

Political
Revenue (18 99) Department.

ORDINARY.

G.O. No. 632

DATED 21. 9. 99

[Despatch Abstract.]

[illegible]

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.

Original

Recd.

Regd.

} 1899.

Enclosures

Spare copies

G.O., No. 632, 21st September 1899.

SEPTEMBER.

Carnatic Stipends.

Passing orders on the question of the continuation of the lapsed stipend of the late Karim-un-nisá Bégam Sháhiba.

ENCLOSURES.

PETITION from KHADIR-UN-NISÁ BÉGAM, Adopted Daughter and Chief Dependant of the late KARÍM-UN-NISÁ BÉGAM SÁHIBÁ, residing at Janai Jehan Khan Road, No. 51, Triplicane, Madras, to His Excellency the Governor in Council, Fort St. George, dated 14th April 1899.

HUMBLY SHEWETH,—That your petitioner was, while a baby in arms, taken away from her parents and supported by the deceased, Karím-un-nisá Bégam, who was drawing a Carnatic jaghir pension of Rs. 120 per mensem, and who departed this life on the 27th October 1898 at Madras.

2. The said deceased, who was a rich lady, spent a very large sum towards petitioner's maintenance and got her married, in 1896, to a gentleman without any employment, the marriage expenses alone amounting to about Rs. 10,000.

3. Petitioner, along with the two other chief dependants of the late Bégam, applied to the Paymaster of the Carnatic Stipends for a continuation of the late Bégam's pension to them, in accordance with the existing rules that regulate the administration of pensions, and an endorsement (herein enclosed in original) has been received by her to the effect that petitioners, being only the dependants of the deceased lady, are not entitled to a continuation from the lapsed stipend of the deceased stipendiary.

4. Prior to her demise, the late Karím-un-nisá Bégam submitted a list of her dependants (three in number) to Government on the 25th March 1897, and subsequently to the Paymaster on the 29th April 1897, to which the latter officer gave an endorsement, which is herewith enclosed (in original) for your Excellency's kind perusal.

5. Petitioner humbly begs to submit that by a Government Order passed in January 1898 in the case of the late Malik-un-nisá Bégam, it was ruled that the wishes expressed by a deceased stipendiary were to be respected, and Government sanctioned pensions to her servants and dependants only (she being childless) to the extent of two-thirds of the stipend enjoyed by the late Malik-un-nisá Bégam.

6. Petitioner further begs to state that there are instances on record in which the benevolent Government have invariably granted pensions to dependants and servants of deceased stipendiaries, whether such stipendiaries have left children or died issueless. In fact, the Government Order published in November 1888, regulating shares of children and grandchildren under Lord Clive's scales, also makes provision for dependants and servants, even if a stipendiary should die leaving issue; and the pension enjoyed by the deceased Karím-un-nisá Bégam was amongst the list of continuable pensions published with a Government Order passed in March 1897.

7. Petitioner begs here to quote a few instances, out of many, in which this generous Government were pleased to sanction pensions to dependants and servants of deceased stipendiaries, both when they died issueless and left issue:—

- (1) The dependants of 'Azíz-un-nisá Bégam were granted pensions in May 1890.
- (2) The family and numerous dependants and servants of the late Sultán Bakhsh Bahádur were pensioned in October 1888.
- (3) The dependants and servants of Mamtáz Bégam were pensioned in July 1887.
- (4) The family and the dependants and the servants of Dilair Jang Bahádur were pensioned in November 1888.
- (5) The family, dependants and servants of the late Fátimá Bégam were pensioned in October 1888.

8. That, under the above circumstances, petitioner prays that your Excellency may be graciously pleased to treat the present case in the same way as the cases above alluded to, and continue the said Karím-un-nisá Bégam's pension to petitioner and the other two dependants named in the petition.

9. For which act of benign kindness and generosity petitioner shall ever pray.

MEMORANDUM No. 200.

The undersigned has the honour to acknowledge receipt of letter, dated 29th April 1897, from Carnatic stipendiary No. 1276, Karím-un-nisá Bégam, forwarding, for further guidance of this office, a list of her dependants to be provided for after her demise. Her wishes are recorded and will be duly attended to when the time arrives.

(Signed) E. MARSDEN,
Offy. Paymaster, Carnatic Stipends.

CHÉPÁK,
29th April 1897.

To Carnatic Stipendiary No. 1276, Karím-un-nisá Bégam Sáhíabá.

GOVERNMENT OF MADRAS.

POLITICAL DEPARTMENT.

READ—again the following papers:—

G.O., Mis. No. 271, Political, dated 28th April 1899.

Read—the following paper—

Memorandum No. 820, dated 23rd March 1899.

The attention of the Paymaster, Carnatic Stipends, is drawn to the fact that the question of the continuation of the pension of Carnatic stipendiary No. 1276, the late Karím-un-nisá Bégam, who died on 28th October 1898, appears to be still pending. Proposals with regard to this pension should be submitted at an early date.

(Signed) G. STOKES,
Chief Secretary.

To the Paymaster, Carnatic Stipends.

From Captain R. F. R. FORMBY, I.S.C., Acting Paymaster, Carnatic Stipends, to the Chief Secretary to Government, dated Chépák, 29th March 1899, No. 132.

With reference to your memorandum No. 820, dated 23rd instant, I have the honour to report as follows.

2. Carnatic stipendiary No. 1276, Karím-un-nisá Bégam, was drawing a "jaghir" stipend of Rs. 120 per mensem by E.M.C., No. 197, dated 19th March 1897, and died issueless on the 28th of October 1898.

3. Three petitions were received in this office up to date—the first signed by three dependants, the second by four other dependants, and the third by a nephew of the deceased—all claiming a continuation from the lapsed stipend, on the ground that the pension of the deceased is returned as "continuable" in Appendix A published with G.O., No. 135, Political, dated 1st March 1897, Part I, page 3, serial No. 32.

4. I endorsed all the three petitions disallowing their claims, as, in my humble opinion, I did not consider any of them eligible for a pension. The fact of merely returning the stipends of pensioners in a list does not entitle them to claim a continuation therefrom, specially when most of the petitioners are provided for or otherwise in well-to-do circumstances.

5. I understand there are three more relatives of the deceased, who themselves being stipendiaries have not petitioned this office for a continuation, but intend applying to the courts of justice for their shares in the estate of the deceased, which, I am told, is in the shape of landed property worth about between 30 to 40 thousands of rupees.

6. Under the foregoing circumstances, I beg to recommend that the stipend of Rs. 120 drawn by the late Karím-un-nisá Bégam should lapse to the State *in toto*.

From Messrs. BRANSON & BRANSON, Solicitors and Notaries, to the Chief Secretary to Government, dated Madras, 14th April 1899.

We have the honour to forward herewith, for the favourable consideration of Government, a petition from Khadir-un-nisá Bégam, representative of Karím-un-nisá Bégam Sáhíabá.

No. 129.

Qádir-un-nisá Bégam *alias* Qádir BÍ and two others are informed, with reference to their petition of the 17th January 1899, that they being only the dependants of the late Carnatic stipendiary No. 1276, Karim-un-nisá Bégam, the Paymaster, Carnatic Stipends, considers them ineligible to get any pension out of the deceased's pension, which should lapse to the State.

CHEPÁK,
27th March 1899.

(Signed) R. F. R. FORMBY, Captain,
Ay. Paymaster, Carnatic Stipends.

To Qádir un-nisá Bégam *alias* Qádir BÍ and two others.

Order—Mis. No. 271, Political, dated 28th April 1899.

The subject of the dependants of the late Karim-un-nisá Bégam and the individual support derived by them from her stipend requires to be set out more fully than has been done in the letter from the Paymaster, Carnatic Stipends, read above. That officer will be requested to report on the matter more fully and, in doing so, to forward a tabular statement showing the various applicants, the amount of support, if any, they derived from the deceased, and their own private sources of income or means of livelihood. The petition from Khadir-un-nisá Bégam will be forwarded to the Paymaster, whose attention will be specially drawn to the facts stated in paragraph 4 thereof.

2. Khadir-un-nisá Bégam will be informed that the subject matter of her petition is under enquiry.

(True Extract.)

(Signed) G. STOKES,
Chief Secretary.

To the Paymaster, Carnatic Stipends.

" Khadir-un-nisá Bégam, care of Messrs. Branson & Branson.

Petition from SAIYID MUHÍ-UD-DIN *alias* MÍR MUHAMMAD HUSAIN,
dated 31st May 1899.

Endt. No. 1610, dated 16th June 1899.

Forwarded to the Paymaster, Carnatic Stipends, with reference to G.O., No. 271, Political, dated 28th April 1899, to which an early reply is requested.

(Signed) G. STOKES,
Chief Secretary.

To the Paymaster, Carnatic Stipends.

From Captain R. F. R. FORMBY, I.S.C., Acting Paymaster, Carnatic Stipends,
to the Chief Secretary to Government, dated Chapák, 3rd July 1899,
No. 252.

With reference to G.O., No. 271, Political, dated 28th April 1899, I have the honour to report as follows.

2. The deceased Karim-un-nisá Bégam was supporting 19 males and 31 females as per list below :—

Males.

1. 'Alí Husain
2. Rais-ul Sáhib.
3. Ghaus Sáhib
4. Ghulám-i-Muhammad.
5. Ahmad Husain.
6. Muhammad J'afar.
7. Hamíd Sáhib.
8. Muhammad 'Alí.
9. Qádir Husain.
10. Qádir Muhí-ud-dín.

11. Ghulám Muhí-ud-dín.
12. Ghulám Husain.
13. Muhammad Ibráhim.
14. Perumal.
15. Mahmúd Sháh.
16. Háfiz Muhammad 'Usmán.
17. Háfiz Muhammad Mookshun.
18. Háfiz Muhammad 'Abd-ul-qádir.
19. C. Ramasawmi Mudaliar.

Females.

1. Sannábar-un-nisá.
2. Kustgool BÍ.
3. Daulat BÍ.
4. Kulsum BÍ.
5. Karim BÍ.
6. Beejoo BÍ.
7. Hamidá BÍ.
8. Sakíná BÍ.
9. Sharifá BÍ.
10. Jamál BÍ.
11. Chánd BÍ.

12. Imám BÍ.
13. Rahmá BÍ.
14. Shamsú BÍ.
15. Raushan BÍ.
16. Hayát BÍ.
17. Shamsú BÍ.
18. Imám BÍ.
19. Fázilá BÍ.
20. Qásim BÍ.
21. Burhán-un-nisá.
22. Thoyee.

23. Mahbúb BÍ.
24. Sáhibzadi BÍ.
25. Nallammal.
26. Zainab BÍ.
27. Ansar BÍ.
28. Makka BÍ.
29. Khatun BÍ.
30. Chinnu BÍ.
31. Fátimá BÍ.

3. On inquiry I learn that the above persons were receiving from the deceased sums ranging from Re. 1 to Rs. 10 in the shape of "pensions" as most of them were not doing any duty.

4. Two years prior to her demise the late Karim-un-nisá Bégam paid to the whole lot through her solicitors bonuses equal to one hundred rupees for every rupee she was paying them monthly, a certificated copy of the list of bonuses paid to the above lot is herewith enclosed.

5. After the demise of the late Karim-un-nisá Bégam, three petitions were received in this office—one from Saiyid Muhí-ud-dín and 4i others, the other from Fátimá BÍ and three others, and the third from Qádir BÍ *alias* Qádir-un-nisá and two others. The first petition contains the names of almost all of those that were paid bonuses with the exception of Saiyid Muhí-ud-dín whose case is reported upon in paragraph 10 of this letter. The second petition contains the names of two persons who received bonuses and two others named 'Ináyat-un-nisá and Khatija Bégam. The first named of these was merely a broker and was receiving commission on the purchase of articles made by the deceased, and the other being the daughter of the first one has no connection whatever with the deceased. The third petition contains the names of three persons, of whom Qádir-un-nisá is the adopted daughter and chief dependant of the deceased, and the other two are her (Qádir-un-nisá's) husband and mother-in-law.

6. As regards Qádir-un-nisá whose petition (herewith returned) is referred for my remarks with the Government order under reply, I have the honour to report that the deceased Karim-un-nisá Bégam, after the demise of her only son (who died about 30 years ago), adopted Qádir-un-nisá while she was a baby and brought her up with every care and gave her in marriage to one 'Abd-ul-hafiz Sáhib in 1896. She spent a very large sum (Rs. 10,000) in the marriage and gave a bungalow at Royaspettah as dowry. This bungalow was mortgaged by Qádir-un-nisá for Rs. 7,000 to effect certain additions and repairs to it and is now let to Mr. J. G. Smith, Barrister-at-Law, at a monthly rental of Rs. 130. Out of its rent the interest on the loan is paid and the rest goes towards the municipal and quit-rent taxes and constant petty repairs. 'Abd-ul-hafiz (Qádir-un-nisá's husband), who was a tradesman at the time of his marriage, failed in business and is now indigent circumstances, and besides he is suffering from acute asthma and is confined to his house and sometimes to his bed.

7. The deceased Karim-un-nisá Bégam sent in a petition to this office in April 1897 stating that she had paid up all her servants and dependants in lump sums and that her stipend after her demise should be distributed amongst Qádir-un-nisá, her husband and mother-in-law. A reply was sent to her on the 29th April 1897 by this office to the effect that her wishes would be recorded and attended to when the time arrives.

8. Mrs. Firth was periodically visiting the deceased lady, and she states that the deceased did not mention to her about the petition that was sent to this office in April 1897 and suggests that Mr. Branson (who was fully aware of the actions of the deceased) may be asked, but as Mr. Branson is also the legal adviser of Qádir-un-nisá I did not refer the question to him. Should Government, however, order me to make a reference to Mr. Branson, I will do so, as everything depends upon the genuineness or otherwise of the petitions addressed by the deceased on 25th March 1897 to Government and 29th April 1897 to this office. The letter sent to this office is both

sealed and signed by the deceased, and I believe the letter sent to Government on 25th March 1897 is also sealed and signed by her.

9. I may here mention that on the 8th November 1898 Khair-un-nisá Bégam (the step mother of late Karim-un-nisá Bégam), who draws a jaghir stipend of Rupees 240-5-4 per mensem from this office, sent to this office a notice through her Vakil Muhammad Haidar Sharif to the effect that the letter sent to this office by the deceased on 29th April 1897 was not genuine. But the same lady subsequently in March 1899 wrote to me saying that the lists submitted by the deceased in March 1897 to Government and in April 1897 to this office were correct. I enclose both her letters marked A and B for perusal and favour of return.

10. As regards Saiyid Muhi-ud-din, whose petition (herewith returned) is referred to me for remarks with your memorandum No. 1610, Political, dated 16th June 1899, I have the honour to state the petitioner is a distant relation of Saiyid 'Abd-ulláh Sahib, husband of the late Karim-un-nisá Bégam. It is true that the deceased was supporting him since her husband's death and was contemplating giving her adopted daughter Qadir-un-nisá in marriage to him, but as she subsequently heard that he was given to bad habits, she changed her mind and gave Qadir-un-nisá in marriage to 'Abd-ul-hafiz Sahib referred to in paragraph 6 of this report; whereupon Saiyid Muhi-ud-din suddenly left her quarters and went away to Hyderabad and only returned lately to claim a pension out of the deceased lady's lapsed stipend. Petitioner is for the present in needy circumstances. Had he been with the deceased at the time she distributed bonuses to her other dependants and servants, he would certainly have got a share, or she would have included his name in the lists she submitted to Government and to this office in March and April 1897 respectively.

ENCLOSURES.

RECEIVED from Karim-un-nisá Bégam Sahibá the sums set opposite to our names.

[Paid on 28th November 1896.]

Males.

Rs.		Rs.	
'Alí Husain Sahib	300	Ghulám Muhi-ud-din	100
Rais-ul Sahib	100	Ghulám Husain	200
Ghaus Sahib	200	Muhammad Ibrahim Sahib	200
Ghulám-i-Muhammad, son of Unsir Sahib	100	Perumal	200
Ahmad Husain, son of Tippu Sahib	100	Muhammad Sahib	100
Muhammad J'afar, son of Tippu Sahib	100	Hafiz Muhammad Husain	150
Hamid Sahib	100	Hafiz Muhammad Mookshun	150
Muhammad 'Alí Sahib	100	Hafiz Muhammad 'Abd-ul-qadir	150
Qadir Husain Sahib	200	C. Ramasawmi Mudaliyar	100
Qadir Muhi-ud-din	100	Hayat Baqar 'Abd-ur Khan	50

Females.

Rs.		Rs.	
Sannábar-un-nisá	1,000	Hayat Bi	100
Kustgool Bi	500	Imam Bi	100
Daulat Bi	500	Fazila Bi	300
Kulsum Bi	200	Qasim Bi	150
Karim Bi	50	Burhan-un-nisá	100
Beejoo Bi	300	Thoyee	300
Humidá Bi	200	Mahbub Bi	300
Sakina Bi	300	Sahibzadi Bi	300
Sharifa Bi	300	Nallammal	50
Jamál Bi	300	Zainab Bi	200
Chand Bi	300	Ansar Bi	200
Imam Bi	300	Makka Bi	200
Rahman Bi	200	Khatun Bi	100
Shamsá Bi	200	Chinnu Bi	100
Shumsú Bi	100	Fatima Bi	200
Rausan Bi	100		

These sums were paid by me to these parties under the orders of the late Karim-un-nisá Bégam Sahibá and in her presence.

(Signed) R. BRANSON.

From HAIDAR SHARIF SAHIB, High Court Vakil, to the Paymaster, Carnatic Stipends, dated Madras, 8th November 1898.

On behalf of my clients Khair-un-nisá Bégam Sahibá and other heirs and legal representatives of the late Khair-un-nisá Bégam Sahibá, daughter of the late Tahir Sahib of the late 'Alim Khan brother's family, I beg to inform you that a false list of dependants of the said Khair-un-nisá Bégam Sahibá was fraudulently despatched to your office as if purporting to have been sent to you by the deceased to the detriment and prejudice of the real dependants and others lawfully entitled to share in her stipend; a list of such dependants and others is being prepared and I request that you will be good enough to await the same before making your recommendations in the matter.

From KHAIR-UN-NISÁ BÉGAM SAHIBÁ, to the Paymaster, Carnatic Stipends, dated 24th March 1899.

I beg to inform you that the notice sent to you through my Vakil Haidar Sharif Sahib in the month of November last is hereby cancelled, since I have come to know from reliable sources that the lists of salaries furnished by the late Karim-un-nisá Bégam Sahibá to Government and to you on the 25th March 1897 and on the 29th April 1897, respectively, were correct.

Other servants and dependants, whose list I had promised to forward, were, I have come to know, paid reasonable bonuses and donations according to their deserts during the life time of the said late Karim-un-nisá Bégam Sahibá.

Memorandum—No. 2194, Political, dated 30th August 1899.

The Government understands that Rahmat-un-nisá Bégam, who is now about 8 years of age, was brought up from her infancy by the late Karim-un-nisá Bégam, and is now living with Khadir-un-nisá Bégam. The Paymaster, Carnatic Stipends, is requested to report whether he considers the claim of Rahmat-un-nisá Bégam to share in the continuation of the stipend of the late Karim-un-nisá Bégam should be recognised, and if so, to what extent.

(Signed) G. STOKES,
Chief Secretary.

To the Paymaster, Carnatic Stipends.

From Captain R. F. R. FORMBY, I.S.C., Acting Paymaster, Carnatic Stipends, to the Chief Secretary to Government, dated Chepák, 5th September 1899, No. 361.

With reference to your memorandum No. 2194, Political, dated 30th August 1899, I have the honour to state that Rahmat-un-nisá was brought up by the late Karim-un-nisá Bégam, together with many others, but was not regarded with the same amount of affection as Qadir-un-nisá by the deceased.

2. I learn from inquiry that the late Karim-un-nisá Bégam, at the time of her death, handed over the charge of Rahmat-un-nisá to Qadir-un-nisá and advised the latter to look after her and, in due course, to give her in marriage to some decent man. As she is, I am informed, properly taken care of by Qadir-un-nisá, I believe that, if Qadir-un-nisá gets a suitable share from the deceased's stipend, she will act in accordance to the last wishes of the deceased lady. Should Government, however, decide to grant Rahmat-un-nisá a separate share, I would not recommend more than Rs. 10 per mensem for her until her marriage, as I do not consider any of them to have a claim on the deceased lady's lapsed stipend, she having died childless.

NOTES CONNECTED WITH G.O., No. 632, POLITICAL, DATED
21ST SEPTEMBER 1899.

From Muhi-ud-din, dated 31st May 1899,
through the Private Secretary, dated 10th June 1899.

From the Paymaster, Carnatic Stipends, No. 252, dated 3rd July 1899.

Stipend of the late Karim-un-nisa Begam.

In March last a petition from certain dependants of "the late Karim-un-nisa Begam," which was rejected under the petition rules, was the means of drawing attention to the fact that although Karim-un-nisa died in October 1898, no proposals had been received as regards her continuable stipend of Rs. 120.

2. The attention of the Paymaster, Carnatic Stipends, having been drawn to the matter, that officer reported that he had received several petitions from surviving relatives of Karim-un-nisa but that they were all in well-to-do circumstances and he had therefore disallowed all the claims, and that under these circumstances he recommended that the stipend should lapse to the State *in toto*.

Endorsement No. 820, dated 23rd March 1899, in G.O., No. 271, Political, dated 28th April 1899, and reply from Paymaster, Carnatic Stipends, immediately following it.

3. While this report was under consideration, a memorial was received through Messrs. Branson and Branson, from Khadir-un-nisa Begam, an alleged dependant of the late Karim-un-nisa, in which she claimed a share of the lapsed pension. This was forwarded to the Paymaster who was requested to report fully on all claims to the pension, submitting at the same time a tabular statement showing all the applicants and their claims to the pension together with their resources, if any.

G.O., No. 271, Political, dated 28th April 1899.

4. After this order had been despatched, another memorial was received, through the Private Secretary, from Saiyid Muhi-ud-din, an alleged nephew of the deceased stipendiary, who also claimed a share in the lapsed stipend. This petition was forwarded to the Paymaster in continuation of the above-quoted Government Order.

Endorsement No. 1610, dated 16th June 1899.

5. The last current is the report of the Paymaster, Carnatic Stipends, on all claims. Before dealing with them, however, it should be made clear that Karim-un-nisa's stipend of Rs. 120 per mensem was of the 1801 (jaghir) class and that its continuation is governed, not by the Muhammadan or any other law of succession, but by the question of whether or not there are persons who have been supported by the deceased stipendiary and who are dependant thereon for future subsistence. As to the amount to be continued in such cases, no arbitrary rule is laid down, the Government being guided by the needs of each case on receiving a list of persons who have been and must, therefore, continue to be supported from the lapsed stipend. The grants, if any, thus made are for life only and under no circumstances continuable. These were the considerations on which the late Malik-un-nisa's continuable stipend of Rupees 34-12-0 was continued last year; in that particular case two-thirds of the stipend was continued, this proportion being the amount usually continued in 1801 cases.

Despatch from Court of Directors, No. 2, dated 11th March 1846, and No. 1, dated 22nd May 1850.

G.O., No. 3, Political, dated 4th January 1898, and paragraph 6 of notes therein.

6. Turning now to the case under consideration, the Paymaster first presents a list of 19 males and 31 females who received from the late Karim-un-nisa allowances ranging from Re. 1 to Rs. 10 *per mensem* until 1896, in which year the deceased commuted all these allowances by paying the respective recipients lump sums equal to one hundred rupees for each rupee they had been receiving monthly. The amounts were paid by the late Begam's solicitors, and lists of the amounts so paid, certified by the solicitors themselves, are enclosed with the current. It is submitted, therefore, that these persons have no claim on the stipend and that their claims may be rejected.

* They almost all claim support together with Saiyid Muhi-ud-din.

7. Saiyid Muhi-ud-din is the next candidate to be considered. He claimed on behalf of himself and most of the persons above referred to and memorialized Government after his claims had been disallowed by the Paymaster, Carnatic Stipends (paragraph 4 of this note). He is reported to be a distant relative of the husband of the deceased Begam. He was for a time supported by Karim-un-nisa, who contemplated giving him her adopted daughter in marriage, but on finding out that he was addicted to bad habits she changed her mind, whereupon Saiyid Muhi-ud-din suddenly left her house and went off to Hyderabad, whence he has lately returned for the express purpose of making his present claims. He is said to be at present in needy circumstances and the Paymaster thinks that he would have got a bonus along with other dependants in 1896 if he had been on the spot, or that failing this he would have been included in the list of dependants furnished to this Government by Karim-un-nisa in 1897 (paragraph 10 of this note). In his appeal petition to Government Saiyid Muhi-ud-din states that he lost his "mansab" pension at Hyderabad through having been adopted by Karim-un-nisa and urges this as a ground of title to an allowance from her stipend. He adds that the reason why Karim-un-nisa did nothing for him during her life-time was that she expected he would get a share in her pension after her death. This story, however, is wholly at variance with the facts stated by the Paymaster, Carnatic Stipends, as set out above. It is submitted that the fact that Saiyid Muhi-ud-din left the Begam's support and went to Hyderabad on his own account is pretty clear evidence that he is not a "dependant" on the pension and deserves no consideration. The remarks of the Paymaster, Carnatic Stipends, show that he left the late Begam's support before the paying off of the dependants by the latter in 1896. For the last three years, therefore, he has certainly not been a dependant on the stipend and it is submitted that he has no claim thereon.

8. The next claimants to be dealt with are Inayat-un-nisa and Khadija Begam. These are mother and daughter, respectively. The Paymaster states that the former was a mere broker and received a commission on articles purchased through her by the deceased and that neither of these claimants have any connection whatever with the deceased. It is submitted that their claim to support from the pension may be rejected.

9. The next in order is Khadir-un-nisa who was adopted in her infancy by Karim-un-nisa Begam and who, together with her husband and mother-in-law, petitioned the Paymaster on the decease of Karim-un-nisa. In 1896 Karim-un-nisa gave her in marriage to Abd-ul-hafiz and spent Rs. 10,000 on the marriage, giving her at the same time a bungalow in Royapettah which is now under mortgage and rented for Rs. 130 *per mensem*. This rental, it is alleged, is wholly utilized in making repayments on the mortgage, in municipal and other taxes and in the execution of constant petty repairs. Khadir-un-nisa's husband was formerly a tradesman, but failed in business and is now said to be confined to his house, and sometimes to his bed, with asthma. This does not, it is submitted, seem a very strong case of dependance on the stipend, but looks more like a claim based on relationship to the deceased. Karim-un-nisa provided permanently for the support of Khadir-un-nisa on marriage and if she has really mortgaged her property for Rs. 7,000, that is, it is submitted, her own look out and does not constitute a claim on the present stipend, the sole future object of which (if continued) will, as already pointed out, be to support such dependants as have no other means of subsistence. As a matter of fact, Khadir-un-nisa has a monthly income of Rs. 130 from her bungalow which is occupied by Mr. J. G. Smith, Barrister-at-law. She should be able to manage her mortgage and support herself from this.

10. Khadir-un-nisa and her two co-petitioners come up again, however, in the Paymaster's report as being the three persons whom the deceased Begam is said to have denominated as her heirs and the rightful claimants to her stipend, in letters addressed in 1897 to the Paymaster and to Government. The Paymaster states that in reply to the letter received in his office Karim-un-nisa was informed that her letter would be recorded for attention "when the time arrives." It is true that a letter purporting to set forth Karim-un-nisa's last wishes as respects her stipend was received in 1897 by Government. In that petition the deceased says she has paid off all her "dependants" in bonuses (as now reported—see paragraph 6 of this note) and prays that Government will recognize Khadir-un-nisa, her husband, and her mother-in-law as being solely entitled to two-thirds of her pension at her death in the following proportions:—

	RS.
(1) Khadir-un-nisa	25
(2) Saiyid Abd-ul-hafiz (husband) of (1)	30
(3) 'Aziz Begam (mother-in-law) of (1)	15
	—
	80

and that all past and any future requests on the subject are to be considered annulled by this one. It is submitted in the first place, that this petition is of doubtful character. When Karim-un-nisa paid off her "dependants" she did so through her solicitors Messrs. Branson & Branson and in a matter of this kind it seems doubtful whether she would have written such a letter and have been satisfied for it to thus take its chance of ever being noticed. The validity of the letter is also brought into question by the fact that in 1898 the Paymaster received from Karim-un-nisa's stepmother (also an 1801 stipendiary) a letter stating that the 1897 letter purporting to come from Karim-un-nisa Begam was not genuine. The doubt is not wholly removed, either, by the fact that the same lady wrote again in March last, through her solicitors, stating that on further enquiry she had found the letter to be a genuine one. The Paymaster adds that he has consulted Mrs. Firth who used to visit Karim-un-nisa and that the latter says that the deceased did not mention anything about having made such a request in 1897. Mrs. Firth suggested that Mr. Branson (who was fully aware of the actions of the deceased) be asked about this point, but this course has not been adopted by the Paymaster on the ground that Mr. Branson is now the legal adviser of Khadir-un-nisa herself. The Paymaster asks whether he shall now take this course.

11. Granting that the letter just referred to is genuine, it only shows, after all, that Karim-un-nisa was labouring under the very misapprehension which Dr. Balfour laboured under in 1850 and which caused the Court of Directors to write paragraph 51 of their despatch No. 1, dated 22nd May 1850, which makes it plain—

(1) that the continuance of these jaghir stipends had already been too liberal inasmuch as many of them had originally been for one life only.

(2) that continuance must thereafter be confined only to such persons as are shown to be left dependant on the stipend.

(3) that Government itself is to be the sole arbiter in the matter.

Karim-un-nisa evidently regarded her stipend (or at least two-thirds of it) as an asset which she had power to will at discretion—a thoroughly erroneous view of the case.

12. It is submitted that the first question to be decided is that raised in paragraph 9 of this note, viz., whether Khadir-un-nisa was or was not dependant on the stipend of Karim-un-nisa for support at the time of the death of the latter, and from that standpoint entitled to a pension. If it is held that, in view of the circumstances set out in that paragraph, she is not, then there is no need for considering the question of the validity of the letter of 1897. If, on the other hand, it is held that the request of Karim-un-nisa in 1897 raises a case for the parties named therein, the grant of any pensions to these parties depends on the authenticity of the letters alleged to have been written by Karim-un-nisa, and regarding this there is considerable doubt. It may

Note by His Excellency the Governor.

I think it may be ordered that a compassionate allowance of Rs. 35 should be granted to Khadir-un-nisá. But, before the order issues, the Paymaster, Carnatic Stipends, should be asked about this dependant girl, mentioned by Mrs. Firth, in the manner proposed by the Chief Secretary.

(Intld.) A.E.H.
25-8-99.

From the Paymaster, Carnatic Stipends, No. 361, dated 5th September 1899.

Note—

The Paymaster states, in reply to memorandum No. 2194, dated 30th August, that Rahmat-un-nisá was brought up by the late Karim-un-nisá Bégam, together with many others, but was not regarded by her with the affection bestowed on Khadir-un-nisá.

Karim-un-nisá handed the child over to Rahmat-un-nisá's charge and told the latter to care for her and in due course to give her to some worthy man in marriage. The Paymaster thinks that if Khadir-un-nisá gets a share of the lapsed stipend she will support the child therefrom, but that if Government desires to give a separate stipend it should not exceed Rs. 10 per mensem "until her marriage" as he (Paymaster) does not consider any of them to have any claim on the pension—the deceased having died childless.

(Intld.) F.W.G.
11-9-99.

For the C. S.

If the claim of Rahmat-un-nisá Bégam is to be recognised, it would appear to be advisable to give her a separate pension to terminate on her marriage, as proposed by the Paymaster, Carnatic Stipends. If the grant to Khadir-un-nisá is coupled with any condition as to the maintenance of Rahmat-un-nisá, there will probably be complaints from the latter as she grows older, and if Khadir-un-nisá dies before Rahmat-un-nisá is married, the latter will claim a continuation of Khadir-un-nisá's pension on the ground of her dependancy (which will have been recognised by Government).

(Intld.) C.M.S.
12-9-99.

His Excellency the Governor—

I agree with the opinion in the above note, but I think 8 rupees a month would be enough.

(Intld.) G.S.
12-9-99.

Note by His Excellency the Governor.

I agree and approve.

(Intld.) A.E.H.
18-9-99.

ORDER—No. 632, Political, dated 21st September 1899.

A compassionate allowance of Rs. 35 *per mensem*, for life, will be granted, with effect from the 29th October 1898, to Khadir-un-nisá Bégam from the lapsed stipend of the late Karim-un-nisá Bégam Sāhibā. An allowance of Rs. 8 *per mensem*, to lapse on her marriage, will be granted from the same date to Rahmat-un-nisá. The Paymaster will report the arrangements he would propose for the payment of the latter allowance.

2. Mir Muhammad Hussain, *alias* Syed Muhi-ud-din, will be informed, with reference to his petition, that his request is inadmissible.

(True Extract.)

G. STOKES,
Chief Secretary.

To the Paymaster, Carnatic Stipends.

" the Accountant-General.

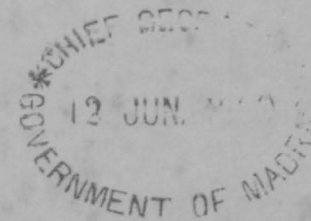
" Qādir-un-nisá Bégam (through Messrs. Branson and Branson).

" Mir Muhammad Hussain, 50, Saha Sāhib Street, Triplicane
(through the Paymaster, Carnatic Stipends).

Political (1899) Department.

Entered in Pet. Index

CURRENT No. 747



8 P

Petition from Syed Muhi-ud-din, alias Mir Muhammad Hussain,
dated 31st May 1899.

From H. A. Linn Esq.,
Private Secretary
to H.E. the Governor

Order

Enat. No. 16107/16-699.

No.

Forwarded to the Paymaster
Carnatic Stipends with reference
to G.O. No 271 Pol dt 28-4-99
to which an early reply is
requested.

Dated 10 June 99
Received 12 3 do
Registered 13 do
Enclosures -
Spare copies -

14/6/99 Cus
16/6/99

Submt with
fair copy

2 PCS (in orig. - to be ret.)

Note -

Please see the Note to the Order
quoted in above Enat. The requir-
ed information has not yet been
received.

SUBJECT.

Transfers a petition of
31st May 1899 from Syed
Muhiuddin, alias Mir Muha-
mad Hussain, Carnatic
Stipendiary, praying that
the stipend of his late pater-
nal aunt Khirumunnissa
Begum Sahiba may be con-
tinued to him.

(By order)

See Enat. No with fair
copy only fair signed

16/6/99

H. A. Linn

M. Private Secy

BACK PAPERS.

G.O.	No.	Department.	Date.
	271	856	1848

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT No. 747

To

His Excellency,

SIR ARTHUR ELEBANK HAVELOCK, G.C.M.G., G.C.I.E.
Governor of Fort St. George,
and its Dependencies &c., &c.

The humble memorial of SYED MUHIDDIN alias
MIR MUHAMMAD HUSSAIN nephew of the
late Karimunnissa Begum Sahiba
Stipendiary No. 1276.

MOST RESPECTFULLY SHEWTH,

Your memorialist is the paternal nephew of the late Karimunnissa Begum Sahiba being the grandson of her father's brother, in the male line of descent.

2. That the said Karimunnissa Begum Sahiba having lost her only son Syed Jamaluddin Sahib about 35 years ago, sent for your petitioner from Hyderabad and maintained him as son.

3. That your petitioner who was entitled to a mansab pension at Hyderabad lost it on account of this adoption by Karimunnissa Begum Sahib and his consequent departure from Hyderabad to Madras and your memorialist is now entirely destitute.

4. That the deceased during life made handsome and substantial gift to her broughtup girls and dependants including Qadar Bi to whom she allowed 50 Rs. a month out of the receipts of her Bangalow at Royapettah, but did nothing for your memorialist as she hoped that her stipend would be continued to your memorialist after her demise.

5. That some of her dependants sent false petitions in her name regarding the continuance of her stipend after her demise which were rightly discarded by the Pay-master as false and fictitious.

6. That your petitioner was entirely dependent upon her during life and now that she is dead, he is entirely destitute.

7. That your petitioner presented a petition to the Pay-master for the continuance of her stipend to your petitioner but that officer in his memo No 130 of 1899 (copy annexed) declined to recommend petitioner on the ground that he is a collateral.

That this decision is opposed to justice and to the peculiar circumstances of the case detailed above viz that he lost his Hyderabad mansab and he is to lose this stipend too, and is also opposed to the precedents of this family, for instance, the stipend of Kalimulla Khan maternal uncle of the deceased was continued to his widow and after her to her nephew Taha Sahib who was father of the deceased Karimunnissa Begum Sahiba.

Under these circumstances your Lordship's memorialist humbly prays that your Lordship would take the unfortunate case of your memorialist into consideration and the hardships to which your memorialist is subjected and your Lordship would be pleased to continue to him the stipend of his late paternal aunt the said Karimunnissa Begum Sahiba.

Some of the names of her other dependants who deserve consideration are:—
1 Mohammad Vizier. 2 Murad Bi, 3 Gulam Hussain. 4 Shaffruddin. 5 Gulam Ali.

For which act of benevolence your lordships petitioner shall ever pray.

No 50 Taha Sahib Street,
TRIPPLICANE,
31st May 1899.

MIR MUHAMMAD HUSSAIN
ALIAS SYED MORDIN.

Endorsement on Petition of memorialist by pay-master Carnatic Stipend
dated 27th March 1899, No. 130 of 1899.

Saiyed Muhind-din- is informed with reference to his petition dated 10th November 1898, that his prayer for a continuation from the lapsed stipend of the late Carnatic Stipendiary No. 1276 Karim-un-nisa Begum cannot be entertained as he is only a "collateral" and as such not entitled to get a pension out of the deceased's stipend which should lapse to the state, she having died issueless.

R. F. R. FORMER CAPTAIN,
Ag. Paymaster Carnatic Stipends, Chepak.

Political (1899) Department.

CURRENT No. 877

The file is now complete but for one paper (slip flagged K) for which I have written to M. C. S., however, the paper is not, it is thought, absolutely necessary immediately. I send the file on to you to avoid any further delay. The paper will be received tomorrow and will be added to the file.

Order

Patron's need

CHIEF SECRETARY
-4 JUL 1899
GOVERNMENT OF MADRAS

From

The Ag. Paymaster
Carnatic Stipends
Chepak

No. 252 of 1899

Dated 3rd July 1899

Received 4 " "

Registered 5 " "

Enclosures 8 (7 AC ho 747 net 4)

Spare copies -

SUBJECT.

Reports on the claims of the dependants of the late Karim-un-nisa Begum, a jagirdar Stipendiary.

enclos. 6, 5, 4, 3, 2, 1
1899

BACK PAPERS.

G.O.	No.	Department.	Date.
mi	271	PM	28.4.88
R	69	-	16.3.88
			17.4.97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

V47
C. No 877
80. 392

Political Dept
Memo No 2194
30.8.99

The first understanding that
Rahmat-un-nisa Begam, who
is now about 8 years of age,
was brought up from her
infancy by the late Karim-
un-nisa Begam & is now
living with Khadija un-nisa
Begam. The P. Ch is requested
to report whether he considers
the claim of Rahmat-un-
nisa Begam to share in
the continuation of the stipend
of the late Karim-un-nisa
Begam should be recognised,
or so, to what extent
(From Order)

Cut. 25/5/99

PCB (21.5)

22/8/99
30/5/99

R

Which PCB is replying
have comments on the point
intotype in book form
(Specially) recently by P. Ch. C. 28. 1. 99

SG Type
RN-REX
MR 20/8/99

Issue from 80/4
20/8/99

Political (1899) Department.

CURRENT No. 1179

From

The Paymaster,
Carnatic Sipsudo
Chepauk

No. 361 of 1899.

Order



Dated 5th }
Received } 6th } September 1899.
Registered }
Enclosures -
Spare copies

SUBJECT.

Reports on Inems. No. 2194 d/3
August '99 "Poll" and states that
Rahmah. um. nisa was brought up by
by the late Karim. um. nisa Begum
and is now under the care and
support of Qadir. um. nisa.

G.O.	No.	Department.	Date.

G O.	No.	Department.	Date.

$\frac{3}{14}$] C1288
 -25-3-00
 C22.7-99
 R8.8-99

Political DEPARTMENT

Stepend of the late Karim un nisa Begam.

Notes connected with Expt. 6.3V 21/9/49

No. 747 From the *Mukhi-ud-Din* —, No. —, dated 31-5-1899.
— through the Private Secy ————— 10-6-1899.

189

" 877 " *Paymaster Carnatic Stipend*, 252, " 3-7-1899

A. S. Van Rensselaer

See G.O.R No.69, Pol., d/ 16-3-99 IX
and remark thereon.

Encl. 820, d/²/₃-3-99 flagged
in G.O. No. 271, Pol., d/28-4-99. *M*
and reply from PCS immediately following it. -

3. The attention of the Paymaster, Carnatic Stipends, having been drawn to the matter, that officer reported that he had received several petitions from surviving relatives of Karim-un-nisa but that they were all in well to do circumstances and he had therefore disallowed all the claims, and that under these circumstances he recommended that the stipend should lapse to the State in toto.

consideration, a memorial was received through Messrs. Branson and Branson, from Khadir un-nisa Begam, an alleged dependent of the late Karim-un-nisa, in which she claimed a share of the lapsed pension. This was forwarded to the Paymaster who was requested report fully in all claims to the pension, submitting at the same time a tabular statement showing all the applicants and their claims to the pension together with their resources, if any.

4. After this order had been despatched another memorial was received through the Private Secretary, from Syed Muhi-ud-din, alleged nephew of the deceased stipendiary, who also claimed a share in the lapsed stipend. This petition was forwarded to the Paymaster in continuation of the above quoted G.O.

5. The last current is the report of the Paymaster Carnatic Stipends on all claims. Before dealing with them, however, it should be made clear that Karim-un-nisa's ~~stipend~~ ^(paghir) of Rs.120 per mensem was of the 1801 class and that its continuation is governed, not by the Muhammadan law of succession, but by the question of whether or not there are persons who have been supported by the deceased stipendiary and who are dependent thereon for future subsistence. As to the amount to be held continuable in such cases no arbitrary rule is laid down the Govt. being guided by the needs of each respective case on receiving a list of persons ^{who have been and} _(must)

G.O.No.271, Pol., d/ 23-4-99. (A)

See Endt. No. 1610, d/16-6-99, 92
C.No.747 flagged

See Despatch from Court of Directors No.2, d/ 11-3-46 and No.1, d/ 22-5-50.

(para 7 & 8 of the
from Vol.)

See G.O.No.3, Pol., d/ 4-1-98
and notes thereon. S

(para 2-4 of Current)

VI + VIII

They almost all claim support together with Syed Muhi-ud-din, see para. 5 of last current.

must, therefore, continue to be supported from the lapsed stipend.

The grants, if any, thus made are for life only and under no circumstances continuable. These were the considerations on which the late Malik-un-nisa's continuable stipend of Rs.34-12-0 was continued last year; in ^{that} this particular case two-thirds of the stipend was continued, this proportion being ~~the~~ ¹⁸⁰¹ the amount usually continued in cases ~~where persons are shown to be dependent on the stipend for support.~~

6. Turning now to the case under consideration;—the Paymaster first presents a list of 19 males and 31 females who received from the late Karim-un-nisa allowances ranging from Rs.1 to Rs.10 per mensem until 1896 in which year the deceased commuted all these allowances by paying the respective recipients lump sums equal to one hundred rupees for each rupee they had been receiving monthly. The amounts were paid by the late Begam's Solicitors, and ~~lists~~ ^{are} of the amounts so paid-certified by the Solicitors themselves-~~are~~ ^{are} enclosed with the current. It is submitted, therefore, that these persons have no claim on the stipend and that their claims may be rejected.

7. ~~Syad~~ ^{or} Muhi-ud-din is the next candidate to be considered, on behalf of himself and most of the persons above referred to and memorialized Govt. after his claims had been disallowed by the Paymaster, Carnatic Stipends

Stipends (see para. 4 of this note).

He is reported to be a distant relative of the deceased ~~Begam's husband~~. He was for a time supported by Karim-un-nisa who contemplated giving him her adopted daughter in marriage but on finding out that he was addicted to bad habits she changed her mind whereupon Sy^d Muhi-ud-din suddenly left her house and went off to Hyderabad, whence he has lately returned for the express purpose of making his present claims. He is said to be at present in needy circumstances and the Paymaster thinks that he would have got a bonus along with other dependants in 1896 if he had been on the spot, or that failing this he would have been included in the list of dependents furnished to this Govt. by Karim-un-nisa in 1897 and dealt with in para.

10 of this note. In his appeal petition to Govt. ~~he~~ ^{Sayid Muhi-ud-din} states that he lost his "mansab" pension at Hyderabad ^{through} having been adopted by Karim-un-nisa and urges this as a ground of title to an allowance from her stipend. He adds that the reason why Karim-un-nisa did nothing for him during her life-time was that she expected he would get a share in her pension after her death. This story, however, is wholly at variance with the facts stated by the Paymaster, Carnatic Stipends ^{as set out above}. It is submitted that ~~the~~ ^{Sayid Muhi-ud-din} leaving the Begam's support and going to Hyderabad on his own account is pretty clear evidence that

he

(must)

(para 10 of current)

The remarks of the P.C.S. show that he left the late Begam's support before the paying off of the dependants by the latter in 1896. For the last three years, therefore, he has certainly not been a dependant on the stipend.

(para 5 of Current)

(para 6 of Current)

Was adopted in her infancy by Karim-un-nisa Begam and who

he is not a "dependant" on the pension and deserves no consideration. ^{It is submitted} that he has ~~no claim on the stipend~~.

8. The next claimants to be dealt with are Inayat-un-nisa and Khadija Begam. These are mother and daughter, respectively. The Paymaster states that the former was a mere broker and received a commission on articles purchased through her by the deceased and that ^{of these claimants} neither have any connection whatever with the deceased. It is submitted that their claim to support from the pension ~~may be rejected~~.

9. The next in order is Khadir-un-nisa who, together with her husband and mother-in-law, petitioned the Paymaster on ^{has she} ~~the~~ ^{slit} ~~the~~ ^{decease of Karim-un-nisa by} whom she had been adopted in infancy.

In 1896 Karim-un-nisa gave her marriage to Abdul-hafiz and spent Rs. 10,000 on the marriage, giving her at the same time a bungalow in Royapettah which is now under mortgage and rented for Rs. 130 per mensem. This rental, it is alleged, is wholly utilized in making repayments on the mortgage, in Municipal and other taxes and in ^{the execution of} constant petty repairs. Khadir-un-nisa's husband was formerly a tradesman but failed in business and is now said to be confined to his house, and sometimes to his bed, with asthma. This does not, it is submitted, seem a very strong case of dependance on the stipend, but looks more like a claim based on her relation ^{ship} to the deceased. Karim-un-nisa provided

permanently for ^{Rs} support ^{of Khadir-un-nisa} on marriage

and if she has really mortgaged her property for Rs. 7,000 that ^{it is submitted} is her own lock out and does not constitute a claim on the present stipend the sole future object of which, (if continued) will, as already pointed out, be to support such dependants as have no other means of subsistence. As a matter of fact, Khadir-un-nisa has a monthly income of Rs. 130 ~~from her~~ from her bungalow which is occupied by Mr.

J.G. Smith- Barrister-at-Law. She ~~can~~ ~~it is submitted, pay a good proportion of this sum monthly towards repaying the mortgage and yet have quite enough to live on.~~

Should be able to manage her mortgage & support herself from this.

(para 7 of current)

10. Khadir-un-nisa and her two co-petitioners come up again, however, in the Paymaster's report as being the three persons whom the deceased Begam is said to have denominated as her heirs and the rightful claimants to her stipend, in letters addressed in 1897 to the Paymaster and to Govt. The Paymaster states that in reply to the letter received in his office Karim-un-nisa was informed that her letter would be recorded for attention "when the time arrives". It is true that a letter purporting to set forth Karim-un-nisa's last wishes as respects her stipend was received in 1897 by Government. ~~It was, however, repeated under the Petition rule.~~ ^{that} In ^{See G.O. No. 125, Pol., d/ 17-4-97. K} petition the deceased says she has paid off all her "dependants" in bonuses and

(as now reported in the Current - see para 6 of this note)

and prays that Govt. will recognize Khadir-un-nisa, her husband and her mother-in-law as being solely entitled to two-thirds of her pension at her death in the following proportions:-

1. Khadir-un-nisa... .. Rs 35
2. Syed Abdul-Hafiz (husband) 30
of No. 1
3. Aziza Begam (mother-in-law) 15
of No. 1 Rs 80

and that all past and any future requests on the subject are to be considered annulled by this one. It is submitted in the first place, that this petition is of doubtful character when Karim-un-nisa paid off her "dependants" she did so through her solicitors Messrs. Branson and Branson and in a matter of this kind it seems doubtful whether she would have ^{written} ~~within~~ such a letter ^{and have been} satisfied for it to thus take its chance of ever being noticed. The validity of the letter is also brought into question by the fact that in 1893 the Paymaster received from Karim-un-nisa's step mother (also an 1801 stipendiary) a letter stating that the 1897 letter purporting to come from Karim-un-nisa Begam was not genuine. The doubt is not wholly removed, either, by the fact that the same lady wrote again in March last, through her solicitors, stating that on further enquiry she had found the letter to be a genuine one. The Paymaster adds that he has consulted Mrs. Firth who used to visit Karim-un-nisa and that the latter says that the

deceased did not mention anything about having made such a request in 1897. Mrs. Firth suggested that Mr. Branson (who was fully aware of the actions of the deceased) be asked ^{about} on this point but this course has not been adopted by the Paymaster on the ground that Mr. Branson is now the legal adviser of Khadir-un-nisa herself. The Paymaster asks whether he shall now take this course.

12. It is submitted that the first question to be decided is that raised in para. 9 of this note, viz. whether Khadir-un-nisa ^{was} ~~is~~ or ~~is~~ not at present dependant on the stipend of Karim-un-nisa ^{at the time of the death of the latter} for support and from that standpoint entitled to a pension. If ~~it~~ ^{is} held that, in view of the circumstances set out in that para, she is not then there is no need for considering the question of the validity of the letter of 1897. If, on the other hand, it is held that the request of Karim-un-nisa in 1897 ~~is~~ ^{ought to be} complied with

^{any} the grant of the three pensions to these parties ~~should depend on~~ ^{it depends on} the authenticity ~~of the~~ letters alleged to have been written by Karim-un-nisa. It may be observed that Khadir-un-nisa makes the expressed wishes of the deceased ~~the~~ ^a ground of claim which she addressed to Government through Messrs. Branson and Branson (see para. 3 of this note) but she does not ~~as~~ contend that she and her two relatives ^{are} dependant solely on

Granting for argument's sake, that the letter just referred to is genuine; it only shows, after all that Karim-un-nisa was labouring under the very misapprehension which Mr. Balfour laboured under in 1850 & which caused the Comtee of Directors to write para 57 of their Dispatch No 1 dated 22-5-50, and which makes it plain -
1. That the continuance of these jaghir stipends had already been too liberal inasmuch as many of them had originally been for one life only.
2. That continuance must thereafter be confined only to such persons as are shown to be left dependant on the stipend.
3. That Govt itself is to be the sole arbiter in the matter.
Karim-un-nisa suddenly repudiated her stipend (or at least two thirds of it) as an asset which she had power to will at discretion ~~which~~ ^{is} a thoroughly erroneous view of the case.

raises a case in the parties named therein

Regarding this there is considerable doubt.

See G.O. No. 3, Pol., d/4-1-98.

See para 6(3) of Paymaster's letter No 461 of 12-11-97 in the above quoted GO. -

See closing para of Paymaster's letter in GO No 27, Pol. d/28.4.99.

on the stipend which is really the question at issue. She quotes ~~however~~ the case of Malik-un-nisa Begam already alluded to; two ^{thirds} ~~kind~~ of whose stipend was, in January 1898, continued to her servants and dependants. A reference to the ~~notes~~ notes on that case show, however, that the two cases are dissimilar, in that Karim-un-nisa provided for all dependants during her lifetime while Malik-un-nisa left dependants without any other means of support than the stipend. It is submitted that a strict adherence to the rules which govern the continuance of this pension would dictate its entire lapse to the State as originally suggested

by the Paymaster. The file is now submitted for order.

W.G. 12.2.98
16/1/98
Note by the Chief Secretary 17.1.98
I concur that the proposal of the P.C.C. to that clause completely this pension though justifiable by the strict letter of the rules does not commend itself to me. It seems plain to me that the relation of this adopted daughter to the deceased was such as to make her case peculiar.
The deceased seems to me to have been a woman of much practical business powers and of

much greater lucidity than is usually found in these specimens. She tried to unite the only two persons who had any claims on her and thus to provide for them but the ^{husband's} nephew has proved worthless and like a Jewish woman she throws him over. I think Genl. may very properly do likewise. She then married the adopted daughter and settled her in life but that settlement has broken down and in effect the daughter was as much dependant on the deceased at the time of her death as she was before marriage. It is entirely in accordance with the native idea of the duties of Genl. in these matters that "in the case of persons of time consequence as the principal representations of a branch of the native family then the" "probably he remains for a temporary continuance." (vide para 14 of Orich's despatch on p. 7 of the same book.) and as I have no doubt that the daughter is looked on ^{as} the representation of the deceased in Native Society.

C. No. From the, No., dated 189

” ” ” ” ” 189 .

..... 189 .

in my opinion
it ^{is} ^{the} a politic and proper
act for Gov. to continue to
have a portion of the Steward
of the Cheesed. I v. took the
amount fixed by the Cheesed
being viz 34th a month.
As to the other claimants I
do not think their case is
deserving of consideration.

can not always be treated
from the point of view of
strict logic or principle alone.
and I believe that this case
is an exception. If H. E. the Govt.
wth wish to test what I have

set out above as to the probab
native view of this case Mr. Firth
who can & probably will give
a valuable opinion might be
referred to D. O.

Mr. Firth might also be asked
as to how far the husband and
whether in law of the adopted daughter
was an actual dependant on the
deceased. I wth not give them
separate pensions but it might
be necessary to increase the adopted
daughter's pension if it was found
that they were living on her.

M. J. J.

NOTES CONNECTED WITH G.O., No. 1, POLITICAL, DATED 1899.

C. No. 747—From Muhi-ud-din, dated 31st May 1899.
through the Private Secretary, dated 10th June 1899.

677—From the Paymaster, Carnatic Stipends, dated 3rd July 1899, (No. 252)

Stipend of the late Karim-un-nisa Begam.

In March last a petition from certain dependants of "the late Karim-un-nisa Begam" which was rejected under the petition rules, was the means of drawing attention to the fact that although Karim-un-nisa died in October 1898, no proposals had been received as regards her continuable stipend of Rs. 120.

2. The attention of the Paymaster, Carnatic Stipends, having been drawn to the matter, that officer, reported that he had received several petitions from surviving relatives of Karim-un-nisa but that they were all in well-to-do circumstances and he had therefore disallowed all the claims, and that under these circumstances he recommended that the stipend should lapse to the State *in toto*.

3. While this report was under consideration, a memorial was received through Messrs. Branson and Branson, from Khadir-un-nisa Begam, an alleged dependant of the late Karim-un-nisa, in which she claimed a share of the lapsed pension. This was forwarded to the Paymaster who was requested to report fully on all claims to the pension, submitting at the same time a tabular statement, showing all the applicants and their claims to the pension together with their resources, if any.

4. After this order had been despatched another memorial was received through the Private Secretary, from Saiyid Muhi-ud-din, (alleged nephew of the deceased stipendiary, who also claimed a share in the lapsed stipend. This petition was forwarded to the Paymaster in continuation of the above-quoted Government Order.

5. The last current is the report of the Paymaster, Carnatic Stipends, on all claims. Before dealing with them, however, it should be made clear that Karim-un-nisa's stipend of Rs. 120 per mensem was of the 1801 (jaghir) class and that its continuation is governed, not by the Muhammadan or any other law of succession, but by the question of whether or not there are persons who have been supported by the deceased stipendiary and who are dependant thereon for future subsistence. As to the amount to be held continuable in such cases, no arbitrary rule is laid down, the Government being guided by the needs of each respective case on receiving a list of persons who have been and must, therefore, continue to be supported from the lapsed stipend. The grants, if any, thus made are for life only and under no circumstances continuable. These were the considerations on which the late Malik-un-nisa's continuable stipend of Rs. 34-12-0 was continued last year; in that particular case two-thirds of the stipend was continued, this proportion being the amount usually continued in 1801 case.

6. Turning now to the case under consideration, the Paymaster first presents a

Paragraphs 2-4 of current.

list of 19 males and 31 females who received from the late Karim-un-nisa allowances ranging from Re. 1 to Rs. 10 per mensem until 1896, in which year the deceased commuted all these allowances by paying the respective recipients lump sums equal to one hundred rupees for each rupee they had been receiving monthly. The amounts were paid by the late Begam's solicitors, and lists of the amounts so paid, certified by the solicitors themselves, are enclosed with the current. It is submitted, therefore, that these persons have no claim on the stipend and that their *claims may be rejected.

*They almost all claim support together with Saiyid Muhi-ud-din—see paragraph 5 of last current.

7. Saiyid Muhi-ud-din is the next candidate to be considered. He claimed on behalf of himself and most of the persons above referred to and memorialized Government after his claims had been disallowed by the Paymaster, Carnatic Stipends (see paragraph 4 of this note). He is reported to be a distant relative of the husband of the deceased Begam. He was for a time supported by Karim-un-nisa who contemplated giving him her adopted daughter in marriage, but on finding out that he was addicted to bad habits she changed her mind, whereupon Saiyid Muhi-ud-din suddenly left her house and went off to Hyderabad, whence he has lately returned for the express purpose of making his present claims. He is said to be at present in needy circumstances and the Paymaster thinks that he would have got a bonus along with other dependants in 1896 if he had been on the spot, or that failing this he would have been included in the list of dependants furnished to this Government by Karim-un-nisa in 1897 and dealt with in (paragraph 10 of this note). In his appeal petition to Government Saiyid Muhi-ud-din states that he lost his "matsab" pension at Hyderabad through having been adopted by Karim-un-nisa and urges this as a ground of title to an allowance from her stipend. He adds that the reason why Karim-un-nisa did nothing for him during her life-time was that she expected he would get a share in her pension after her death. This story, however, is wholly at variance with the facts stated by the Paymaster, Carnatic Stipends, as set out above. It is submitted that Saiyid Muhi-ud-din leaving the Begam's support and going to Hyderabad on his own account is pretty clear evidence that he is not a "dependant" on the pension and deserves no consideration. The remarks of the Paymaster, Carnatic Stipends, show that he left the late Begam's support before the paying off of the dependants by the latter in 1896. For the last three years, therefore, he has certainly not been a dependant on the stipend. It is submitted that he has no claim on the stipend.

Paragraph 10 of current.

the fact that thereon

8. The next claimants to be dealt with are Inayat-un-nisa and Khadija Begam. These are mother and daughter, respectively. The Paymaster states that the former was a mere broker and received a commission on articles purchased through her by the deceased and that neither of these claimants have any connection whatever with the deceased. It is submitted that their claim to support from the pension may be rejected.

Paragraph 5 of current.

9. The next in order is Khadir-un-nisa who was adopted in her infancy by Karim-un-nisa Begam and who, together with her husband and mother-in-law, petitioned the Paymaster on the decease of Karim-un-nisa. In 1896 Karim-un-nisa gave her in marriage to Abd-ul-hafiz and spent Rupees 10,000 on the marriage, giving her at the same time a bungalow in Royapettah which is now under mortgage and rented for Rs. 130 per mensem. This rental, it is alleged, is wholly utilized in making repayments on the mortgage, in municipal and other taxes and in the execution of constant petty repairs. Khadir-un-nisa's husband was formerly a tradesman, but failed in business and is now said to be confined to his house, and sometimes to his bed, with asthma. This does not, it is submitted, seem a very strong case of dependance on the stipend, but looks more like a claim based on relationship to the deceased. Karim-un-nisa provided permanently for the support of Khadir-un-nisa on marriage and if she has really mortgaged her property for Rs. 7,000,

Paragraph 6 of current.

and it

that is, it is submitted, her own look out and does not constitute a claim on the present stipend, the sole future object of which (if continued) will, as already pointed out, be to support such dependants as have no other means of subsistence. As a matter of fact, Khadir-un-nisá has a monthly income of Rs. 130 from her bungalow which is occupied by Mr. J. G. Smith, Barrister-at-law. She should be able to manage her mortgage and support herself from this.

10. Khadir-un-nisá and her two co-petitioners come up again, however, in the

Paragraph 7 of current.

Paymaster's report as being the three persons whom the deceased Bégam is said to have denominated as her heirs and the rightful claimants to her stipend, in letters addressed in 1897 to the Paymaster and to Government. The Paymaster states that in reply to the letter received in his office Karím-un-nisá was informed that her letter would be recorded for attention "when the time arrives." It is true that a letter purporting to set forth Karím-un-

See G.O., R. No. 125, Political, dated 17th April 1897.

As now reported in the current—see paragraph 6 of this note.

nisá's last wishes as respects her stipend was received in 1897 by Government. In that petition the deceased says she has paid off all her "dependants" in bonuses and prays that Government will recognize

Khadir-un-nisá, her husband and her mother-in-law as being solely entitled to two-thirds of her pension at her death in the following proportions:—

	Rs.
(1) Khadir-un-nisá	35
(2) Saiyid Abd-ul-hafiz (husband) of No. (1)	30
(3) 'Aziz Bégam (mother-in-law) of No. (1)	15
	—
	80

and that all past and any future requests on the subject are to be considered annulled by this one. It is submitted in the first place, that this petition is of doubtful character. When Karím-un-nisá paid off her "dependants" she did so through her solicitors Messrs. Branson and Branson and in a matter of this kind it seems doubtful whether she would have written such a letter and have been satisfied for it to thus take its chance of ever being noticed. The validity of the letter is also brought into question by the fact that in 1898 the Paymaster received from Karím-un-nisá's stepmother (also an 1801 stipendiary) a letter stating that the 1897 letter purporting to come from Karím-un-nisá Bégam was not genuine. The doubt is not wholly removed, either, by the fact that the same lady wrote again in March last, through her solicitors, stating that on further enquiry she had found the letter to be a genuine one. The Paymaster adds that he has consulted Mrs. Firth who used to visit Karím-un-nisá and that the latter says that the deceased did not mention anything about having made such a request in 1897. Mrs. Firth suggested that Mr. Branson (who was fully aware of the actions of the deceased) be asked about this point, but this course has not been adopted by the Paymaster on the ground that Mr. Branson is now the legal adviser of Khadir-un-nisá herself. The Paymaster asks whether he shall now take this course.

11. Granting that the letter just referred to is genuine, it only shows, after all, that Karím-un-nisá was labouring under the very misapprehension which Dr. Balfour laboured under in 1850 and which caused the Court of Directors to write paragraph 51 of their Despatch No. 1, dated 22nd May 1850, which makes it plain—

- (1) that the continuance of these jaghir stipends had already been too liberal inasmuch as many of them had originally been for one life only.
- (2) that continuance must thereafter be confined only to such persons as are shown to be left dependant on the stipend.
- (3) that Government itself is to be the sole arbiter in the matter.

Karím-un-nisá evidently regarded her stipend (or at least two-thirds of it) as an asset which she had power to will at discretion—a thoroughly erroneous view of the case.

See G.O., No. 3, Political, dated 4th January 1898.

P/ See paragraph 6 (3) of Paymaster's letter, No. 461, dated 12th November 1897, in the above-quoted Government Order.

See closing paragraph of Paymaster's letter in
G.O., No. 271, Political, dated 28th April
1899.

(") C.M.S.
17-7-99.

I confess that the proposal of the Paymaster, Carnatic Stipends, to shut down completely this pension, though justifiable by the strict letter of the rules, does not commend itself to me. It seems plain to me that the relation of the adopted daughter to the deceased was such as to make her case peculiar.

I am aware that in the matter of strict logic, the view which I put forward above is in all respects inferior to that in the office-note. I also think and have said that in these matters Government should, as a rule, adhere closely to principles, but I think that these matters cannot always be treated from the point of view of strict

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It would be convenient to get
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(189 9) Department.

D. O. No. 392

From

Mrs A. Linth

D. O.

Note

This file has been detained for a few days owing to the Notes on this case having been sent to Press for printing up. The Notes are now subm'd in print - with a further note covering this D/O - please see on yellow paper below.

JWS
21/8/98

No.

Dated 15th August 1899.

Received 17th — " —

Registered — " —

Enclosures

Spare copies.

SUBJECT.

Shah Kaderum Nissa was brought up by Harceemum Nissa Begum. Her father Syed Alidul Hafiz nor his mother Azizum Nissa were dependent on her till the marriage of Kaderum Nissa with Syed Alidul Hafiz and also bringing to notice the claims of Ramathum Nissa for some portion to be made if Kaderum Nissa is found alive.

BACK PAPERS

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Do No. 392

St. Thomas

15th August 1899

CHIEF SECRETARY
17 AUG 1899
OF MADRAS

Dear Mr. Stokes,

In reply to your D.O.

of 10th August, I write to inform you that Khaderum Nisa was brought up by Khaderum Nisa Begum. But neither Syed Abdul Hafiz nor his mother Azizum Nisa were dependent on her till the marriage of Khaderum Nisa with Syed Abdul Hafiz, about 3 years ago -

logic or principle alone and I gather that this case is an exception. If His Excellency the Governor would wish to test what I have set out above as to the probable native view of this case, Mrs. Firth who can and probably will give a valuable opinion, might be referred to demi-officially.

Mrs. Firth might also be asked as to how far the husband and brother-in-law of the adopted daughter were as a fact dependant on the deceased. I would not give them separate pensions, but it might be necessary to increase the adopted daughter's pension if it were found that they were living on her.

(Intld.) G.S.
18-7-99.

Note by His Excellency the Governor.

I should be glad if such reference were made (demi-officially) to Mrs. Firth. At the same time, I may say, I am disposed to agree with the Chief Secretary.

(Intld.) A.E.H.
6-8-99.

Checked.
4/9/99
20/9/99

Here enter R/p to Mrs. Firth, dated 10th Aug/99 - XXV

From Mrs. Firth - R/p dated 15th August 1899. -

XXI

Mrs. Firth replies to the above R/p by stating that Khadir un nisa was brought up by Karim un nisa but that neither ^{the} husband nor mother in law (Syed Abdul Hafiz & Aziz un nisa) were dependant on her till the marriage of Khadir un nisa with Syed Abdul, about 3 yrs ago. Mrs. Firth commends to Govt a girl of 8 years of age, named Ramath - un - nisa, whom Karim un nisa "brought up from her infancy" & who now lives with Khadir un nisa. This girl is not mentioned by the Paymaster in his list of dependants; possibly she is a relative of one of the dependants who was pensioned off by Karim un nisa in 1896 (vide para 6 of these notes).

Mrs. Firth omits to give information on the important question raised in the Note, by the

Chief Secretary, viz, the
advisability, ~~of granting~~ ~~from a political point of view,~~
~~of granting some portion of the~~
~~lapsed pension to Khadir-~~
~~un-nisa Begam.~~ An opinion on this
point would have been very
useful.

In any case, it is subm^d that
it would seem advisable
that if the child mentioned
by Mr. Firth is to be helped
it should be by Khadir un-
nisa herself ^{that} from the
~~allowance~~ ~~stipend~~, if any, to be
allotted to her; & further,
that Khadir un-nisa's
allowance should cover all
claims of her husband's
mother in law. —

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6. Turning now to the case under consideration, the Paymaster first presents a list of 19 males and 31 females who received from the late Karim-un-nisa allowances ranging from Re. 1 to Rs. 10 *per mensem* until 1896, in which year the deceased commuted all these allowances by paying the respective recipients lump sums equal to one hundred rupees for each rupee they had been receiving monthly. The amounts were paid by the late Begam's solicitors, and lists of the amounts so paid, certified by the solicitors themselves, are enclosed with the current. It is submitted, therefore, that these persons have no claim on the stipend and that their * claims may be rejected.

* They almost all claim support together with Saiyid Muhi-ud-din.

7. Saiyid Muhi-ud-din is the next candidate to be considered. He claimed on behalf of himself and most of the persons above referred to and memorialized Government after his claims had been disallowed by the Paymaster, Carnatic Stipends (paragraph 4 of this note). He is reported to be a distant relative of the husband of the deceased Begam. He was for a time supported by Karim-un-nisa, who contemplated giving him her adopted daughter in marriage, but on finding out that he was addicted to bad habits she changed her mind, whereupon Saiyid Muhi-ud-din suddenly left her house and went off to Hyderabad, whence he has lately returned for the express purpose of making his present claims. He is said to be at present in needy circumstances and the Paymaster thinks that he would have got a bonus along with other dependants in 1896 if he had been on the spot, or that failing this he would have been included in the list of dependants furnished to this Government by Karim-un-nisa in 1897 (paragraph 10 of this note). In his appeal petition to Government Saiyid Muhi-ud-din states that he lost his "mansab" pension at Hyderabad through having been adopted by Karim-un-nisa and urges this as a ground of title to an allowance from her stipend. He adds that the reason why Karim-un-nisa did nothing for him during her life-time was that she expected he would get a share in her pension after her death. This story, however, is wholly at variance with the facts stated by the Paymaster, Carnatic Stipends, as set out above. It is submitted that the fact that Saiyid Muhi-ud-din left the Begam's support and went to Hyderabad on his own account is pretty clear evidence that he is not a "dependant" on the pension and deserves no consideration. The remarks of the Paymaster, Carnatic Stipends, show that he left the late Begam's support before the paying off of the dependants by the latter in 1896. For the last three years, therefore, he has certainly not been a dependant on the stipend and it is submitted that he has no claim thereon.

8. The next claimants to be dealt with are Inayat-un-nisa and Khadija Begam. These are mother and daughter, respectively. The Paymaster states that the former was a mere broker and received a commission on articles purchased through her by the deceased and that neither of these claimants have any connection whatever with the deceased. It is submitted that their claim to support from the pension may be rejected.

9. The next in order is Khadir-un-nisa who was adopted in her infancy by Karim-un-nisa Begam and who, together with her husband and mother-in-law, petitioned the Paymaster on the decease of Karim-un-nisa. In 1896 Karim-un-nisa gave her in marriage to Abd-ul-hafiz and spent Rs. 10,000 on the marriage, giving her at the same time a bungalow in Royapettah which is now under mortgage and rented for Rs. 130 *per mensem*. This rental, it is alleged, is wholly utilized in making repayments on the mortgage, in municipal and other taxes and in the execution of constant petty repairs. Khadir-un-nisa's husband was formerly a tradesman, but failed in business and is now said to be confined to his house, and sometimes to his bed, with asthma. This does not, it is submitted, seem a very strong case of dependance on the stipend, but looks more like a claim based on relationship to the deceased. Karim-un-nisa provided permanently for the support of Khadir-un-nisa on marriage and if she has really mortgaged her property for Rs. 7,000, that is, it is submitted, her own look out and does not constitute a claim on the present stipend, the sole future object of which (if continued) will, as already pointed out, be to support such dependants as have no other means of subsistence. As a matter of fact, Khadir-un-nisa has a monthly income of Rs. 130 from her bungalow which is occupied by Mr. J. G. Smith, Barrister-at-law. She should be able to manage her mortgage and support herself from this.

10. Khadir-un-nisa and her two co-petitioners come up again, however, in the Paymaster's report as being the three persons whom the deceased Begam is said to have denominated as her heirs and the rightful claimants to her stipend, in letters addressed in 1897 to the Paymaster and to Government. The Paymaster states that in reply to the letter received in his office Karim-un-nisa was informed that her letter would be recorded for attention "when the time arrives." It is true that a letter purporting to set forth Karim-un-nisa's last wishes as respects her stipend was received in 1897 by Government. In that petition the deceased says she has paid off all her "dependants" in bonuses (as

G.O., R. No. 125, Political, dated 17th April 1897. now reported—see paragraph 6 of this note) and prays that Government will recognize Khadir-un-nisa, her husband, and her mother-in-law as being solely entitled to two-thirds of her pension at her death in the following proportions:—

	RS.
(1) Khadir-un-nisa	35
(2) Saiyid Abd-ul-hafiz (husband) of (1)	30
(3) 'Aziz Begam (mother-in-law) of (1)	15
	80

and that all past and any future requests on the subject are to be considered annulled by this one. It is submitted in the first place, that this petition is of doubtful character. When Karim-un-nisa paid off her "dependants" she did so through her solicitors Messrs. Branson & Branson and in a matter of this kind it seems doubtful whether she would have written such a letter and have been satisfied for it to thus take its chance of ever being noticed. The validity of the letter is also brought into question by the fact that in 1898 the Paymaster received from Karim-un-nisa's stepmother (also an 1801 stipendiary) a letter stating that the 1897 letter purporting to come from Karim-un-nisa Begam was not genuine. The doubt is not wholly removed, either, by the fact that the same lady wrote again in March last, through her solicitors, stating that on further enquiry she had found the letter to be a genuine one. The Paymaster adds that he has consulted Mrs. Firth who used to visit Karim-un-nisa and that the latter says that the deceased did not mention anything about having made such a request in 1897. Mrs. Firth suggested that Mr. Branson (who was fully aware of the actions of the deceased) be asked about this point, but this course has not been adopted by the Paymaster on the ground that Mr. Branson is now the legal adviser of Khadir-un-nisa herself. The Paymaster asks whether he shall now take this course.

11. Granting that the letter just referred to is genuine, it only shows, after all, that Karim-un-nisa was labouring under the very misapprehension which Dr. Balfour laboured under in 1850 and which caused the Court of Directors to write paragraph 51 of their despatch No. 1, dated 22nd May 1850, which makes it plain—

(1) that the continuance of these jaghir stipends had already been too liberal inasmuch as many of them had originally been for one life only.

(2) that continuance must thereafter be confined only to such persons as are shown to be left dependant on the stipend.

(3) that Government itself is to be the sole arbiter in the matter.

Karim-un-nisa evidently regarded her stipend (or at least two-thirds of it) as an asset which she had power to will at discretion—a thoroughly erroneous view of the case.

12. It is submitted that the first question to be decided is that raised in paragraph 9 of this note, viz., whether Khadir-un-nisa was or was not dependant on the stipend of Karim-un-nisa for support at the time of the death of the latter, and from that standpoint entitled to a pension. If it is held that, in view of the circumstances set out in that paragraph, she is not, then there is no need for considering the question of the validity of the letter of 1897. If, on the other hand, it is held that the request of Karim-un-nisa in 1897 raises a case for the parties named therein, the grant of any pensions to these parties depends on the authenticity of the letters alleged to have been written by Karim-un-nisa, and regarding this there is considerable doubt. It may

be observed that Khadir-un-nisá makes the expressed wishes of the deceased a ground of the claim which she addressed to Government through Messrs. Branson & Branson (see paragraph 3 of this note), but she does not contend that she and her two relatives were dependant solely on the stipend which is really the question at issue. She

G.O., No. 3, Political, dated 4th January 1898.

to her servants and dependants. A reference

Paragraph 6 (3) of Paymaster's letter, No. 461, dated 12th November 1897, in the above-quoted Government Order.

of support than the stipend. It is submitted that a strict adherence to the rules

Closing paragraph of Paymaster's letter in G.O., No. 271, Political, dated 28th April 1899.

(Intld.) F.W.G.
16-7-99.

(") C.M.S.
17-7-99.

Note by the Chief Secretary

I confess that the proposal of the Paymaster, Carnatic Stipends, to shut down completely this pension, though justifiable by the strict letter of the rules, does not commend itself to me. It seems plain to me that the relation of the adopted daughter to the deceased was such as to make her case peculiar.

The deceased seems to me to have been a woman of much greater business powers and of much greater foresight than is usually found in these stipendiaries. She tried to unite the only two persons who had any claims on her and thus to provide for them, but the husband's nephew has proved worthless and like a sensible woman she threw him over. I think Government may very properly do likewise. She then married the adopted daughter and settled her in life, but that settlement has broken down and in effect the daughter was as much dependant on the deceased at the time of her death as she was before her marriage. It is entirely in accordance with the native idea of the duties of Government in these matters that "in the case of persons of some consequence, as the principal representatives of a branch of the original family, there probably would be reasons for a temporary continuance" (*vide* paragraph 14 of Court of Directors' despatch No. 2, dated 11th March 1846), and as I have no doubt that the daughter is looked on as the representative of the deceased in native society, it would, in my opinion, be a politic and graceful act for Government to continue to her a portion of the stipend of the deceased. I would take the amount fixed by the deceased herself, viz., Rs. 35 a month. As to the other claimants, I do not think their cases are deserving of consideration.

I am aware that, in the matter of strict logic, the view which I put forward above is in all respects inferior to that in the office-note. I also think, and have said, that in these matters Government should, as a rule, adhere closely to principles; but I think that these matters cannot always be treated from the point of view of strict logic or principle alone and I gather that this case is an exception. If His Excellency the Governor would wish to test what I have set out above as to the probable native view of this case, Mrs. Firth, who can, and probably will, give a valuable opinion, might be referred to demi-officially.

Mrs. Firth might, also, be asked as to how far the husband and brother-in-law of the adopted daughter were, as a fact, dependant on the deceased. I would not give them separate pensions, but it might be necessary to increase the adopted daughter's pension if it were found that they were living on her.

(Intld.) G.S.
18-7-99.

Note by His Excellency the Governor.

I should be glad if such reference were made (demi-officially) to Mrs. Firth. At the same time, I may say, I am disposed to agree with the Chief Secretary.

(Intld.) A.E.H.
6-8-99.

D. O. to Mrs. Firth, dated 10th August 1899.

I should be much obliged if you would kindly favour me with your opinion as to how far Khadir-un-nisá Bégam was regarded, in native opinion, as identified with, and representative of Carnatic Stipendiary Karim-un-nisá Bégam Sāhiba and whether, and if so to what extent, Khadir-un-nisá Bégam, her husband Saiyid Abd-ul-hafiz and her mother-in-law 'Aziz Bégam, respectively, were dependant on, or received support from, the pension of the late Carnatic stipendiary Karim-un-nisá Bégam Sāhiba.

(Intld.) G.S.
8-8-99.

(Intld.) F.W.G.
8-8-99.

(") C.M.S.
8-8-99.

D. O. from Mrs. Firth, dated St. Thomé, 15th August 1899.

In reply to your D. O. of 10th August, I write to inform you that Khadir-un-nisá was brought up by Karim-un-nisá Bégam, but neither Saiyid Abd-ul-hafiz nor his mother 'Aziz-un-nisá were dependent on her till the marriage of Khadir-un-nisá with Saiyid Abd-ul-hafiz, about three years ago. I take this opportunity of bringing to your notice the claims of Rahmat-un-nisá, a girl of about eight years of age. She was also brought up by Karim-un-nisá Bégam from her infancy, and is now with Khadir-un-nisá, and if a compassionate allowance is allowed to Khadir-un-nisá some provision ought to be made for the poor child also.

(Intld.) A. F[IRTH].

Mrs. Firth replies to the above D. O. by stating that Khadir-un-nisá was brought up by Karim-un-nisá, but that neither the husband nor mother-in-law (Saiyid Abd-ul-hafiz and 'Aziz-un-nisá) were dependent on her till the marriage of Khadir-un-nisá with Saiyid Abdul, about three years ago. Mrs. Firth commends to Government a girl of eight years of age, named Rahmat-un-nisá whom Karim-un-nisá "brought up from her infancy" and who now lives with Khadir-un-nisá. This girl is not mentioned by the Paymaster in his list of dependants; possibly she is a relative of one of the dependants who was pensioned off by Karim-un-nisá in 1896 (*vide* paragraph 6 of these notes). Mrs. Firth omits to give information on the important question raised in the note by the Chief Secretary, viz., as to how far Khadir-un-nisá Bégam was regarded in native opinion as identified with, and representative of, Karim-un-nisá Bégam Sāhiba. An opinion on this point would have been very useful.

In any case, it is submitted that it would seem advisable that if the child mentioned by Mrs. Firth is to be helped it should be by Khadir-un-nisá herself and that from the allowance, if any, to be allotted to her; and, further, that Khadir-un-nisá's allowance should cover all claims of her husband and mother-in-law.

(Intld.) F.W.G.
21-8-99.

(") C.M.S.
22-8-99.

His Excellency the Governor

It is to be regretted that Mrs. Firth has not replied fully to the reference, but it is not worth while, I think, to refer to her again. The case of the dependant girl brought to notice might be provided for by increasing Khadir-un-nisá's grant if the Paymaster, Carnatic Stipends, reports that her claim should be recognised. If it is a fact that she has been brought up from infancy by Karím-un-nisá her case is quite paralled to that of Khadir-un-nisá's.

(Intld.) G.S.
22-8-99

I think it may be ordered that a compassionate allowance of Rs. 35 should be granted to Khadir-un-nisá. But, before the order issues, the Paymaster, Carnatic Stipends, should be asked about this dependant girl, mentioned by Mrs. Firth, in the manner proposed by the Chief Secretary.

(Intld.) A.E.H.
25-8-99.

C No 1179 - From the Paymaster, Carnatic Stipend No 361 dated 5.9.99.

The Paymaster states, in reply to Memo^x No 21944 dated 30th Aug, that Rahmat un nisa was brought up by the late Karim un nisa Begam, together with many others, but ~~and~~ was not regarded by her with the affection bestowed on Khadir un nisa.

Karim un nisa handed the child over to Rahmat un nisa's charge & told the latter to care for her & in due course to give her to some worthy man in marriage.

The Paymaster thinks that if Khadija am nisa gets a share of the lapid stipend she will support the child therefore but that if Govt decides to give a separate stipend it shd not exceed Rs 10/- per mensem "until her marriage" as he (Paymaster) does not consider any of them to have any claims on the pensions - the deceased having died childless.

~~It is understood that Gustave takes no responsibility for the child's future marriage expenses & that the commission to all those to be given to the child or Miss should be given on the understanding that she will support Robert throughout.~~

If the claim of Rahmat-un-nisa Begum is to be recognized, it would appear to be advisable to give her a separate pension to terminate on her marriage, as proposed.

Khadija-um-nisa is coupled with any condition as to the maintenance of Rahmat-um-nisa, ~~But~~ then will probably be complaints from the latter as she grows older, & if Khadija-um-nisa dies before Rahmat-um-nisa is married the latter will claim a continuation of ^{Kadija-um-nisa's} ~~her~~ pension on the ground of her dependency (which will have been recognized by Govt.)

cont.
12. 9. 20

I agree with the
opinion in the
above note but
I think 8th a
month with enough.

1/12/15

Nov 3 43

Draft Order Subm²-

20/9/55

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Proceedings, already printed
C No 1179
(From the PCS) A

Pol Dept.

Order W-632 of 21 Sep 98
P.S.

A compassionate allowance of
Rs 35 per mensem, for life, will be
granted to Khadir un nisa Begam
Sahiba from the lapsed stipend
of the late Karim un nisa Begam
Sahiba. A ~~like~~ allowance of
Rs 8 per mensem, to lapse on her
marriage, will be granted to ^{from the same date}

Rahmat un nisa.

2. Mir Muhammad Hussain, alias
Syed Muhi-ud-Din, will be
informed, with reference to his petition,
that his request is inadmissible.

Curb.
20.9.98

(From order)

H. V.

2. Khadir un nisa Begam -
(Through Messrs Bramson
Bramson) 2. 7. 80 27.10.98
28.4.99
para 1, 2 & 3
(in order only)

" Mir Muhammad Hussain -
50 Laha Sahib Street,
Tuplicane - (2 of his petition
(the PCS). para 2 & 3
in order only.

" Paymaster Curative Stipends. } Otd order
" Accountant General. - } in full -

S. C. to be sent to Camatic
Slip and file Curb

given
10/10/98

with effect from the
29. October 1898,

N.B. The day
following the
death of
Karim un nisa
Curb

The Paymaster
will report the
arrangements he
would propose for
the payment of
the latter allowance

25999

26.9.98

6/10/98

Copy for Ch
R. 108

21/9/98