

Political (1897) Department.

ORDINARY MS.

G.O., No. 431

Dated 30-6-97

[Despatch Abstract.]

stating that the claim of Quaiyum at
to a portion of the stipend which his
deceased wife might have received
had she been alive in 1875 is in-
admissible.

1-12/97

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
1319/97	759/97		30-11-97				
207/98	150/98		26-5-98				
815/98							
773/98							

[Poll.]
7
1,000-25-11-06.

Political (1897) Department.

CURRENT No. 666

Res

Get up complete papers

and
23. 5. 97

m.o for a
complete file
Re 27-V-97.

Papers recd
submit. Re 26-96.

Order

From Khayoom Ally Sahib
husband of the late Khadijah Begam

No.

Dated 20th May 1897

Received 21st May 1897

Registered 22nd May 97

Enclosures 1

Spare copies

SUBJECT.

Requesting the grant
of widower's pension out of the
deceased wife's pension.

20
29/11
31/5/97

BACK PAPERS.

G.O.	No.	Department.	Date.
S.C.	548	Poll.	30-8-75
"	345	"	6-12-82
"	515	"	23.2.97
"	73	PM	
S.C.	41	Poll.	29-1-89
S.C.	123	"	30-4-89
Petitioner	835	"	9-5-82
"	540	"	24-2-82

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To

His Excellency The Right Honorable the
Governor in - Council
Fort Saint George.

The humble petition of Khgoon Ally Sahib
husband of the late Khadijah Begam

Humbly Sheweth

Petitioner begs humbly to solicit with
due deference that his wife having died before the publication
of G.O. dated 30th August 1875 by which her other sisters were
given Rs 10 each out of her grandmother Rahmance Begam's
lapsed pension of Rs 100 per month.

That the late Khadijah Begam was
receiving from her grandmother regularly Rs 10 every month
up to the date of her death, and that the pensions of her other
daughters are guaranteed to be continued for one more life
in Appendix E. to G.O. dated 22nd May 1885. Moreover
one of her daughters died before 1885 and her children
got Rs 5 out of her share of Rs 10

Petitioner is justly entitled to a share
in his wife's pension which though she never enjoyed
owing to her predecessors, yet she would have got the same,
had she survived, her predecessors does not exclude her
heirs to receive a share.

There are precedents in which
widowers were granted pensions out of their deceased
wives' pensions, of which the petitioner quotes hereunder
two instances.

(1)

Come Syed Vahed Sahib was granted Rs 7
out of his wife Koolsoom Begam's pension and

G.O. 51576/12/82.
B

Petitioner No. 31
7/9/82

(2) Khyroallah Khan, got Rs 15 out of his wife Noorjahan Begam's pension.

In obedience to G. O. R. No 73 dated 23rd February 1897, petitioner applied to the Paymaster of Carnatic Stipends, whose endorsement is herewith enclosed in original for your Excellency's perusal.

The Paymaster's contention, that a lapse of 22 years having occurred, petitioner is not entitled to a share, is petitioner begs to submit, not applicable to his case as there has been a ruling in 1881 that lapse of time does not bar a claim.

In conclusion petitioner begs to submit that his case be enquired into and disposed of on its merits. For which act of justice petitioner shall as in duty bound ever pray.

Madras }
20th May 1897.

قیوم علی
Khyroallah Khan Ally Sahib

H. L. The Governor

C. No 666

Petitioner, Khyoom Ali (Lunayumali) prays for ^{the} continuation to him of ^{a portion of} the stipend which his deceased wife, Khatija Begam, might have received had she been alive in 1875.

2. By G.O. No 548 Polt. d/30-8-75

A stipend of Rs 10 per mensem was granted to each of the five grand daughters of Rahmani Begam, shadi widow of Nasirulla Khan Kawi Jung, who was a nikahi son of Nawab Wallajah. Of these stipends, ^{four are} ~~4 have been~~ returned as continuable in Ap. E to G.O. No 359 Pol. d/ 22-5-85 (vide nos 195-198 E)

3. Petitioner states that he was married to ^{Khatija} ~~Khatija~~ Begam a sister of the above mentioned grand daughters of Rahmani Begam and that his wife died before the issue of the G.O. in August 75 which A sanctioned a stipend of Rs 10

to each of the five grand daughters
of Rahmani Begam ^{specific}
~~in that order~~, who were ^{then} living
~~at that time~~.

4 Petitioner's argument is this:-

1 Had ^{Khadija} Khadija Begam been
alive in ¹⁸⁷⁵ ~~75~~ she would have
received a stipend of Rs 10
along with her sisters.

2 ~~The~~ ^{stipend} stipend ~~granted her~~ would
like those of her ^{four} ~~the~~ sisters have
been returned as continuable in 1885

3 And on her death he would
have received a portion of
what was continued.

~~He~~ ^{He} ~~therefore~~ ^{considers that he ought not to have been} ~~deprived~~
~~of the stipend he might~~
have enjoyed had his wife died subsequently to 1875
~~been living in 75 and then~~
~~subsequently died~~

5 C. No 666 is the second petition
addressed to Govt by Quaiyum ^{Ali}
From 1875 up to February last,
it does not seem to have occurred
to him ~~to address Govt~~ that
he had a right to a pension.
He then addressed Govt for a
stipend and his petition was
^{under para II of the C. Petition rules}
~~rejected for not having been~~
~~previously submitted to the~~

G.O. No 73 Pol. d/23-2-97J

~~Case No. 67~~

D
not here

~~Carnatic stipends~~. He has
now rectified the omission
and appends the reply he ^{has} received
^{from} The Paymaster, ^{The latter has pointed}
~~in this point~~
out to ^{the petitioner} him that his wife,
^{Khadija} Khadija Begam, did not enjoy
a share along with her other
sisters and ^{has} informed him
that his claim for a share
as a widower cannot
now be entertained after
the lapse of 22 years. The
petitioner meets this latter
objection by a reference to
a Govt. endorsement dated 9th
March 1887 in which it ^{was} ~~is~~ declared
that lapse of time does not
necessarily bar a claim in
all cases.

6. As precedents ^{in support of} ~~to~~ his claim
^{as} Quaiyum ~~the~~ cites several
cases in which he alleges that
stipends were ^{continued} ~~granted~~ to widows
out of the ^{pension of} ~~sums received~~
by their deceased wives. A
search has been made in
the records for the precedents
referred to by him in his
previous and present petitions
but so far, only the cases

of Saiyid Wahid Imami and Muhammad ~~Khairulla~~ Khan have been found; the cases of Khader Ali, Saiyid Habib, Mulari Khudarat-Habib and Babaroddin are not traceable.

7. The ^{facts bearing on the} case of Saiyid Wahid Imami ^{are} as follows. In '82 he petitioned for a pension out of the stipend of his deceased wife, Kulsum Begam. The Govt. Agent in forwarding the petition remarked that although the grant of a pension in such a case would be opposed to the principles on which the rules for the administration of stipends was framed, there were instances in which the rules had been relaxed. Govt. ~~however~~ ^{the facts} took into consideration that the petitioner was not well off and about 60 years of age and granted him, as a special case, a pension of Rs 7 out of his wife's stipend of Rs 65.

8. The second of the cases cited by Duaiya ^{Ali} Muhammad Khirullah's case is ^{not altogether} ~~absolutely~~ irrelevant.

G.O. No. 515 Pol. dt 6-12-82 B

A.G.O. No. 835 Pol. dt 9-5-82 C

notes at C

Paymaster does not apparently consider his case a deserving one as he has summarily rejected the petition presented to him. The

A.S.H.
30.6.97

irrelevant. Muhammad Khirullah^a was ^a great-grandson of Nawab Wallajah and had been in receipt of a stipend of Rs 35 per mensem which he consumed ^{celebrated the marriage of his only} in order to marry his daughter. He continued to ^{the stipend of Rs 35} and lived on his wife, Nurjahan, ^(Rs 64-7-0) ~~previous stipend~~ of Rs 65 per mensem. On her ^{until her death} death he petitioned Govt for help and was granted as a compassionate allowance Rs 15 per mensem from the date of his wife's death.

Petitioner states that he is over 50 years of age and in embarrassed circumstances.

The following order is submitted for approval:

Order No. 431 dt 30th June '97

Petitioner's claim ~~to~~ ^{as pension} ~~is~~ inadmissible

21/6/97

28/6/97

To: The Petitioner (940)
- The Paymaster C.S. (A.G. C 666)

Al.
15-6-97

Then given for copying
Then copied
Then examined 67
Then signed } 189

AD AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT.

STATEMENT WITH DITTO.

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.