

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1042	Press
		Mis.
63-64	Dated 12-7-	1870.

Not to be folded or roughly handled

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No. 63.

Read the following Proceedings of the Board of Revenue, dated 3rd May 1870, No. 2,915:—
Read the following paper from the Officiating Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Masulipatam, 29th January 1870, No. 464.

Tabular Statement showing the particulars of the under-mentioned Pension connected with the Masulipatam Nabob's family, recommended to be renewed in the Kistna District.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Case.	Talook and village.	Extent and value of the entire Inam or Yeoniah.	When and by whom granted.	Sunnads or other documents in support of the grant.	Nature of the grant, if service, nature, charity or service; of the duty prescribed by the grant.	Name of the original grantee.	Name of the last holder, and the relationship in which he stood to the grantee and the date of his decease.	Share enjoyed by the deceased and that held by the other members.	Family left by the deceased, and names and age of the parties.	Their circumstances and the means of subsistence possessed by the family.	Recommendation of the Collector, and the grounds on which it is made.	Further remarks.	Recommendation of the Board of Revenue.	Decision of Government.
No. 1 of 1870.	Masulipatam, in Bander Talook.	Rupees 10 a-month.	Chief in Council, 15th September 1779. Madras Government, 27th June 1823, and 4th December 1819, No. 1,161. Do. 15th April 1869, No. 1,027.	None.	In lieu of the jaghire resumed by Government on the death of the late Nabob of Masulipatam, and declared to be held on the good pleasure of the Com-pany.	Rustumja Bahadur, first son of Hussain Ali Khan.	Khatija Begum, Shadi wife of Kutub-ud-Dowlah, and daughter-in-law of the original grantee. She died at Bagdad on 21st April 1869.	The whole amount allotted to the deceased was intended for her enjoyment, but no portion of it was drawn by her. There are no other sharers.	1. Kareem-con-Nissa Begum, aged 10 years, Grand-daughter. 2. Manavur Begum, aged 31 years, daughter. 3. Azeemunnissa Begum, aged 25 years, daughter. 4. Fatta Ali Khan, stepson of the deceased, aged 52 years.	The four individuals in column 10 are now in the enjoyment of the monthly pensions allotted to them by Government, (vide Order, 15th April 1869, No. 1,027); besides this they have no other means of livelihood.	From the Government Order, No. 1,027, dated 15th April 1869, the Board will observe that the pension of the late Kutub-ud-Dowlah, amounting to Rupees 150, was, on the death of his son, Munsur-ud-Dowlah Maerja Jayeaula Bedeen Khan, distributed to the members of his family. Khatija Begum, Shadi wife of Kutub-ud-Dowlah, was allowed 10 Rupees a-month as per share. She had never drawn the same up to the date of her death, being absent at Bagdad. The first three individuals in column 10 sent the enclosed petition to me, praying that the allowance allotted to the deceased might be proportionately added to their pensions, or, the whole given to Kareem-con-Nissa Begum, grand-daughter of the deceased. On the other hand, Fatta Ali Khan, son of the late Kutub-ud-Dowlah by Nicka wife, requests that the deceased's share of pension, Rupees 10, may be added to his allowance, claiming it as the unsuccessful head of the family. The petition received from this individual is enclosed. It appears that Kareem-con-Nissa Begum, who has not yet been married, is the lawful heir of the deceased Khatija Begum as the daughter of her deceased son, who was the head of the family of Kutub-ud-Dowlah. Fatta Ali Khan of the Nicka branch has a similar claim to the lapsed allowance as the step-son of the deceased, for under Mahomedan law the offspring by Nicka and Shadi marriages have equal claims to inherit the pairimool property, but they are already in the receipt of separate allowances. The Board's sanction is requested for the disbursement of the arrears due to the deceased to her heirs on their producing a certificate of heirship.	None.		

*Proceedings of the Madras Government, Revenue Department,
12th July 1870.*

ENCLOSURES Nos. 1 and 2.—Petitions.

SUBMITTED for the orders of Government.

2. In their Order, dated 15th April 1869, No. 1,027, Government were pleased to sanction the following distribution of the late Kutub-ud-Dowla's monthly pension of Rupees 150 :—

	RS.
1. Fatta Ali Khan, son of Kutub-ud-Dowla by Nicka...	45
2. Kareem-oon-Nissa Begum, daughter of Munsur-ud-Dowla by Shadi ...	25
3. Bhanoo Begum, wife of Munsur-ud-Dowla...	7
4. Khatija Begum, Shadi wife of Kutub-ud-Dowla ...	10
5. Manavur Begum, daughter of do. ...	9
6. Azezimnissa Begum, do. of do. ...	9
7. Two sons of Mana Begum, (deceased) ...	9
8. Kajim Ali Mirza Khan, } children of Kutub-ud-Dowla {	15
9. Abbasi Mirza Khan, } by Mitta. {	15
10. Sakkena Begum, ...	6

3. With regard to the headship of the family, which was a subject of contention, they observed that they considered it unnecessary to decide the question then, and in a subsequent Order, 10th September 1869, No. 2,559, they declined to modify the previous one.

4. The Collector now reports the death of Khatija Begum, whose monthly stipend was Rupees 10.

5. Two petitions, claiming her share, have been presented, viz., one from Manavur Begum and Azezimnissa Begum, her daughters, and Kareem-oon-Nissa Begum, her grand-daughter, in which they request that the lapsed share be added to that of the grand-daughter, or that it may be distributed among them; the other is from Fatta Ali Khan, who, adverting to his claim to be regarded as head of the family, and to the inadequacy of his present allowance, requests that the lapsed share may be added to his.

6. Should Government be inclined on this occasion to dispose of the claim to the headship of the family, the Board would repeat their recommendation* in favour of the claim of Fatta Ali Khan, and suggest that his request be complied with, otherwise, adverting to the fact that it has hitherto been deemed† inexpedient to reduce the allowance allotted for the support of the family, they recommend that the lapsed share be distributed among the surviving members in such proportion as the Government may please to direct.

7. The arrears should, in the Board's opinion, be disbursed to the legal heirs of the deceased, viz., her daughters, Manavur Begum and Azezimnissa Begum. Under the Mahomedan law the grand-daughter Kareem-oon-Nissa Begum is excluded by her aunts, and Fatta Ali Khan has no claim whatever to be regarded as the heir of his step-mother.

*Proceedings of the Madras Government, Revenue Department,
12th July 1870.*

No. 64. ORDER THEREON, 12th July 1870, No. 1,042.

Miscellaneous.

THE Government observe that Fatta Ali Khan, as eldest son of the deceased Kutub-ud-Dowla, is in all probability, as he states, liable to various expenses from which other members of the family are exempt; and although they do not recognize the necessity of deciding the question of the headship of the family, they resolve to take this opportunity of increasing Fatta Ali Khan's allowance by adding to it prospectively the share of Rupees 10 per mensem, lately enjoyed by the deceased, Khatija Begum. This arrangement will endow him with Rupees 55 per mensem.

2. In regard to the arrears, however, the Government agree in the opinion expressed by the Board in paragraph 7 of their Proceedings. These should therefore be disbursed to Manavur Begum and Azezimnissa Begum, the daughters of the deceased.

(True Extract.)

(Signed) H. E. STOKES,

Under-Secretary to Government.

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

Exd. F. R. Bantleman.

Blue Sept 11

Memo. for orders
 sub P. 1454
 H

The Board report the decease of Khateja Begum, Shadi wife of Kutub-ud-Dowla, to whom, on the death of Munoor-ud-Dowla, the Govt. by G.O. dated 15th April 1869, No. 1027, sanctioned the allowance of Rs 10 enjoyed by her since the death of Kutub-ud-Dowla.

The deceased got only Rs 10 per m: which could only have sufficed for her own maintenance. Her own-wiife who got 25 Rs per m: & the other two ladies who got Rs 9 each and Dowla could not have benefited by the pension of the deceased and their portion consequently the whole of the pension is rendered more than it has been. It is to be seen, if the pension is to be given, if the pension is to be given, if the pension is to be given.

A memo. attached to G.O. dated 27th November 1868 No. 2970, sets forth the effect of the case on Munoor-ud-Dowla's death. In this order is dated

G.O. of 1870: 11/11/70

REVENUE.

THE BOARD OF REVENUE,

Ac., Ac., Ac.

Dated July, 1868

Recd.

End

G. O., 12th July 1870, No. 1,012.

JULY.
 Nos. 63-64.

Pension of late Kutub-ud-Dowla of Masulipatan. — Lapsed share of deceased Khateja Begum added to the allowance of Kutub Ali Khan, and the arrears disbursed to Manavir Begum and Asmatulla Begum.

dated 10th April 1869,
No 1027, the Court disposed
of the share of the allow-
=ance enjoyed by him, &
among the other members
of the family, but they al-
=lowed the question of the
head of the family to stand
over.

3. The Board now for-
=ward two petitions sub-
=mitted to the Collector -
In the one Satta Ali Khan
requests that the share of
the deceased Khateja
Begum may be added to
his allowance, and that
he may be recognised as
the head of the family.
In the other, Mandavara
Begum & Azeemissa
Begum, the daughters of
the deceased with Harlem-
oornissa Begum, his co-
sister-daughters, request
that the latter may receive
the bequeathed share, or
that it may even be

son be with-held.
Satta Ali Khan
on the other hand
is undoubtedly sub-
ject to various ex-
penses - as the eldest
son -

I would therefore
attach Rs 10 Rs to
his allowance of
Rs 45. leaving the
amount of Rs 35 to the
legal heirs of the
deceased.

I cannot follow
why he is put
to be recognised as
head of the family - nor
on the other hand do
be

I see what particular
advantage will ac-
cure to the family
by giving him the
status, formally.
I would therefore
leave this question
in abeyance.

N. S. D. S.

I do not remember
why we disturbed
to remove further
Ali Khan as head
of the family

vide the President's note re
the first draft of G.O. dated
27th Nov. 1868. No 2970
H.S.

be divided among them.
The Offg. Collector in his re-
-port printed with the Board's
Proceedings now immediately
before Govt states that under
"Mahomedan law the off-
-spring of Nikka and Shadi
"marriages have equal claims
"to inherit the paternal
"property."

5. The Board consider
that according to Mahomedan
law the share should be
equally divided among the
two daughters which will
raise each of their shares
to Rs 15. Should the Govt
be

be disposed to declare the head of the family, they recommend that this distinction should be conferred on Tatta Ali Khan.

6. Tatta Ali Khan would have been pronounced head of the family on the death of Kutub-ud-Dowlah, if it had not been that he was a "nikka" and not a "shade" son, owing to which fact his younger brother Mansoor-ud-Dowlah who was the son by a "shade" wife, succeeded.

7. A "nikka" marriage is not universally looked upon

upon as a ground for disqualification, and Tatta Ali Khan appears to be the only member of the family who is competent from his age and sex to fill the post of head of the family. He represents that as eldest son of Kutub-ud-Dowlah, he is compelled by duty to conduct religious ceremonies in his honor to keep up his house and to support the servants of the family. He complains that his allowance of Rs. 45 per mensem is insufficient for this purpose. It

8. It is submitted that the lapsed share of Rs. 10 per mensem may be conferred upon Jatta Ali Khan, and that he may be styled head of the family. But in the event of his not being declared head of the family, there will be no reason for not following the law of inheritance and conferring the lapsed share on Manaver Begum and Azeemissa Begum, the two daughters of the deceased.

Fr.

E. H. Hall

Revenue Department
Kutub-ud-Daulah
Kistna Dist.

Order No. 156, 12th July 1870

Revenue Department

No. 1042

Proceedings of the Madras Government
Under date the 12th July 1870.

Read the following
Proceedings of the Board of Revenue.

Submitting for orders Tabular
report from Collector of Kistna Dist.
of lapse of share of Pension of late
Kutub-ud-Daulah enjoyed by deceased
Khatija Begum, with recommendation
as to continuance of allowance and dis-
bursement of arrears.

(H.E. 3^d May 1870, No. 2915)

N.

J. D. S.

A. A.

I am in the very
pressing - "Various
Expenditure from which
the members of the
family are exempted"
or some thing in the
way A. A. N.

The Government
observe that Fath Ali Khan
as eldest son of the deceased
Kutub-ud-Daulah is in all
probability, as he stands,
liable to ~~expenditure~~ ^{for}
religious ceremonies conducted
on behalf of his late father,
and although they do not
recognise the necessity of
deciding the question of the
headship

headship of the family,
they resolve to take this
opportunity of increasing
Fatta Ali Khan's allow-
ance by adding to it
prospectively the share of
Rs. 10 per mensem lately
enjoyed by the deceased
Khateja Begum. This
arrangement will endow
him with Rs. 55 per mensem.

2. In regard to the
arrears, however, the Govt.
agree in the opinion expressed
by the Board in para 7
of their Proceedings. These
should therefore be disbursed
to Manwar Begum and
Azeemissa Begum, the daugh-
ters of the deceased.

Note.

The fact in their former proceedings
give no reason for declining to
decide the ^{question of the} headship of the family.
The Govt. thought the Khadi daughter
had the best claim to the headship.
The Mutin Board incline to
recognize the Nika son -
no distinction is apparently made
in Mahomedan law between Nika
Khadi. R.H.

But the distinction is
recognized in the law
of India N.

14 Fatta No of Govt. with 2 Priolo
6- Sept 21
6- Sept 21

S. H. S. S. S.