

Political (1896) Department.

ORDINARY MS.

G.O., No. 597

DATED 2-9-96

INDEXED.

[Despatch Abstract.]

Informing C. Muhi-ud-din Husain
of Kaveripak, N. Arcot dt, that
~~the Gov. of India~~ declines to
interfere in the matter of
his memorial praying for
the continuance of a portion of
the stipend of the deceased
Afsar-un-nisa Begam.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
314/97							

Political (1896) Department.

CURRENT No.

From the Govt of India

Order No 597 D 2nd September 1896

With reference to his memorial
of 20th July 1896, C
to the Govt of India, Muhi-ad-din
Hussain will be informed that
that Govt has no reason to interfere
in his behalf.

No. 13819.

Dated 22nd }
Received 28th } August 96
Registered 28th }

Enclosures 3 & Enc. after Post
Spare copies. C. No. 746 of 96 H. P.

SUBJECT.

Requesting that C. Muhi-ad-din
Hussain may be informed that
the Govt of India has
to interfere in his

To
C. Muhi-ad-din
thru' the Paymaster C.S.
with all enclos.
L. S. P.
5/9/96

The 96 papers got made being
sent down for entry in the with held
memorial list

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To,
His Excellency the Right Honorable
the Viceroy and Governor-General of
India in Council
Simla.

The humble memorial of C. Mo-
hiud Din Husain, foster son of
Afsar-un-Nisa Begum Sahiba
widow of Shamsud Dowlah Ba-
hadur, and a Carnatic Stipen-
diary N^o 1316 A of Madras.

Most humbly and respectfully sheweth-
That the memorialist submitted an
appeal to your Excellency in Council a-
gainst the orders of the Government of Mad-
ras, N^o 242 dated, 4th April 1896, Political.
The said appeal was, in due course, submitted
through the Government of Madras vide
memorialist's petition copy attached.
The Madras Government intimated, in
their order N^o 401, dated 24th June 1896,
Political, to the memorialist that the same
is withheld under discretionary powers
to be exercised by the local Governments
in cases of appeals which are against the
orders of such Governments and which are
preferred not earlier than the lapse of 12-
months from the date of the order appeal-
ed against.

Memorialist must humbly invite
your lordships attention to the enclosure
hereof marked A. wherein it is clearly laid
down that the order against which the ap-
peal has been made is the one passed by
the Government of Madras on memoral-
ist's petition in April 1896, and not the

one passed in January 1894, as presumed by Government. Of course the appeal was against the non-consideration by the local Government of some important and material facts submitted in the memorial whereupon orders were passed in April 1896.

The Madras Government ought to have taken their ground on better material, by submitting the memorialists petition to your Excellency in Council and stating their reasons for a non-consideration of the points advanced by memorialist than by taking recourse to a mere technicality even which is not compulsorily to be acted upon as it is expressly laid down as being purely discretionary.

Memorialist humbly begs to submit that the technicality referred to in the G.O. No 401, dated 24th June 1896, Political, of Madras does not apply to his case as it (the technicality) does not exist at all. The appeal as pointed out by memorialist, refers to the order of April 1896, and not to that of January 1894, and he sincerely trusts that your Excellency will not be induced to consider otherwise, as that would be supposed inconsistent with impartial justice, which ought to be dispensed equally alike to those in power and to those governed by them. Of course your Excellency may after giving the matter, contained in the memorial now withheld by the Government of Madras, a due consideration, pass any orders, which, memorialist has no doubt, would be on principles of justice.

Under these circumstances memorialist most respectfully begs your Excellency in Council

to graciously call upon the Government of Madras to submit the said memorial, now withheld by them to your Excellency and then pass orders thereon. Memorialist here with annexes the enclosures, 4 in number, to the said memorial, which the local Government kindly took the trouble to return to him for which he was charged an unnecessary sum of annas 7- as postage, due, because the order and these papers were received by ^{if it would have cost} hearing post. Had they been sent by prepaid post, the State one single anna of their money. But memorialist should, perhaps, as a punishment for his appealing against the honorable Government, be put to this inconvenience, which is considered by them to be scarcely worth being attended to, but which memorialist assures your Excellency was an unlawful charge upon him and he could not conveniently part with even such a paltry sum as his resources are very limited and he cannot even afford so little. It is an unlawful charge as the memorialist thinks the local Government to have erred in their finding. Moreover it was not necessary that the said enclosures should have been returned as they formed part and parcel of the memorial now with the Government. It was something of the shape of a fine because memorialist had not only to pay for them once but has again to pay for their transmission to your Excellency, who without these but with the bare petition now with the Madras Government would not be able to see the full facts of the case and arrive at an impartial decision.

5. Since the date of his memorial to your Excellency, now with the Madras Government, another nephew of Padshah Begum Sahiba, the original grantee in memorialist's case, as well as that in the case of this nephew of

2. 3.
 On 12th June 1896, the Government of Sir Arthur Hare.
 granted a continuation from the deceased's
 depend to his family, as late as in June
 of the year of grace one thousand eight hund-
 red and ninety-six. It is sadly to be regret-
 ted that the humble memorialist's case should
 not have weighed the minds of Sir Arthur
 and his Council and excited their sympathy
 on similar grounds and something done for
 him. However it is now left to your Excel-
 lency in Council to determine his deplorable
 case and to do him justice which the local
 authorities have persistently denied this
 poor self - the memorialist.

For which act of grace & favor me-
 morialist shall ever pray for your Ex-
 cellency's and family's health, wealth,
 long life and prosperity.

Memorialist humbly begs
 to remain,
 your Excellency's ever and
 most humble and obedient
 servant.

Signed / C Mohind Den
 H. 1896

Dated, Kaveripattinam,
 N. Arcot District, Madras,
 the July 1896.

Original Sent
 C. Mohind Den
 80-7-96

No 8495

When given for copying 4/9
 When copied 4/9
 When examined 4/9
 When signed 4/9 } 1896

READ AGAIN C.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 DFTD.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

with all numbers
 sent

N.B.-

A = Copy in full.
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 P = Copy abstract only.
 Q = Copy heading only