

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1114	Press Mis.
Dated	9. 5.	1866.

Not to be folded or roughly handled

Read the following Proceedings of the Board of Revenue, dated 20th March 1866, No. 1,970.
Read the following papers:—

From the Collector of Bellary, to the Secretary to the Board of Revenue, dated Camp at Harpunhully, 10th January 1866.
Tabular Statement shewing the lapsed Yeomahs in the District of Bellary.

Case Number.	Talook and village, extent and value of the entire Inam.	When and by whom granted, name of the original grantee, Sumnuds or other documents in support of the grant.	Nature of the grant, charity or service. If the duty prescribed by the grant.	Name of the last holder, date of his decease, and the relation-ship in which he stood to the grantee.	Share enjoyed by the deceased, and that held by the other members.	Family left by the deceased, and name and age of the parties, their circumstances and the means of subsistence possessed by them.	Recommendation of the Collector, and the grounds on which it is made.	Recommendation of the Board of Revenue.	Decision of Government.
1	Adonie, Cusbah Adonie, Stipend of Rs. 6-7-3 per sem.	Granted by Basalut Jung in Hegira 1195, of Fusly 1855, corresponding with A. D. 1781, to Shajumallah. Is held under two Sumnuds, and continued to him under the Order of Government, dated 27th August 1813.	For conducting religious service, and attending to the wants of strangers.	Sha Jamalullah, original grantee, died on the 17th August 1865.	The deceased enjoyed the entire stipend.	Three grandsons and a widow of the fourth grandson, eldest of whom Shamsulullah, aged thirty-two. Hoossainbee, widow of the second grandson, aged twenty. Sha Hoossany, third grandson, aged twenty-five. Sha Mohadeen, fourth grandson, aged twenty. Live by begging as Fakirs.	There is no mention made in the Sumnuds of the grant being hereditary; in which respect it is similar to others, of which Mr. Chapman in paragraph 5 of his letter to the Board of Revenue, dated 15th July 1812, states that the "Sumnuds in no instance declare the pensions to be hereditary; but in general contain a reference to the grant of former donors." But I consider that the principle laid down in paragraph 6 of the Board's letter to the then Collector, dated 20th August 1812, is applicable here, namely, the discountenance of the allowance	9	10

of allowances decidedly charitable in cases in which the incumbents possess other ample means of maintenance. But the present claimants of the allowance are in indigent circumstances.

The Board also in their letter, dated 21st January 1813, observe that they cannot consent to regard these allowances as hereditary, unless confirmed by grants of which the validity cannot be questioned.

In the present instance the claimant vests his case on the enclosed two pension documents, which purport to be Deeds granted by Basalut Jung, by one of which dated 15th of Rabesani Hegira 1195, corresponding with 10th April 1781, Sha Jamalullah (the grandfather of the present claimant) was granted an allowance of eight Annas per sem. This stipend was by the other document, dated 1st of Jilkath of Hegira 1211, corresponding with 29th April 1797, reduced to four Annas per sem.

I beg, therefore, to recommend that the allowance may be continued to Sha Fazoollullah.

*Proceedings of the Madras Government, Revenue Department,
9th May 1866.*

From the same Officer, dated Camp at Huvinhadgali, 24th January 1866, No. 17.

With reference to the Official Memorandum from the Acting Sub-Secretary to the Board of Revenue, No. 46, dated 16th instant, I have the honor to forward the two Persian documents, alluded to in the Tabular Statement of lapsed Yeomiahs, forwarded from this office on the 10th January 1866.

ENCLOSURE No. 1.—Two Persian Documents.

1. Ordered that the foregoing Tabular Statement be submitted for the Orders of Government.

2. The Yeomiah in question is one of those which were continued by the Officers of Government on the assumption of the country, and which afterwards

To Government, 19th August 1813, No. 920.
From do. 27th do. do.

formed the subject of the correspondence noted in the margin. It is described in Column 4 of the present Statement to be

for the performance of religious service, and for attendance on strangers; but the words of the two Sunnuds on which the claim rests are simply to the effect that the holder "may subsist himself, and pray for the increase of life and fortune," probably of the donor, Baslut Jung, who held Adoni in Jaghire under the Nizam. It

NOTE.—In the printed list of Yeomiahs payable in the District of Bellary, as they stood on 31st December 1864, this is entered (page 4) simply as a "Subsistence Yeomiah."

would thus appear that the allowance was more a charitable grant than a service Yeomiah, and was in all probability intended to lapse with the original gran-

tee. Moreover, not only is there no mention in these Sunnuds of any design on the part of the donor to perpetuate the allowance, but the allowance of eight Annas a day entered in the first Sunnud is actually reduced to four Annas by the second, while the holder is expressly directed in the latter document to apply for a Sunnud of renewal each year; thus clearly indicating that the allowance was subject to renewal, or otherwise, even to the original grantee at the will of the grantor.

3. Looking further to the fact that the deceased has left three grandsons in the prime of life, who gain their livelihood as professional beggars, the Board are of opinion that the circumstances of the case are not such as to call for further indulgence. They, therefore, recommend that the Yeomiah in question be resumed, one year's allowance being paid as a gratuity.

4. The late incumbent of the Yeomiah is stated to have been the original grantee. It is hardly possible, however, that this could be the case, considering that eighty-five years have elapsed since the allowance was first given. In the printed list of Yeomiahs, already adverted to, the age of Sha Jamallullah (at the end of 1864) is entered as seventy-nine.

5. From the explanatory Statement accompanying Mr. Collector Chaplin's letter of 22nd March 1813, it appears that in Fusly 1210, when the first list of pensioners was made out, this Yeomiah was entered in the name of Sha Jalaloodin Durvesh, whose son Sha Jamallullah was the first person who received the pension during the Company's Government, though his name was not substituted for his father's till a fresh list was made in Fusly 1222.

*Proceedings of the Madras Government, Revenue Department,
9th May 1866.*

6. Should the Government be averse to the resumption of the Yeomiah, the Board would recommend that it should be compulsorily commuted for a grant of waste land of equivalent value. This would give the late Yeomiahdar's descendants a chance of becoming respectable members of society.

No. 186.

ORDER THEREON, 9th May 1866, No. 1,114.

Miscellaneous.

1. The Governor in Council agrees with the Board of Revenue in considering that the Yeomiah in question is not hereditary, it will accordingly lapse.

2. A gratuity of one year's allowance will be paid to the grandsons of the deceased Yeomiahdar, as recommended by the Board.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.
„ the Accountant General.

Exd. S. T. Augustin.

Note.

The Bd. have come
to the conclusion that
this was not intended
by the framers - who
were fastidious of
a long - to be per-
petual hereditary
power and they cite
in support of their
view, the wording of
the preamble - the later
of which expressly
enjoins annual
renewal of the power
and thereby shows
inferentially that
that the power held
only during the plen-
-itude of the ruling
authority.

The limit of the power

viz the substance of
the prayers & their
prayers for the wel-
fare of the pauper
is also not of a per-
sonal character.
In fact the second
pauper showed his
appreciation of the
service but cutting
down the allowance
from one shilling
to six pence per week.

The result of
the allowance is
that 3 other board
been here by mendic-
ancy - taking out
their income in this
fashion.

For this reason, the
1st recommendation
is that the allowance

the allowance - a
year's amount being
given as a parting
bounty -

or

if put are averse
to the recommendation
they recommend that
an equivalent in
waste be given in
lieu of the money
allowance.

If put consider
the point hereditary,
then it must be
continued as it
is - unless the parties
prefer waste land,
which professional
mendicants are
not likely to do.

If on the other
hand, put think
the point is not

I arrived in New York
 on Monday, 10th of June
 and found that the
 weather was very hot.

W. M. 1844

The Governor in Council
agrees with the Board of Revenue
in considering that the Estate
in question is not hereditary &
will accordingly ~~be~~ be

A gratuity of one year's
allowance will be paid to the
grandsons of the deceased.
To be paid as recommended by the Board.

J. D. P. J. G.
18 May 1845

to be paid to the grandsons of the deceased