

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1860	Press ~~Mis.~~
20-21 Dated	3-7-	1868

Not to be folded or roughly handled*1860*

*Proceedings of the Madras Government, Revenue Department,
3rd July 1868.*

No. 70. Read the following Proceedings of the Board of Revenue, dated 11th June 1868, No. 4,336 :—

Read the following Tabular Statement, being an enclosure in a letter from the Collector of North Arcot, dated 10th March 1868, No. 72.

Statement of lapsed Dehat Inam recommended for renewal in the District of North Arcot.

No.	Talook and village; extent and value of the entire Inam.	When and by whom granted; name of the original grantee; Sunnuds and other documents in support of the grant.	Nature of the grant, charity or service; if service, nature of the duty prescribed by the grant.	Name of the last holder, date of his decease, and the relationship in which he stood to the original grantee.	Share enjoyed by the deceased, and that held by the other members.	Family left by the deceased, name and age of the parties, their circumstances, and the means of subsistence possessed by them.
1	2	3	4	5	6	7
86	Ready-money allowance of Rupees 210 per annum, granted in lieu of the Dehat Inam village, Punji, of late Cavari-pak, now Walajah talook.	Granted on the 22nd Shaban, 6th Jooloose, by Nabob Sadticoolla Khan, to Shaik Abdool Wahab, as per Purvanah of the above date issued by the said Nabob to the said individual.	Hereditary.	Hasseja Bibi, died on the 1st January 1860, great-grand-son's widow.	The deceased was in the enjoyment of the full share.	Died without issue. The names of the existing claimants, as per accompanying genealogical table, are as follow :— 1. Nos. 19 and 70.—Gulam Hussain, age 29, the great-grandson of the sister of the grand-mother of the deceased's husband; enjoys an annual allowance of Rupees 26 of the Punji Dehat Inam. 2. No. 54.—Gulam Dustaghere, age 53, the great-grandson of another sister of the grand-mother of the deceased's husband; enjoys an annual allowance of Rupees 42 of the above Inam with his brother's. (No. 55.) 3. No. 84.—Ahomed Patcha, age 8, the son of the third claimant, (deceased). He derives his descent from the second wife of the second son of the original grantee; enjoys an annual allowance of Rs. 294-8-0 of the above Inam. 4. Syed Abdool Satar Saneen, the son of a brother of the mother of Syed Tippoo, the husband of the last incumbent; enjoys Yeomiah allowance of Rupees 88-8-0 per annum. 5. Syed Hussain, the foster son of the last incumbent, enjoys no allowance.

REMARKS.—1. Syed Tippoo, the husband of the deceased, was in the enjoyment of an annual allowance of Rupees 210 under the sanction of Government, dated 13th June 1851, being one of the grants made on the resumption of the Dehat Inam village of Punji, which was originally granted in the name of one Shah Abdool Wahab Hucknama. On the death of Syed Tippoo, the allowance was transferred to his widow under the Orders of Government, dated 5th March 1858, No. 293.

Order of Government, dated 19th July 1855, No. 873, communicated with the Board's Proceedings, dated 23rd idem, No. 1,933.

Despatch from the Secretary of State, dated 9th September 1859, No. 10, Revenue, paragraph 25, communicated with the Board's Proceedings, dated 18th May 1860, No. 2,409.

She died on the 1st January 1860 without issue.

The allowance is declared to be hereditary in Government Order noted in the margin. The five persons named in Column 7 now claim that the allowance in question be continued in their respective names.

2. Of these (five) individuals, Gulam Hussain and Gulam Dustaghere, (Nos. 70 and 54 respectively in the accompanying genealogical table,) trace their descent from the first wife (Ammed Sahiba, No. 49) of one Shah Abdool Sammath, the second son of the original grantee, she being the common ancestor of these two claimants, as well as of Syed Tippoo, (No. 73,) the husband of the last incumbent. The first claimant, Gulam Hussain, is, besides, a descendant (No. 19) of the first son of the original grantee, as will be seen from the genealogical table.

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3. Kader Patcha, the third claimant, (No. 83,) bases his right on his being the descendant of Imam Sahiba, (No. 79,) second wife of the abovementioned Shah Abdool Sammath.

4. The fourth claimant, Syed Abdool Satar Saneen, is the son of a brother of the mother of Syed Tippoo, (No. 73,) the husband of the last incumbent, (No. 74,) and, as such, claims the allowance for himself.

5. The fifth claimant, Syed Hussain, is the foster son of the last incumbent, as reported in Statement submitted to the Board on the 5th November 1856, and claims the allowance of the deceased as her adopted son.

6. The claim of this latter is inadmissible, as the Mahomedan law does not recognise adoption, and as it is laid down in the Board's Standing Order, (178, in Mr. Dalyell's edition,) that pensions granted hereditarily do not pass to adopted children.

7. The fourth claimant is the son of the maternal uncle of Syed Tippoo, the last incumbent's husband, and states that, under the Mahomedan law, his right is superior to that of the others. He falls within that class of heirs called "distant kindred," as will be seen from column 4, paragraph 47, Section 4, of Sadagopa Charlu's Manual, (second edition.) But the Collector doubts whether the Government would recognise the right of an individual unconnected by blood with the family to which the allowance claimed was granted.

8. The other three individuals, namely, Gulam Hussain, Gulam Dustaghere, and Kadar Patcha, trace their descent from a common ancestor, and are connected by blood with the family to which the allowance was granted.

9. Of these three, Kadar Patcha has since died, leaving a son, named Ahomed Patcha, and a daughter. Under these circumstances, the Collector begs to recommend that the allowance be divided into three equal shares, and that each share (Rupees 70) be registered severally in the name of one of these three, and the arrears be paid to them in equal shares. The latter amounts to Rupees 1,890, having accumulated from 1st January 1859 to 31st December 1867, the deceased not having drawn her arrears for one year previous to her death, which took place on the 1st January 1860.

10. The Collector regrets the long delay which has taken place in submitting this case for the consideration of the Board. It is attributable to the following circumstances:—Of the five claimants abovementioned, the third and the fifth, namely, Kadar Patcha and Syed Hussain, put in their applications soon after the demise of the last incumbent, which were referred to the Tahsildars of Arcot and Wallajah, respectively. A report was received from the former on the 31st January 1862, and from the latter on the 2nd June 1862. Nothing appears to have been done upon these reports by the Deputy Collector then in charge of the Treasury until the close of the year 1864.

11. Meanwhile, the applications of the second and fourth claimants, Gulam Dustaghere and Syed Abdool Satar Saneen, having been received in August 1864, the whole matter was then again referred to the Tahsildar for inquiry, by the late Deputy Collector Venkata Ruthna Pillay, on the 15th December 1864. In explanation of the long delay in putting forward his claim, Gulam Dustaghere states that, as his name was already entered in the genealogical table presented to the Tahsildar of Arcot by the third claimant, Kadar Patcha, when his claim was being investigated, he thought that enough to secure for his own case the attention of the authorities, and that further application on his part was unnecessary. The other, Syed Abdool Satar Saneen, states that he was unable to attend sooner owing to illness.

12. The first claimant, Gulam Hussain, did not put in his application until December 1866, and gives as his reason for the long delay, that he was a minor at the time of the death of the last incumbent, and did not know what he was required to do in the matter.

13. After the case was referred to the Tahsildar on the 15th December 1864, as above stated, frequent orders, as per margin, were sent, directing him to close the inquiry at an early date; but as the first, second, and fourth claimants, notwithstanding repeated summonses regularly served on them, did not attend until September

21st April 1865.
30th Nov. "
21st May 1866.
11th Dec. "
20th Aug. 1867.

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last, he was not able to submit his report until that month; owing to the intricacy and number of the papers forming the record of the case, much time and labor have had since to be bestowed on it in the Deputy Collector's Department.

CHITTOOR,
18th March 1868.

(Signed) J. D. ROBINSON,
Collector.

1. Submitted for the orders of Government.
2. The Board support the Collector's recommendation that the allowance should be divided equally between Gulam Hussain, Gulam Dustaghere, and Ahomed Patcha, who are the only claimants connected by blood with the family of the husband of the deceased, and whose claims to inherit seem to be on a par.
3. They recommend also that payment of arrears, due from the 1st January 1859, be sanctioned.

No. 71. ORDER THEREON, 3rd July 1868, No. 1,860.

Miscellaneous.

The Government sanction the arrangement advocated by the Collector and the Board, together with the payment of the accumulated arrears.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
.. the Accountant General.

Exd. S. T. Augustin.

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