

Political (1897) Department.

ORDINARY MS.

G.O., No. 284

DATED 28-4-97

INDEXED

52
35/4

[Despatch Abstract.]

Referring to Muh-ud-din Hussain to G.O.
No. 242 of 1896 passing orders regarding his
claims to the stipend drawn by Afzal-ud-
Din Begum, and stating that no notice
will be taken of further representations
on the subject.

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

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

CURRENT No. 554

From the
23 APR 1897
GOVERNMENT OF MADRAS

*The Paymaster
Com at his Shipends
Chepak.*

Order

No. 183 of 1897.

Dated 22nd }
Received 23rd } April
Registered 26th }
1897 / 1896

Registered 268 11/1/11
C. Nos 314, 311, with enclosures (2) returned.
Enclosures ~~Three (3)~~ Four (4).

Spare copies
Note C.W. 314 of 97 has been stitched with
f.O. W. 201 of 25-3-97 & C.W. 371 of 96 with
f.O. W. 242 of 4-4-96.

SUBJECT. *82614 (9)*

Reports on petition from C. Munkh-
ind. din Huvain as directed by
G.O. No: 201 of 25th March 1897. "P.M."

BACK PAPERS.

G.O.	No.	Department.	Date.
201:	25-3-97	all papers marked	
391:	10-4-86		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 183 of 1897.

Paymaster Carnatic Stipends
Office Chepak 22 April 1897.

From

C. Marsden Esquire.

Offg. Paymaster Carnatic Stipends

To,

The Chief Secretary to Government
Fort Saint George.

N²

Sir,

With reference to G.O. No. 201 dated 25th March 1897 "Political", I have the honour to submit the following remarks:-

2. The petitioner states in his 3rd petition that Colonel Baynes in excluding the name of Afsar-un-nisa Begam from the list of confirmable stipendiaries laboured under a mistake.

3. In his second petition he says Colonel Baynes acted from improper motives.

4. It is not in the least likely that an officer of Colonel Baynes's experience made any mistake. The case to me appears to be very clear and one in which no mistake was possible.

5. In the first place petitioner is the adopted son of Afsar-un-nisa Begam. Government has again and again ruled that adopted children are not to be pensioned. The

Orders on this subject as noted in the margin, are clear and unmistakeable. They are quite sufficient to dispose of

the claims of the petitioner without further reason or reference.

6.

In the second place Afsar-un-nisa Begam got -

In the letter in G.O. 201
of 25-3-97 N²

In page 5 of pte (A) 371
in G.O. 24284-4-96
C

E.M.C. of 20th April 1843.
G.O. No. 85 of 14th February 1849
Honourable Court's Letter
of 10th August 1814.
Honourable Court's Letter
of 20th November 1816.

her pension not by descent but solely through marriage. She got her pension because she was the widow of the son of a stipendiary. The government order on this point is also clear. In the letter quoted in the margin the following order will be found:-

"The relatives of persons who are pensioned solely as widows of stipendiaries have no claim to renewal."

* Extract from a general letter from the Honorable Comtee of Directors dated 14th April 1847 No 3. para 2.

7. In the third place this case of Afsar-un-nisa Begam has been before government before. The question of whether her pension should be continuable or not was decided in the negative in G.O. No. 391, dated 10th April 1886 "Political."

M²

8. For the reasons given above it does not seem necessary to follow the comparison, the petitioner seeks to institute between the case of Afsar-un-nisa Begam and other Begams, particularly Nawab Shumad-un-nisa Begam. I may merely observe that the cases are quite distinct for the reason that the latter lady drew her pension because of her blood relationship to her grandmother Her Highness Nawab Said-un-nisa Begam, while the former was pensioned strictly because of her relation by marriage to the son of a stipendiary. She had otherwise no personal right to a pension. She had no rights to leave it if she had had any, she could not have left them to an adopted son. She had no children.

I have the honour to be

Sir

your most obedient servant

W. H. H. H.

offg. Paymaster Carnatic Stipend
Chepak.

W. H. H. H.

C.No.554

FOR ORDERS

The above current contains the Paymaster's report on the petition from C.Muhi-ud-din Husain dated 3rd March 1897 ^{the last one being} (C.No.314 in G.O.No.201, d/25th March 1897) in which he prayed for a reconsideration of the orders regarding his claims to the stipend drawn by Afsar-un-nisa Begam. Attention is solicited to the note flagged T in the above G.O., from which it will be seen that the reference to the Paymaster was made principally in consequence of the difference in the treatments of the stipends of Afsar-un-nisa Begam and Nawab Ahmad-un-nisa Begam.

2. As pointed out by the Paymaster in the present current Muhi-ud-din Husain is the adopted son of Afsar-un-nisa Begam and ~~as pointed out by the Paymaster~~ adoption carries no right of heirship. This has been repeatedly laid down and is the rule invariably followed. The old papers quoted in paras 5 and 6 of the Paymaster's letter have not been called for, ~~but~~ the ruling is one of which the Chief Secretary is well aware. The comparison between the stipends drawn by Afsar-un-nisa Begam and Nawab Ahmad-un-nisa Begam is, so far as the

Afsar-un-nisa Begam died without issue (vide last sentence in C. No. 564) and her adopted son is a collateral, & not a member of her family much less of that of Nawab Azim-ud-Daulah.

petitioner is concerned an unfortunate one, for Afsar-un-nisa Begam derived her pension not by descent but solely through marriage. Nawab Ahmad-un-nisa Begam was the favorite granddaughter of Nawab Azim-ud-daulah and daughter of ^{an} uterine sister of Nawab Azim Jah. The ^{status} ~~petition~~ of Ahmad -un-nisa Begam has been ^{emphasized} ~~again~~ recognized by Govt. ⁱⁿ recent ^{by} years, for from para 3 of G.O. No. 884, d/ 30th Decr. 1893, it will be seen that, although the stipends drawn by her descendants should, under the rules governing 1885 stipends, lapse on their deaths, the Govt. resolved to declare them continuable for one life more in consideration of the position of the Nawab Begam. Some stress has also been laid in the notes in G.O. No. 201, d/ 25th March 1897, on the fact that ^{Nawab} Ahmad-un-nisa Begam derived her pension from ^a ~~Said~~ -un-nisa Begam, but it will be seen from para 6 of letter No. 380, d/ 24th Octr. 1856 on page 31, letter No. 472, d/ 29th Novr. 1856 on page 34, letter No. 6321, d/ 31st Decr. 1856 on page 36 and especially from the list on page 38 of the green book in the file that ~~Said~~ -un-nisa Begam died between June and October 1856, that is before the settlement of 1855 stipends was completed, and that Ahmad-un-nisa Begam was really the original grantee. This is clearly shewn in the list on page 38 of the green book. The same note throws some doubt on ^{the} 1885 lists ^{of Baynes}

M²
Attention is respectfully solicited to the testimony borne by Govt, to Col: Baynes's list in para 2 of G.O.No.391, d/ 10th April 1886. By a peculiar coincidence the last mentioned order declined to place Afsar-un-nisa Begam's stipend on the same footing as that of other Begams. The other case, that of Muhammad Fakir-ud-din in which it was thought discrepancies ^{in the 1885 list} were detected has been submitted and is now in circulation and it is thought that the note put up with that case clearly shows that there was no oversight by Col: Baynes.

3. It is ~~further~~ submitted that the 1885 lists should not be touched. Neither the present case nor that of Muhammad Fakir-ud-din has proved anything against their correctness. On the other hand these two cases have shewn that Col: Baynes had good reasons for his proposals. The petition from Muhi-ud-din Husain (C.No.314 in G.O.No.201, d/ 25th March 1897) has still to be disposed of. As regards his request therein ^{that} the Paymaster of Carnatic Stipends should be referred to, the reference has been made with bad results for the petitioner who has no right to dictate to Govt. as to whence it should derive ^{its} this information. The records in the Govt. Office are quite sufficient to dispose of the petitioner's claim. It is submitted that the order in this case should be

X
ORDER No 284 d/ 28-4-97 will be
The petitioner is referred to

G.O.No.242, d/ 4th April 1896, and informed that no notice will be taken of further representations on this subject.

28.4.97
28/4/97
G.O. No. 314
Petitioner (9/1)
314 + 554
Res (9/8)
45/97

When given for copying 30/4/
When copied 30/4/
When examined 3/5
When signed _____ } 1897

READ AGAIN G.O., No. _____
189 , DATED _____

CURRENT No. _____

ENCLOSURES TO G. No. _____

RE OF GOVERNMENT A A A A A A A

RE OF GOVERNMENT.

MENT WITH DITTO.

NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

B.-
A = Copy in full.
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