zighaida 1261 H.
That Mir Muhammad Salih of the Mosque with acc[illegible] opinion of the Sudr us-Sudur

[illegible]

No 1491 of 1895. Paymaster Carnatic Stipends Office, Chepauk 23rd Nov 1895

Mahammud Saleh is informed with reference to his petition of the 17th Ultimo that Prince ignores his hereditary right to the Muthawalleeship of the Musjid Sahib Dunga. The action of the then Prince of Arcot in deposing the petitioner from the post of Muthawallee, cannot be called into question, except before a duly constituted judicial tribunal

/Signed/ H. S. Stewart. Colonel
Paymaster Carnatic Stipends. Chepauk

Madras. Triplicane 17th October 1895.

To The Paymaster
Carnatic Stipends
Chepauk.

Respected Sir,

CHIEF SECRETARY'S
16. APR. 1896
GOVERNMENT OF MADRAS

The undersigned most respectfully beg leave to bring the following few lines for your honors kind and favorable consideration

2 That in accordance with the marginally noted Purwana issued under the seal of the Nawab Wallajah, my Grandfather the late Shaik Zainuddin was appointed a Muthwalli (Superintendent) of the Wallajah Mosque, situated in Black Town and of the Shrine of Mustan Sahib and accordingly conducted the duties thereof personally and was in receipt of a monthly allowance of Rs 6g and daily allowance of Rupees one for the expenses of the Shrine respectively. His son the late Muhammad Azam (my father) performed the duties of the Durga after him (my grandfather)

x Purwana d/11 Shaban 1202 H issued under the Seal of the Nawab Wallajah for the Grant of Rs 6g per mensem in the name of Shaik Zainuddin Muthwalli for the expenses of the Mosque.

Purwana d/10 Rajab 1207 H issued under the Seal of the Nawab Wallajah for the Grant of Re one per diem in the name of Shaik Zainuddin Muthwalli for the expenses of the Durga

3 That after the demise of my grandfather the monthly as well as the daily allowances were stopped by the then Collector of Madras; thereupon His Highness Prince Azeem Jah Bahadur, who then Regent of the last Nawab of the Carnatic, wrote a letter to the Government Agent, Chepauk

On

P.T.O.

on the 3d May 1835 stating that the late Shaik Zainuddin was in receipt of a monthly allowance of Rs. 69 and a daily allowance of Rupee one under the Purvana of the late Nawab Wallajah for the expenses of the said Mosque and the Shrine respectively from the Collector of Madras, after his demise which took place on the 13th April 1835, the allowance had been suspended and requested the Paymaster to transfer the allowance to his charge in the same way as was done in the case of the allowance attached to the Arcot Mosque on the 26th August 1823.

4 That in accordance with the request of the Regent, Government passed an order on the 19th June 1835 transferring the charge of the said allowances to him Commencing from the 1st January of the same year. Sep H

5 That after the receipt of the said order of Government the Regent was drawing the allowances under the signature of Aazam Nawaz Khan, Chief Superintendent, and was paying them to my father, Muhammad Anzam who was appointed by the Regent, Muthwalli of the said Mosque and the Shrine in the room of my Grandfather and the service of the shrine devolved upon me

6 That after the demise of my father Muhammad

Anzam, the last Nawab of the Carnatic, appointed me Muthwalli in Consideration of hereditary right. Subsequently, I conducted both the duties of the Muthwalli and the duties Connected with the Shrine, vide orders of the Nawab of the Carnatic dated 18th Ziquaida 1261 H. and the 2d Jamadi-ussani 1262 Hijri respectively.

7 That after the death of the last Nawab of the Carnatic, I continued conducting the said duties under the orders of the Dewan Madarul Umra as usual

8 That when the Government and in their order dated 15th-11-53 at No 398, made over the charge of the Mosques and the Tombs to Prince Azeemjah Bahr, the first Prince of Arcot, he was ordered to reserve the hereditary right attached thereto and not to interfere with the rights of the old servants, but after H. His death when Prince Zahir-ud-dowla succeeded him, his brother and Dewan Prince Dowlat-ud-dowla Bahr, appointed one Khayum ali his maternal uncle's son as Superintendent of the shrine Sep D

9 That after I was unjustly deprived of the above post the late Monlvie Sheraziah Khan Bahadur

Bahadur who was General Superintendent of Mosques and Tombs, Consoled me and compensated me monthly for the loss and had promised me to see me restored to the said post when an opportunity occurred - As I hear now that the present Prince has written or is about to address Government to Confirm Khayum ali who is the son of his Fathers uncle, as well as his Companion and Counsellor I humbly pray your honor to Consider my hereditary claim and render justice

10 That from the orders of Government dated 15th November 1853 No 398 and 26th September 1854, Secs. D. E Political, respectively, it will be seen that the late Nawab of the Carnatic had no power whatever to deprive the hereditary rights of the Servants of the Mosque or of the shrine. While such being the case, the present Prince also has no power to do so.

11 Herewith enclose copy of G.O. dated 15th November 1853, which was furnished to my brother-in-law Khazi Abubakar Dakar and-div. Khazi of Black Town and Pesh Imam of the said Mosque under the signature of Dr Balfour the then Govt agent, Chepauk

for

for information and record

12 Under the foregoing circumstances I respectfully pray that your honor will be graciously pleased to send the said orders to the Prince of Arcot and inform him that he has no power to appoint new Servants in lieu of the old ones who have hereditary rights over the Mosque and shrine and request him to restore me to my hereditary post of Muthwalli of the shrine and allow me to perform the Service connected with it. If the Prince wishes to have any Correspondence Concerning the matter, I pray that Khayum ali may be suspended until the final decision of the case. Since the present Prince of Arcot is a considerate and reasonable man, I do not think it proper to appeal to Government in this matter - Your honor is competent to deal with the case with success under the above quoted orders

13 It may not be out of place to mention here Secs. D. E that the orders of Govt of Nov 1853 & Oct 1854 have not been Communicated to the present Prince of Arcot or his predecessor. I request your honor to send him the copies which are herewith enclosed for your information & ready reference

I humbly Beg to Remain,

Respected Sir,

your obedt Servant

[Signed] Muhammad Saleh.

2815

1895

From
Muhammad Salaah

Dated 17th Oct 1895
Rec'd 17" Oct
Regd 17"

Petition

Requesting to reinstate him in the hereditary appointment of his as Muthwalli of the Muetan Sahib's Shrine; and to invite the attention of the Prince of Arcot to the orders quoted within.

(Under C.H's orders)

Madras office for papers

The Same petition here: probably to W. Perris in connection with

Ref

There are some later papers re these mosques - printed Nos 3 Thirds Ask S. the pet who some with the pet & appl Nizam. ed 3rd

Cwd

Note for C.A.

These papers are still withheld. Their return may be awaited?

115

Note for the C.A.

I am sorry I was led away by Mr Perris's note. When he gave these papers to me marking off certain f.Os he did not tell me that the papers & must be submitted to you at once. When I asked him if the papers he referred to has returned from the C.S. then he told me that you ordered that these papers need not be delayed of the f.Os he had marked spare copies of only 2 were available & the two vols for the others are put up.

In f.O. 98 § 6.4.67 mention is made of the Tomb in question & the other f.Os do not give any info regarding this.

9/5.

Ref

Put up the original of Gp. No 132 Pol. § F. March & of connected papers and I am certain you will find some note by Mr. Pringle as to the power of the Prince of Arcot over these mosques and tombs - Get rid of these volumes please replacing them by Spare copies - This paper must be got rid of shortly It has been also long in hand already

M.O. written to 13/5/96. Papers rec'd 18/5.

Cwd. 13.5.96

Arrange with the old Consultations in the file of the Main flat

Cwd

Done HS 18/5.

Note for the CA.

Please see papers received from Madras put up. From these it will be seen that the absolute powers of the Prince of Arcot over these Mosques & tombs seems to have been recognized all along by Govt. R.O written to for papers 19/5

HS 18/5. Please see f.Os 237 § 27-4-81 Pol 52 § 26-1-81 Pol, 432 § 23-9-80 & 1485 § 25-10-72 Rev received from Madras (22/5) & R.O says that there are no papers in the present mosque.

HS 22/5.

E

Where are the recent papers re appl of Nizam. Adm. Khan Bahadur Asst S.

CS 28/5

Submitted AS 28/5

RECD. 4-6-96 Political Dept (1896)

C. No. 511 Pol. 1 No: 322 of 1896 Lahore 4.VI.96

Memo No. 1116

Referred to the Paymaster, Canalic Stipends for report. The history of the case should be clearly set out.

Fredrick Rice
Chief Secretary

C.S.
25.5.96

Noted & recommend
2nd June 1896

TO BE RETURNED WITH REPLY.

Note for CS

I can get papers (the several attempts have been made) to throw much light on this point question
Reference to CS in suit?

CS
28/5

Memo No. 1116 dtd 2-6-96.

Paymaster Carnatic Stipends
No: 258 of 1896. Office Chepak 1st July 1896.

CURRENT No. 886

From

Colonel A: F: Stewart I: S: C:
Paymaster Carnatic Stipends
Chepak.

To,

The Chief Secretary to Government
Fort St: George.

Sir,

With reference to your Memorandum No: 1116 dated 2d June 1896, on petition current No: 511 from Mohammad Saleh, I have the honor to state that petitioner is the grandson of Shaikh Zain-ud-din who by virtue of 2 different "Purwanahs" issued by Nawab Walajah dated respectively 2d Shaban 1202 and 10th Rajjab 1207 Hijri corresponding with 9th May 1788 and 22d Febrnary 1793, held the posts of "Mutwallee" of the "Masjid-i-Mamoor" and "Mastan Sahib's Dingah" situated in Black Town, Madras, and as such was receiving allowances of ~~Rs~~ 69. and 29-8-0 per mensem for the respective services and upkeep of the mosque and tomb above referred to.

2. On the demise of the last Nawab of the Carnatic in 1855, the above Sums together with other similar allowances were paid to the Ex-Dewan for disbursement to their several recipients, and subsequently when His late Highness Azim jah Bahadur was nominated the "Prince of arcot" the management of the Endowments and the Superintendence of the mosques and Tombs was handed over to him, consequently all the ceremonial and other allowances attached to the

mosque

* Herewith returned with its enclosures.

mosques and tombs situated in the Carnatic were paid to the order of the Prince of arcot and his Successors in the title, vide G:O: No: 98 dated 9th april 1867.

3. Petitioner alleges that he was turned out by the 2d Prince of arcot from the post of Muntavallee of the Moostan Sahib's Durgah, in order to find a berth for one Khaiyum ali a remote relative of the Prince who was originally entertained on Rs 10-8-0 per mensem and who still holds the post on an enhanced salary of Rs 19-8-0 per mensem. I asked the present Prince of arcot for an explanation and he states that the Princes of arcot have a right to dismiss or Suspend any servant attached to the mosque or tomb, and further supports the action of the 2d Prince in dismissing petitioner from the post of Muntavallee of the Mastan Sahib's Durgah, on the ground that the Purwanah granted by Nawab Walajah to the petitioner's grandfather was personal and not an hereditary one. In my humble opinion, I think the contention of the Prince is merely his surmise but not based on any principles, whereas on the other hand paras: 24 of G: M: C: No: 398 dated 15th November 1853 and para 6 of G: M: C: No: 365 dated 26th September 1854, clearly defines that the Nawabs of Carnatic were not authorized to dismiss any of the Servants of the mosque who hold the post in virtue of hereditary right or by long prescription unless his incompetency is proved before a judicial tribunal and its decree Submitted to the Government with a view to his being removed from the post. I respectfully beg to state that of course it is ~~impossible~~ late in his day for me now to call into question the action of the 2d Prince of arcot in dismissing petitioner, after a lapse of 18 years since his dismissal.

4. As regards the high rate of pay which the present Muntavallee (Khaiyum ali) gets, I have the honor to state that it will be observed by the wording of the Purwanah issued by Nawab Walajah to the petitioner's grandfather, copy of which is attached (with English translation) with petition under report, that no allowance is specified for the Muntavallee of the Durgah, most probably for the grounds that the Durgah is situated close to the Masjid-i-mamoor at Black Town the Muntavallee of which was the petitioner's grandfather, and as such was already in receipt of a handsome allowance of Rs 30. in accordance to the wording of the Purwanah, and it was therefore not considered advisable by the donor to allot a further sum to him from the paltry allowance of one rupee per diem granted for the up. keep of "Durgah", which Sum is ordered to be spent as follows:-

1. For the expenses of lamp oil and "oorus" or annual ceremony 8 annas.

2. For the wages of a Servant (Sweeper) and Hafiz (reciter of Quran) 8 annas.

5. I asked the Prince of arcot the reason under which the present muntavallee is paid such a large Sum as Rs 19-8-0 per mensem as his salary, whereas according to the Purwanah no pay is fixed for the Muntavallee of the Durgah. The Prince of arcot's reply does not seem to me satisfactory in as much as he states that he is not responsible for the action of his predecessors, in whose time Khaiyum ali was entertained

tained as Mutawallee and received from time to time increased rate of pay ranging from Rs 10-8-0 to Rs 17-8-0.

3. From the above particulars in my humble opinion I do not consider the question petitioner's (Muhammad Saleh's) dismissal in 1878 can now be questioned or altered, but as regards the pay of the present Mutawallee Khairun ali, Rs 19-8-0. per mensem seems excessive as it only leaves Rs 10-4-4 for the maintenance of the tomb and pay of other servants. The pay of Rs 10-8-0 to the Mutawalle was considered in 1884 sufficient by the 3d Prince of arcot.

I have the honor to be
Sir
your most obedient Servant
R. L. Kinvard Colonel
Paymaster Carnatic Stipends
Chepauk.

Copy.

CURRENT NO. 886

Political (1896) Department.

From

The Paymaster,
Carnatic Stipends
Chepauk.

To

The Chief Secretary
to Government
Fort St. George.

Dated 1st July 1896.
Recd: 3rd
Regd

No. 258 of 1896.

CHIEF SECRETARY
3 JUL 1896 (Current No: 511)
GOVERNMENT OF MADRAS

Reports on the petition of Muhammad Sahib complaining against his dismissal by the 2nd Prince of Arcot from the post of Mutavalli of Nastan Sahib's Durgah.

511

CURRENT NO. 858

Pengappah Naick Street
Black Town, Madras.
June 26, 1896

To

The Chief Secretary to Government,
Octacamund

CHIEF SECRETARY
27 JUN. 1896
GOVERNMENT OF MADRAS

Sir,

We the undersigned Muhammadan inhabitants of Black Town, Madras. respectfully beg to represent that Zaum Ali, the present Muthavalle (Manager) of the Shrine of Nastan Sahib is a relative and favorite Courtier of the Prince of Arcot has been appointed to the above post to the prejudice of the heriditary Muthavallee whose fore-fathers held the post from time to time by virtue of a Purwanah granted by the late Nawab Wallajah.

2. The above Zaum Ali visits the shrine only two days in the year during the annual Ceremony and does not regularly pay the monthly and annual expenses of the Shrine but appropriates a greater portion of the Shrine allowance to his own use not to speak of the offerings and presents

that are sent to the shrine by its devotees.

3. He lately disposed of a set of seventy (70) shades which had been presented to the shrine by one Hurui Kadir Sahib and misappropriated the sale-proceeds. Recently he raised a subscription of about three hundred (300) rupees on pretence of repairing the shrine, but quietly swallowed the amount

4. The Prince has no right to dismiss hereditary servants that belong to endowments and appoint his relatives and favorites in their room and allow them to misappropriate the allowances settled for religious purposes and the revenues derived from endowments to the prejudice of the sacred institutions to which they appertain as well as their servants. In short the mal-practices and dishonesty of Zaum Ali have rendered him unpopular and obnoxious generally. His removal from the above post is therefore most desirable. Nizamud-din Khan who has recently been appointed Manager of Endowments is not a bit better than Zaum Ali, in that he has once before ruined the Endowments and misappropriated their income and it will now revert to old things. It may not be out of place to mention that the members of the Carnatic Family are generally dishonest, shameless and insolvent-rogues. They do not hesitate to swallow the rights of others. They regard the Civil Debtors' Jail as their ancestoral home. They frequently have recourse to the benefit of the Act. To encourage and help members of such a vain selfish and faithless generation is not a sound policy.

5. In conclusion the undersigned pray your Honour to see Zaum Ali removed from the post of Muthuvalle and to protect the endowments from falling into the hands of Nizamud-din Khan or any person belonging to the Carnatic Family whose want of fidelity, dishonesty and roguery shine brighter

brighter than the sun.

We beg respectfully to remain

Sir,

Your most Obedient Servants,

/sd/ Savaram Rateka Mesh

محمد حنیف

/sd/ Shaik Thummim

شیخ تیم

[G. / 9]
4,000—28-1-96.

Current No. 858

Pol. DEPARTMENT.

RECD. 4-7-96

Endt No. 1307.

Referred to the Paymaster, Carnatic Stipends, in continuation of endorsement No. 1116 Political, dated 2d. June '96.

(By order)
W. D. Phillips
Actg Assistant Secretary

From Patcha Meam Sahib & 2 others
Madras

No. —

Dated 26th
Received 27th } June 1896
Registered 29th

Enclosures —

SUBJECT.

Requesting that Lawn Ali may be removed from the post of Muthuwallee of the shrines of Moostan Sahib.

Forwarded 2nd July 1896

TO BE RETURNED WITH REPLY.

To
The Paymaster, Carnatic Stipends.

Instituted Re certain mosque

CURRENT No. 809

Paymaster Carnatic Stipends
No: 271 of 1896. Office Chepak 6th July 1896.

From
Colonel H. S. Stewart I. S. C.
Paymaster Carnatic Stipends
Chepak.

To,
The Chief Secretary to Government
Fort St. George.

Sir,

With preference to your endorsement No: 1307 dated 2d. Instant on petition* current No: 858 from Patcha Meam Sahib and 2 others, I have the honor to state that a report was duly submitted to government on the subject of Moostan Sahib's Durgah, vide this office letter No: 258 dated 1st July 1896.

*Herewith returned.

Cur. 886. Recd 3/7.

I have the honor to be
Sir
your most obedient Servant
H. S. Stewart
Colonel
Paymaster Carnatic Stipends
Chepak.

CURRENT No. 909

Political (1896) Department.

From

The Paymaster
Carnatic Stipends
Chepak.

To.

The Chief Secretary
to Government
Fort St. George.

Dated 6th July 1896
Recd 7th July 1896
Repd 8th

CHIEF SECRETARY
7 JUL 1896
GOVERNMENT OF MADRAS

No. 271 dated 6 July 1896

one enclosure :- Pn.
C.No. 858 pttd.

States that a report called for by Endt. No. 1307 dt 2d Instt was already submitted to Government on the Subject of Mastan Sahib's Durgah.

C.Nos 511 & 886 of 96.
Sent to the S.H.Cn
the 5th instant
13
8/6.

Muttavalli of certain Mosque

C7/2
RW 5

H.E. the Governor

Political Dept:

C.Nos. 511, 858, 886 & 909.

FOR ORDERS

The first of the above currents contains a petition to this Govt. from Muhammad Sahib (sah), grandson of Shaik Zain-ud-din, in which he complains that he was ousted 18 years ago by Zahir-ud-daulah, the second Prince of Arcot, from the post of Mutavalli of the Masjid & (c. Imamoor,) and the Mustan Sahib's durgah situated in Black Town, Madras, in order to find a berth for one Khayam Ali, a remote relative of the Prince who was originally entertained on Rs.10-8-0 per mensem and who still holds the post on an enhanced pay of Rs.19-8-0 per mensem. The petition-er ~~points out~~ pleads that the above post was held by his grandfather and by his father in succession

2. C.No.858 is a petition purporting to emanate from the Muhammadan inhabitants of Black Town in which they represent that Khayam Ali, the present Mutavalli of the shrines mentioned above, misappropriates the funds in connection therewith and is altogether a bad character. They pray the Govt. to have Khayam Ali removed from the post of Mutavalli.

C.No.886 contains the Paymaster's report on the first petition.

3. The Paymaster ~~reports~~ states that he referred the matter to the present

Prince of Arcot who holds that the Princes of Arcot are entitled to dismiss or suspend any servant attached to the mosques and tombs which are under their superintendence and further supports the action of Prince Zahir-ud-daulah in having dismissed the petitioner on the ground that the purvanah granted by Nawab Wallajah to the petitioner's grandfather was personal and not hereditary. In this connection the Paymaster refers to paras 2 & 4 of E.M.C. No.398, d/ 15-11-83 and para 6 of E.M.C. No.365, d/ 30-9-84. In the first of these papers, in dealing with the interference of the then Nawab of the Carnatic with the affairs of a mosque in Black Town, the Govt. stated that the arrangements sanctioned in June 1835, ~~under~~ which placed the establishments attached to ~~allowances paid by the Collector of Madras for~~ the mosque and the payment of their fixed allowances ~~as salaries to servants attached to it and the for the provision of lights was placed at the disposal of H.H. the Nawab's Sirkar, though it placed the establishment and the payment of their fixed allowances~~ under the control of the Nawab's Sirkar, never contemplated any interference by the Nawab with the services and affairs of the institution so long as they were conducted by the officers duly appointed for that purpose; ~~that could not~~ the Govt could not recognize the right of the sirkar to dismiss any one of the servants attached to the mosque and thereby deprive him of his hereditary title to ~~the~~ office merely on an assumption of heterodoxy unsupported by the

E.M.C. No 201 of 19. June 1893 (flag H)

decision of any competent tribunal; and ~~that~~ that Govt. did not think that the then incumbent in charge of the mosque could be removed from his post except for proved incapacity or misconduct in the discharge of his public duty or for acts of profligacy in his private conduct. In the later paper it was stated that Govt. considered that the arrangement of 1835 merely constituted the Nawab the medium of payment, that it took away no rights from the officers of the mosque and conferred none on the Nawab, that Sewauli of a mosque who held their offices by hereditary right or by long prescription should not be deprived of their allowance unless proved to be disqualified for the performance of the duties, and that it was for the Nawab to prove such disqualification before a competent ~~court~~ judicial tribunal.

4. These orders were passed in 1884. When, however, the title of the Nawab of Arcot merged into ~~the~~ that of Prince of Arcot in 1855 ~~when~~ and the settlement of the claims of Prince Azim Jah, the first titular Prince, was made, it was decided that the care and management of the mosques and tombs which were under the control of the late Nawab should be transferred to His Highness and his successors. Attention is solicited in this connection to the pages marked with blue pencil crosses on pages 8, 28, 30, 35, 53, 54, 66, 67, 78, 76, 93, 98, 103, 108, 110 and 114 of the book-file labelled "Prince of

There is nothing in these proceedings also pages 110 & 114 bearing on the question raised in this case. In the letter in these files pages "Subject obtaining rights" appears, whereas the entries in the other pages refer only to the control of the Head of the Carnatic family the superintendence of mosques & tombs

of Arcot. It will be seen from G.O. No. 98 Pol., d/ 9-4-67, ~~and~~ on page 133 of the same file, that the condition then attached to this transfer was that H.H. the Prince of Arcot and his successors in the title would be held responsible for the repair and maintenance of the structures ~~receiving~~ such of the revenues attached to them as ~~are~~ were at the disposal of Govt. subject to reservation of ~~the~~ existing rights The mosques in question in the present case are marked with a blue pencil cross in the list on pages 128 and 131 of the same file . In ~~their~~ cases, the Prince's contention that the purvanahs were personal and not hereditary seems to be sound and the proper course for the petitioner is, if he has any rights, to establish them by filing a suit against the Prince. This was the view taken in connection with a claim which came before Govt. in 1890 as regards the Wallajah and Anwari mosques in Triplicane. Petitioner has already been told so in the endorsement given to him by the Paymaster.

5. There seems to be something in the complaint as regards the raising of the allowance drawn by the present mutavalli, Khayam Ali. With reference to this, attention is solicited to para 4 of the Paymaster's letter in C.No.886. As pointed out by him there, the purvanah of 1793 did not specify any allowance in the case of the Musta'a Sahib's durgah. This portion of the matter has the appearance of being not altogether in order and it is submitted that the Paymaster should impress upon the Prince his responsibility as to seeing that the revenues of the mosque are properly applied.

6. C.No.878 is apparently pseudonymous and has, it is thought, been written at the instigation of the petitioner.

C.S.
15.7.96

L.P.
6/8/96

× taking them in their legal aspect they are merely personal: what may have been intended is another thing. That the office passed on from father to son would go to show that it was meant that it should be hereditary but this would not be a conclusive legal proof.

I do not think it necessary or expedient to say this to the Prince. A.S.H. 11.8.96

× There cannot be much doubt as to this. The two Hindustani Sepoys are written with the same pen & evidently the same person. The English endorsements on the Sepoys are all in the same hand & ink. Both accountants (not being Labbais) do not sign in Tamil. L.P.

This might be explained. A.S.H. 11.8.96

Political Dept

CS

From Orders

(9) (6) (9) (9)

C. Nos 511, 858, 886, & 909

Order No 536 & 14 August 1896

Petitioner will be informed that the Govt. declines to interfere, ~~and that if any claims should be found any rights in the matter~~ It is for him to establish his rights, such as they may be, in a court of law.

[From Orders]

C.S. 12.8.96

L.D. 13/8/96

Petitioners P.C.S. } Desp 20/8/96

Copies & Endi. 18/8

Nil Unnecessary papers returned C.M.S 19/8/6.

given for copying _____
copied _____
examined _____
signed _____ } 189.

AIN G.O., No. 189, DATED

ENT No.

CHES TO C. No

OF GOVERNMENT	A	A	A	A	A	A	A	
OF GOVERNMENT.								
EMENT WITH DITTO.								
T FILED UP, BEING MEANT FOR DESPATCH ORIGINAL.								

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