

Political (1897) Department.

ORDINARY MS.

G.O., No. 735

DATED 17. 11. 97

INDEXED.

W 6
12.11.97

[Despatch Abstract.]

Referring Muhammad Mayah-
ulla. Sahib of Karasapur to
previous orders on the subject
of his petition for hijaze allowance
& stating that further petitions
from him on this subject will
not be noticed

17.11.97

BACK PAPERS.

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

FURTHER PAPERS.

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

Political (1897) Department.

Note entered in the petn register.
There is nothing new in this petn.

CURRENT No. 1311



AS 5/11/97

But In what respects does this petn differ from that in G.O. No. 792 - M. of 10.11.96? Mark in red pencil or red ink in the margin of this current.

Hasim Esq. Secy to Private Secretary to E. Melneer.

Order Note for Rect

Chas. 6. 21 97 Recd 9/11/97

The request preferred is the same but the present petition is couched in somewhat different language.

No.

AS 3/11/97

Dated 22nd October 1897

Received

Registered 2-11-97

Enclosures

Spare copies

ORDER

No. 735 of 17.11.97

mis

Petitioner will be referred to previous orders and informed that no notice will be taken of further petitions on this subject

Chas. 11.11.97

AS 12.11.97

Transfers a petition of 26th September 1897 from Mir Muhammad Inayat-ulla Sahib Sarafpur, praying that his case may be reconsidered

SUBJECT.

(1897)

Petitioner [9/11] (with memo re) / Dec 1897

Pl. Reference to note

Noted

28/11/97

Hasim

Secy to Private Secretary

BACK PAPERS.

G.O.	No.	Department.	Date.
792:	10-11-96.		
199:	17-3-96.		
265:	9-9-63.		
420:	20-10-62.		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Brief Account of the Petitioner's fact

The Petitioner's father was the Original Owner of the Nigah post and its allowance, who, was appointed by Her Highness the late Mother of the Nabob of Carnatic, to perform the Religious work once a month, and after Her death & some years before the Nabob's demise, when he was an old and infirm man, he was appointed substitute to one Syed Imbaimma Kaki Sahib, with Rs 5, a month, being his son, the Petitioner in minority. After the death of his father, the same substitute remained in charge of same duty, on the same capacity & form, being claimed as to be the author of the same, to the Petitioner's mother, the guardian of his minority, which remained till 1888, Jan. 1. Some years after the death of his father, when the Petitioner was minor, the stipend of Her Highness, the Nabob Khairun-Nissa Begum Sahiba, was stopped, on the failure of distribution of salaries to the old servants, and she submitted a list of servants, to the Government, in which the name of the said substitute, was missing, inserted as permanent holder of the Allowance, by his fraudulent trick, & got a Certificate, for Rs 16-4-0, separated from Her Highness's stipend. But, the substitute never failed to pay the Petitioner's provision, the restaurant deducting his Rs 5, as usual, every month. This regularity of payment, was injured the Petitioner's right. As soon as knowing the matter of his trick, a long offer, with the acquaintance of receiving the arrears which was due to his father, the Guardian awakened from a sleep of neglect, and began to complain since the time of Colonel Wilson, and the Petitioner, from one year, before the minority was over, he commenced to claim his right, but never received any reply, from the late Govt Agents till 1887. Colonel Baynes, made an objection in his endorsement No 433, that the Petitioner failed to claim, on Her Highness's, or upon the Government, when a list of servants was submitted by Her Highness. The exceptional and excusable time of the Petitioner's minority, at the submission of the list, was never heard by any Govt Agent, and it was the important reason, that, at the time, the same substitute, himself claiming, was to be authorized Agent, for all affairs, including the allowance on behalf of the Petitioner's guardian, who was a facha widow on the death of all Public official engagements. On these matters, the objection of the Govt Agent, for non-claiming at the convenient time and the prevention of the Govt Agents in interference of a due course of enquiry to release & restore his right, from the substitute, was beyond the justice. From the Govt declaration by the proceedings No 199, on his 1st Petition without enquiry of fact, simply on personal grounds of endorsement, being the same his claim is admissible, owing to his excusable failure to claim during his minority, as well as their rejection of his 2d Petition being there is no fresh ground therein, under the Petition Rule, by a proceeding No 792, with interference in trial; has unfortunately, for it dealt with injury, & loss to the Petitioner's right. Consequently, the Govt brought his pitiable case of his injury again, to get redress from Your Excellency, by reference of the ancient Record & report of the Magistrate in charge of Agency, get the claim inquired by him, under the affixed legal points, liable for the merits of the case, & graciously order to remove the name of substitute, the present holder of Allowance for the Petitioner ascertaining his right. Mumsley 26-9-1897

Info 792
10-11-96

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Brief Account of the Petitioner's fact

The Petitioner's father was the Original Owner of the Nizaz post and its allowance, who, was appointed by Her Highness the late Master of the Nabol of Carnatic, to perform the Religious work once a month, and after Her death & some years before the Nabob's decease, when he was an old and weak man, a Subordinate otherwise called Sayyid Muhammad Ghar Khan, a Tutor to Her Highness the late last Nabob of Carnatic, the Minister to Her Highness the late Master of the Nabol and the Holder of the Nizaz Allowance, from the Palace of the late Her Highness, who connected with Her Highness the Nabob Khuram Nissa Begum Sahib's Stipend.

Most Respectfully Sheweth,

With reference to the Government Proceedings Nos 199 & 792, being the former contained to be the Petitioner's prayer in dismissible which was furnished, there being no matter of the legal point detailed therein, of his intentional fault, or failure, finding on submitted Material Enclosures, with the petition of the Court Appeal, after his minority was over, which time for any claim is excusable, and without interference of a due enquiry, in a simple matter of his valid claim, being his right decided by the Substitute, during his minority period, he ascertained and confirmed, to & from the name of the present man in receipt of the conditional hereditary allowance, who was lately Substitute and subsequently became absolute Allowance holder, with full power, and the latter was consisted of insertion of General Ordinary Rejection Rule of petitions, if being shown no fresh ground in the case, for reconsideration, which was favoured without connection, with the Petitioner's claim, as above, being no need of proving his case, by fresh grounds, to the Subordinate, the injurious behaviour of the Substitute, to deprive the Petitioner's right; the Petitioner humbly desires to redress the case, which based upon, under requested Statement, by full enquiry, through the reference of the Court Agent's Office, on his own proposal of the Enclosures, that already submitted giving cover to the second Petition dated 11/10/96 & lodged in the Court Office, Political Department and the ancient Record belongs to the Palace of Her Highness, the late Nabob Inayat Khan Nissa Begum Sahib, Master of the late Nabob, who appointed the Petitioner's father to perform the duties of the Religious Ceremony once a month & receive some purpoos in cash with some sugar-candy & candles etc, the total amount of all things is drawn Rs 16-4-0, by the usurper Substitute, being absolute Owner of the allowance.

The real Statement of the Petitioner's claim is to be brought, for redress, into the valuable consideration of Your Excellency, as follows, being beyond the loss of the Court Fund;

1 That, the Petitioner's father was to perform the Religious work once a month, up to some years ago of the demise of His Highness the late Nabob of Carnatic, but, on his old age & infirmity, the said work, was designed to be conducted by the present Allowance holder, Sayyid Muhammad Ghar Khan, as Substitute from the Petitioner's father, till his death, on condition to receive Rs 5-0-0 a month, from the Nizaz Allowance.

2 That, after the death of the Petitioner's father, the same Substitute claimed as to be authorized Agent, to the Petitioner's mother, (the Guardian) whilst, the Petitioner was under the

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the restriction of minority, being eleven (11) years old, to manage all domestic affairs and discharge the work of the Petitioner's Estate, including the said performance of the Religious duties as usual, on the same term of payment to be received, and the rest to the Petitioner's Guardian during a portion of period of his minority, after his father's death, being the discharge of said work, and in Her Highness the Nabob Khirum Nissa Begum Sahiba, after the death of her husband, the late Nabob of Carnatic.

3 That, some time after the Petitioner's death, whilst a List of old servants, under the delivery of the maintenance of present Her Highness, was submitted to the Court, and their salaries were stopped & separated from a portion of Her Highness's Stipend, the said Substitute made a pleasant and peculiar trick, to be enlisted his name in the List, by combination of the Accounts and other subordinates, under Her Highness, and get a Certificate & List, as a Stipend Rs 16-4-0, from the Carnatic Pay Masters Office, as well as received whole amount of arrears, due to the Petitioner's father, being himself the owner of the Allowance, but he became unable to rub or sponge the name of the Petitioner's father, from the old and ancient accounts & record, that lodged in the Court's Office.

4, That, at the time, when the submission of a List of old servants was made, the Petitioner was minor, being nearly 13 years old, who was ignorant of anything to be known and interfere in any transaction, and on the said Substitute regularly, to pay the part of the Allowance, deducting Rs 5-0-0 every month, without fail, kept the Petitioner's mother (Nandian) quiet to bring any further preparation, to claim the same, being unacquainted with his trick, and his intended desire, to injure the Petitioner's patrimonial right.

5, That, on well-aware of the matter of his deceiving to the Petitioner's right, during his minority period, being claimed to be himself Authorizing Agent to manage and save the Petitioner's patrimonial property etc, and his behaviour towards the loss & injury of the Petitioner, awaking to his mother and other relatives from the sleep of neglect, who paid attention to claim the same Allowance, in the Court's Office, and in the Honourable Presence of Her Highness, and the Petitioner, after his minority was over in 1868, even since one year before from his majority time, he has been claiming in the above Office, up to the January 1896, and from the February 1896, in appeal, in the Honourable Presence of Your Excellency, to assume his patrimonial right of the same Allowance.

6, That, the former Court Agents, who took steps of due enquiry and furnished the endorsement, to the above effect, for his numerous petitions to their address from 1867 to 1881 & that petitions lodged, without proposal and redress, but, the Petitioner was unceasingly impetred for their justice till 1896, even the first endorsement furnished in 1881, showing the failure of the Petitioner in claiming for the same, during his minority

Continued

time, being reckoned it unacceptable, far away from the justice,

7, That, as the former Record, that lodged in the Encl. Agent's Office, the Petitioner's claim to pension the allowance right is, relied and depended upon, being an important, and valid evidence, of the documentary proof

8, That, as the Petitioner's claim has no connection with a new Pension drawing matter, to disturb the Encl. Fund, and he has never been asking his right, on the false proof of inheritance, being his case, inadmissible, under the Proceedings No 99, but, he craves for restoration of his right, from the Substitute and on failure of the Encl. Agents to hold a proper enquiry in deciding of him & his right, he brought his claim in Appeal, to be legally heard, for the benevolent disposal with the documentary evidence of the lodged Record, under the Encl. Agent's Office, being referred his humble grievance to the same Office, set the case in trial, by observation of the ancient Record, which will evidently show his father's name, being the original owner & inventor of the same Service and Allowance, and ^{as already the case} even by proof of the respectable evidence of Her Highness, and report the matters inquired, in reality of the Petitioner's declaration & allegation, that requested by the several Petitions and Memorials from 31 years back, showing the above matters, being entitled to be exempted from the period of minority, which point is beyond the objection and excusable, inserting the humble prayer therein to purge the name of the usurper Substitute from the List of Stipendiaries, who is at present the free Allowance holder, against the legal time, being the son of the original Allowance holder disappointed

9, That, the failure of the previous Encl. Agents, since the time of Colonel Wilson, to grant the Petitioner's right, on proofs above shown, caused the loss of the Petitioner, losing the stipend in dispute, for thirty one (31) years, even to disturb the Government, for this simple matter of lowest claim, to be ascertained & confirmed the Petitioner's right, to the same Conditional Allowance, on the following point in his case, being liable to be enquired from the Officer, in charge of the Government Agency;

I Whether, the Petitioner's father was the owner of the King's allowance in dispute, by the documentary proof of evidence of the ancient Record of Her Highness the State Enayethun. - His a Begum Salika or not?

II Whether the Petitioner is the son and legal representative of the original Allowance holder or not? (to be proved by personal evidence of the respectable Stipendiaries)

III Whether the present Allowance holder was substitute for the Petitioner's father or not? and he was on the same capacity to work, till the submission of the List of Servants or not?

IV Whether the Petitioner, was under the restriction of minority, when, the above List was submitted or not? (to be proved by respectable Muhammedans)

(This Shut)

V

V. Whether the Petitioner has continually been claiming, for his right of the same, from his minority time or not (to be proved by the persons of the said petitions, if remained in the office, without despatch)

VI. Whether the Substitute has any documentary proof for the transfer of right to him, from the Petitioner's father, such as a petition etc, for the purpose, on the record of the Carnatic Circle, to be permanent. Holders of the

If the 6th point proves the Petitioner shall release his claim, without further preparation for redress.

10. That, the objection of the Petitioner's failure to claim his right, either on His Highness, or upon the Government, shown in the endorsement P-433, furnished by the Court Agent, when the List of Servants was submitted, by His Highness, may not be admissible, for, his minority, being 8 years, and a title 18 years ago, under the general rule of age exemption.

11. That, the Court Agent's obstruction of delay to furnish endorsements for their final disposal, on his petitions, submitted successively, to their address from 1867 to 1896 being lodged without a due perusal, made the Petitioner distressed, and a long delay for submission of Appeal for redress, may not be reckoned as the Petitioner's fault and intentional neglect.

The Authentic Copies of the Endorsements Nos 433, dated 28/11/81 and 99, dated 24/3/82 & the Private Copies of the Endorsements Nos 431 & 36 with copies of the Court Proceedings Nos 199 & 92 are herewith submitted

When the foregoing statement of the petitioner's claim, the Honorable Secretary of your Excellency will be graciously pleased, to take steps of finding justice, to restore his right from the Substitute (the present holder of allowance), being sprung his name, from the Register of the Carnatic Pagan, and order to enlist the Petitioner's name, in lieu of him, ascertaining the right of the Petitioner, being stopped the payment, to him until the case is quired, and to be petitioned present enclosures including the former, which were submitted with his second petition dated 11th October/96, on which the proceedings P-792 was passed and the enclosures were lodged, giving cause to the proceedings of your Excellency's disposal, the furnished officially by Stamp & Book-post with the merciful view, of the miserable state of the Petitioner, who is unemployed since a long time of 16 long months, being no one to patronize him.

For, which act of benevolence and justice, the Petitioner with his large & poor family, as in duty bound shall ever pray.

Narsapur
26th Septem
- 1897
Munshi, Enailullah Khan
Petitioner

80 792
10-11-96

[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]

When given for copying 13/11
When copied 13/11
When examined 15/11
When signed _____

1897

READ AGAIN G.O., No. _____, DATED _____
1897

CURRENT No. _____

ENCLOSURES TO G. No. _____

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

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

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Princely Sec
18/11/97