

Political (1899) Department.

ORDINARY PRINTED.

G.O., No. 331

DATED 24-5-99

INDEXED.

[Despatch Abstract.]

Kazi of Madras

Directing that, in future, a minimum fee of Rs 25 shall be paid to the — for each case in which Court Officers may obtain his opinion on questions of Muhammadan Law & Custom, and stating that in special cases it will be open to officers to apply to Court for sanction for a higher fee.

26/5/99

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1899} of Madras. POLITICAL.

Recd. } 1899. *Enclosures*
Regd. } *Spare copies*

G.O., No. 331, 24th May 1899.

MAY.

Kazi of Madras.

Directing that, in future, a minimum fee of Rs. 25 shall be paid to the — for each case in which Government officers may obtain his opinion on questions of Muhammadan Law and Custom, and stating that in special cases it will be open to officers to apply to Government for sanction to a higher fee.

GOVERNMENT OF MADRAS.

POLITICAL DEPARTMENT.

Read—again the following papers :—

G.O., No. 1253, Judicial, dated 25th June 1881.

" " 804, Political, dated 13th November 1883.

G.O., No. 330, Political, dated 13th May 1885.

ABSTRACT.—Informing Moulvie Obedulla Sahib, Kazi of Madras, that Government is unable to comply with his request for either a continuance to him of a portion of his late father's stipend or an increased allowance therefrom to his mother.

G.O., Mis. No. 143, Political, dated 11th February 1899.

Read—the following paper :—

Proceedings of the Board of Revenue (Land Revenue), Mis. No. 3476, dated 7th December 1898.

Read—endorsement of J. N. ATKINSON, Esq., Collector of Madras, dated 19th July 1898, Ref. No. 238 (Petition), and reference thereon, No. 133 (Petition), dated 31st August 1898.

Read—letter from the same officer, dated 5th November 1898, Ref. on No. 628-G & B.

Resolution—Mis. No. 3476, dated 7th December 1898.

The petition from Moulvie Obedulla Sahib, which is addressed to Government and has been forwarded with the Collector's endorsement first read above, will be submitted for the orders of Government.

2. The petitioner, who is the Kazi of the Sunis in Madras, appointed by Government under section 2 of India Act XII of 1880, urges that he has been rendering gratuitous service to public officers as well as to private individuals by giving them advice on difficult questions of Muhammadan Law and replying to their references on questions of marriage, divorce, inheritance, endowment, &c., besides discharging his legitimate duties as Kazi under the Act. He states that he once before applied to Government for the recognition of his services and the continuance in his name of a portion of the monthly stipend of Rs. 350 drawn by his deceased father, but that the Government disallowed his claim on the ground that his father's pension was only a life-grant. He now asks for a reconsideration of his case and the grant of a reasonable allowance "not necessarily from the lapsed stipend."

3. The Collector, Mr. Atkinson, while forwarding the petition to the Board, observed that although no stipend could be attached to the office of Kazi, the present incumbent (*i.e.*, the petitioner) had "considerable claims to a personal grant." On this the Board desired further information as to the number and nature of the references made to the petitioner by public officers and the extent of gratuitous work involved in replying thereto. The Collector now submits a tabular statement furnished by the petitioner himself on the subject. According to this statement, which the

Board has no means of verifying, the references in 1896 and 1897 amounted to 452 and 443, respectively. Of these, 330 and 332, respectively, were from both Civil and Criminal Courts, 119 and 110 were from private individuals for private purposes, and 3 and 1 from Government officers, such as the Collector, the Paymaster of Stipends and the Protector of Emigrants. The petitioner has since admitted that of the number of "references" shown as having been made by the Courts, the majority were from "vakils of parties under orders from the Civil and Criminal Courts." The Collector observes that as most of the items comprised in the statement appertain to suits in Courts of Law, the Kazi does not seem entitled to compensation on account of them from Government. It may be added that the Kazi is at liberty to demand a fee from private parties or their vakils who may require his opinion as that of an expert in Muhammadan Law; and if he is called upon to give evidence in the same capacity in Court, he should look to the Court for his allowances. The Collector also points out that in the file of original papers submitted by the petitioner himself he has found only six references made from Government officers, one in each of the years 1882, 1886, 1887, 1893, 1894 and 1896.

4. The Board is of opinion that the occasions on which the petitioner has been consulted by Government officers have been so few and far between that it is not necessary to consider the question of paying him a regular stipend for this addition to his ordinary duties; but if Government pleases, it may prescribe a fee which shall be paid to the Kazi by Government officers who may require his expert opinion in matters relating to Muhammadan Law and Custom.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Acting Secretary.

To the Secretary to Government, Revenue Department.

Endt. Mis. No. 113.

Transferred to the Judicial Department.

(By order.)

(Signed) N. E. MARJORIBANKS,
Ag. Under Secy. to Government.

6th January 1899.

Transferred to the Political Department.

(Signed) A. R. KNAPP,
Ag. Under Secretary.

20th January 1899.

Order—Mis. No. 143, Political, dated 11th February 1899.

The Government agrees with the opinion expressed in paragraph 4 of the Proceedings of the Board of Revenue read above. The Board will be requested to suggest a scale upon which fees should be paid to the Kazi of Madras by Government officers who may require his expert opinion in matters relating to Muhammadan Law and Custom.

(True Extract.)

(Signed) G. STOKES,
Chief Secretary.

To the Board of Revenue (Land Revenue).

READ—also the following papers:—

Reference of the Board of Revenue (Land Revenue), No. 132, dated 7th April 1899.

With reference to G.O., No. 143, Political, dated 11th February 1899, the Collector of Madras reports that it is not possible to draw up any scale of fees to be paid to the Kazi on occasions when his expert opinion is sought by Government officers. Mr. Bradley considers, however, that in view of the Kazi's social position in the Mussalman community and of the paucity of references to him on questions of Muhammadan Law and Custom, a minimum fee of Rs. 25 may be fixed for every such reference with the proviso that the officer making it may, in special cases and for reasons given, propose a higher fee. The Board agrees with the Collector.

(Signed) LIONEL DAVIDSON,
Acting Secretary.

To the Secretary to Government, Revenue Department.

Endt. No. 1570-Revenue.

Transferred to the Political Department.

(Signed) N. E. MARJORIBANKS,
Ag. Under Secretary to Government.

26th April 1899.

From the Board of Revenue (Land Revenue), No. 1197, dated 11th May 1899.
" Collector of Madras, dated 12th May 1899, No. 313-G.A.B.

ORDER—No. 331, Political, dated 24th May 1899.

The Governor in Council directs that, in future, a minimum fee of Rs. 25 shall be paid to the Kazi of Madras for each case in which Government officers may obtain his opinion on questions of Muhammadan Law and Custom. In special cases it will be open to officers to apply to Government for sanction to a higher fee.

(True Extract.)

G. STOKES,
Chief Secretary.

To the Kazi of Madras.
" Board of Revenue.
" Departments of the Secretariat.

Exd. A. F. Eccleston.

[5]
500-4-98.

Poll (1899) Department.

D. O. No. 181

From H. A. Sim Esq^r.

D. O. Entt No 991.8 8-4-99

Memo
Forwarded, in original, to
The Board of Rev (L.R.)
is to be expedited
with a request that the
information called for in
G.O. 143 Pol dt 11-2-99 may
be expedited.

No.

Dated

Received

Registered

Enclosures

Spare copies.

SUBJECT.

Stating that H.E. wishes to
see the papers concerning the
application made by the Kazi
of Madras for certain allowances,
To The Board of Rev (L.R.) allowing disposal.

10/4/99

BACK PAPERS.

G.O.	No.	Department.	Date.
143:	11-2-99	Genl Record pp	20/8/99
	papers.		

FURTHER PAPERS.

G.O.	No.	Department.	Date.
Ca ^o 554128.			

D.O. No. 181

Lucind. 29th March 1899

My dear Sir,
The Major told me at an interview with His Excellency that he was applying to Govt for a money allowance. His Excellency wishes me to tell you that if this is so, he would like to see the papers during disposal.

Bob Rip

This file went to J. W. Lincif
Red of Row, I think, I
with request for suggestion
as to a scale of fees which
the Nazi might be
allowed to levy for
his opinions when called
for by Govt. officers. Is there
anywhere in file now? — JWR
29, 3, 95

P Please see 80 143 PM F
8/11/2-99 of file put up.

30/3/99

H.C. 2084
Political
Revenue (1899) Department.

554
CURRENT No. 2419

58
CURRENT No. 554

From

The Board of Revenue
Land Revenue, Madras.

Order No. 1570 of 26 April 99

Transferred to the Political
Department.

B. No. 132 Ref.

Munafonbanter
sq. Under Secretary to Govt.

Dated 7th April 1899.

For S. George
April 1899

Received } 10/4
Registered }
Enclosures -
Spare copies -



Regd 27 } 4-1899
Regd 26 } Wm Pol + under to G.O. 143

8-11-2-81

19-4-99

SUBJECT.

Submitting to Government that the
Board agrees with the Collector of
Madras in thinking that a minimum
fee of Rs. 25 may be fixed for every
reference made to the Kazi of Madras
on questions of Muhammadan law and
Custom.

G.O. 143 of 11-2-99 referred to in
the current is a Political Dept order
which was sent direct to the
Board. It has been obtained
+ put up.

20-4-99
25/3/99

True
by
20/4

Submitted to
the Board on
22/4/99

He
11/4

Madras, 7th April 1899. 189

BACK PAPERS.

G.O.	No.	Department.	Date.
50	181	P.H.	19.3.89
Mi	143	-	11.2.89
Mi	330	-	15.5.85
-	202	-	24.3.85
J. S. L.	1253	Judl	25.6.89
se.	5274	-	18.11.80

FURTHER PAPERS.

G.O.	No.	Department.	Date.

READ— Government Order, Political Department, No.143 dated 11th February 1899, and Reference thereon B.No.38 dated 20th February 1899.

Read also letter from Herbert Bradley Esquire, Ag. Collector of Madras, to the Secretary to the Commissioners of Land Revenue, Madras, Ref.No.134/ G & B dated 20th March 1899.

Reference No. ^B 132 dated 7th April 99. 189.

With reference to Government Order No.143 dated 11th February 1899, the Collector of Madras reports that it is not possible to draw up any scale of fees to be paid to the Kazi on occasions when his expert opinion is sought by Government officers. Mr. Bradley considers, however, that in view of the Kazi's social position in the Mussalman Community and of the paucity of references to him on questions of Muhammadan law and custom, a minimum fee of Rs.25 may be fixed for every such reference with the proviso that the officer making it may, in special cases and for reasons given, propose a higher fee.

The Board agrees with the Collector.

Lonel Swindson

Ag. Secretary.

To

The Secretary to Government, Revenue Department.

Md.R.V.

Jala

C No 5521.

Pol Dept.

Telegram (272)

Recd No 1211 of 5-5-99

To The Board of Revenue

(Land Rev)

is requested to at an early day.

Please return ~~in~~ ^{forwarded to it with}

^{the} ~~the~~ Enclosures ^{to} SD No 143

Political dated 11th Feb'y last.

FWG
3/6/99

Curl
m/s
5/5/99

Board of Rev (L. R. J. 2nd).

Despatch
5/5/99

Done for Mr

Political Department

Revenue (189⁹) Department.

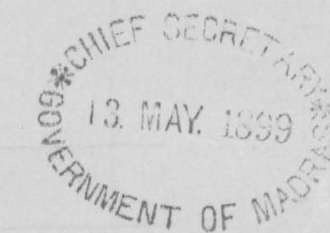
CURRENT No. 616

Ref Please keep this till the end
of this week, ~~as till it~~ unless the
enclosures referred to come from
the Collr of Madras sooner, —
as this Ct might as well be
disposed of along with others
on the same subject. *JWS*
15/5/89

If the enclosures referred to have
been received (Cus 621) and the
Order file is resubmitted
JWS
15/5/89.

From

The Board of Revenue,
Land Revenue, Madras



No. 1197 Routine.

Dated 11th May 1899

Received { 13 - do

Registered

Enclosures —

Spare copies —

SUBJECT.

Requesting the Collector of Madras
to submit direct to Government in the Po-
litical Department the enclosures which
were returned to him with the Board's Re-
ference B.No.38 dated 20th February 1899

Re: remuneration to the Kazi of Madras.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.



Proceedings of the Board of Revenue (Land Revenue).

No. 1197 Routine, dated 11th May 1899

Read Memorandum from the Chief Secretary to Government, Political Department, No. 1211 dated 5th May 1899.

Resolution

The Collector of Madras is requested to submit direct to Government in the Political Department the enclosures which were returned to him with the Board's Reference B.No. 38 dated 20th February 1899.

(True-Extract)

Lance Davidson

Secretary.

To

The Collector of Madras.

The Chief Secretary to Government, Political Department

Md. R. H.

Political Department.
Public Works (1899) Department.

CURRENT No. 621

Order



From The Collector
Madras

Ref No. 313
SAB

Dated 12 May 1899
by

Received

Enclosures 18

Spare copies

SUBJECT.

Returning, cutamendo
sues relating to puna-
-vation of the Kazing
Madras

BACK PAPERS.

FURTHER PAPERS.

MADRAS COLLECTOR'S OFFICE,

12th May 1899.

From

Herbert Bradley Esq J.C.S.,

As COLLECTOR OF MADRAS,

To

Enclosures. 18

Chief SECRETARY TO GOVERNMENT,
Political DEPARTMENT,

MADRAS.

SIR,

Cwobib M

I have the honor to forward the enclosures, referred to in Board's Proceedings No: 1194 Routine of the 11th Inst. Land Revenue, and to request that they may be returned when done with.

I have the honor to be

Yours most obedient servant,

Thank you

Ag collector.

K

ccy-5-28
R2/5/99

Petition of the Kazi of Madras.

V C. No. ⁵584 From the Revenue Dept., No. , dated 189 .
M. „ 616 „ Board of Revenue „ 1127 „ 11-5-189 .
XXV „ 621 „ Collector of Madras „ ^{RC-313}115 G.A.B „ 12-5-189 .
„ „ „ „ „ 189 .

NOTE

~~XXXXXXXXXX~~

Handwritten notes:
K.S. the for
V.S. 25/5/29 3/42 above V.

Please see the note in G.O. No.143, Political, dated 11th February 1899, and the order itself. The Collector of Madras and the Board of Revenue(L.R.) in C.No.554 recommend the payment of a minimum fee of Rs.25 to the Kazi of Madras for each reference made to him by ^aGovt. officer, with the proviso that an officer making a reference to him may, in special cases and for reasons given, propose a higher fee.

It is submitted that this proposal may be approved. A draft order is attached for approval.

Handwritten:
R.S.H.
20.5.99

Handwritten:
encd.
18/5/99

Handwritten signature:
18/5/99

Read again G.O.No.1253, Judl., dated 25th June 1331(0).
 ,, 304 Pol., ,, 13-11-1333 (0)
 ,, 330 ,, 13-5-1335(P) (see revised purport attached to order)
 ,, 143 ,, 11-2-1399(A) (with A of B.P.No.3476, d/ 7-12-93 and 0)

C. No. 554 From the *Revenue Dept.*, No. , dated 7-4-1899 (A)

616 ,, Board of Revenue ,, 1127 ,, 11-5-1899.
 621 ,, Collector of Madras ,, 513 G.A.B., 12-5-1899.
 ,, ,, ,, ,, 189 .

68

ORDER:- No. 331 of 24-5-99.
 P.S.

[Faint, mostly illegible text, possibly a list or schedule]

Issued
20.5.99

The Governor in Council directs that, in future, a minimum fee of Rs. 25 shall be paid to the Kazi of Madras for each case in which Govt. officers may obtain his opinion on questions of Muhammadan Law and Custom. In special cases it will be open to officers to apply to Govt. for sanction to a higher fee.

Kazi of Madras

To the *Petitioner (Jalvi Ibad-ullah Sahib)*
 ,, Board of Revenue (with enclos. to C.No.621 retd.)
 ,, Depts. of the Secretariat.

Contd.
17.5.99

dupd.
5-6-99

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G. O., No.
189

DATED

NUMBER OF COPIES
REQUIRED.

Order complete.
Letter only.
Order complete with Letter.

CURRENT No.

Print as marked

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

B. -

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

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2/6/89