54.

Proceedings of the Madras Government, Revenue Department,
16th January 1873.

Read the following :—

No. 109. Proceedings of the Board of Revenue, dated 19th September 1867, No. 6,011.

Read the following letter from the Collector of the Godavery District, to the Secretary to the Board of Revenue, dated Cocanada, 20th August 1867, No. 224.

WITH reference to the G. O., dated 17th May 1867, on Petition No. 1,135 of 1867 (herewith returned), communicated with the Board's endorsement dated 15th June 1867, I have the honour to report as follows :—

2. Petitioner is the wife of Kajam Ally referred to in my letters and Board's Proceedings of dates and numbers as per margin. Kajam Ally claimed the allowance of Rs. 115-8-0 of the late Daval Beebee, on the ground of his being her son-in-law and nephew of her husband, Kaja Mahomed Sahib. His claim was finally rejected by Government in their Proceedings dated 9th October 1866.

From Collector, 11th Dec. 1865, No. 322.
,, Board, 10th Jan. 1866, ,, 176.
,, Collector, 30th May ,, ,, 109.
,, Board, 28th June ,, ,, 4,402.

3. Nissar Hussain and others, sons and daughters of Abbas Ally, are the claimants for the same allowance, and were referred to in my letter and Board's Proceedings of dates and numbers as per margin. Their claims were also rejected by Government in their Proceedings dated 18th October 1866, No. 2,822, for reasons therein mentioned.

From Collector, 30th May 1866, No. 114.
,, Board, 3rd July ,, ,, 4,501.

4. I have inquired, through the Tahsildar, regarding the truth of the petitioner's relationship to Daval Beebee, and am informed that she is not the daughter of Daval Beebee's sister, as she stated. She gave before the Tahsildar a genealogical table showing that her mother, Johara Begam, is the sister of Daval Beebee. The Kazi and other respectable Mussulmans of Draksharama, in which village the petitioner and her husband reside, declare that Daval Beebee had no sister named Johara Begam at all, and that the petitioner is the daughter of Boodbi of Amujuru, another village, and was married to Kajam Ally after the death of his first wife, named Moulabi, the daughter of Daval Beebee. From this it is evident that the petitioner has told a lie. I am at present unable to procure a genuine genealogical table of the descendants and relationship of Daval Beebee to Johurulla Khan; any one that may be given by the petitioner cannot be trusted.

5. The allowance of Rs. 346-8-0, granted by the late Zemindar of Kota, Ramachendrapur Taluq, to the family of Nabob Johurulla Khan in lieu of the Inam lands resumed, was, since the reversion of the Zemindari to Government, sanctioned in the Minutes of Consultation, dated 20th June 1848, No. 656, to be continued to the following three individuals, namely : —

	RS.	A.	P.
1. Daval Beebee, wife of Mahomed Sahib	115	8	0
2. Abbas Ally	115	8	0
3. Sadat Begam, brother's wife of Meer Ibrahim Ally...	115	8	0

And after the death of Daval Beebee, leaving no legal heirs, it was discontinued. After the death of Abbas Ally and Ibrahim Ally, their allowances have been continued to the sons of the former and the brother's wife of the latter.

ENCLOSURE No. 1.—Petition.

UNDER the view taken by Government in their endorsement on Petition No. 1,135 of 1867, the allowance which lapsed on the death of Daval Beebee should be continued to the legal heir of her husband Mahomed Sahib.

2. From the Collector's former letters on this subject, it would appear that there are several individuals who claim to be heirs of Mahomed Sahib on the ground of near relationship.

3. The Collector will now give a list of these claimants, and state whether the title of any one of them is clear, or whether it will be necessary to refer them to a Civil Court before it can be determined who is the nearest heir.

4. If the Collector is still unable to obtain the genealogical table required by Government, he will show, at all events, how Mahomed Sahib, Abbas Ally, and Ibrahim Ally, who seem to have been brothers, were related to Johurulla Khan.

No. 110. Proceedings of the Board of Revenue, dated 4th August 1868, No. 5,656.

Read again Board's Proceedings dated 19th September 1867, No. 6,011.

Read also the following letter from the Acting Collector of the Godavery District, to the Acting Secretary to the Board of Revenue, dated Cocanada, 25th June 1868, No. 159.

As directed in the Proceedings of the Board of Revenue, dated 19th September last, No. 6,011, I have the honour to annex a list of the claimants for the money allowance received from Government by the late Daval Beebee.

First.—Kajam Ally Sahib.

Second.—Kaja Nissar Hussain Sahib and others, sons and daughters of Abbas Ally Sahib.

Third.—Patcha Begam.

Fourth.—Jeyana Begam and her son Meer Moojafer Hussain.

The first claimant Kajam Ally Sahib is the son-in-law of Daval Beebee, that is, husband of her deceased daughter. His claim was rejected by Government in their Proceedings dated 9th October 1866, communicated with the Board's Proceedings of the 15th idem, No. 7,427, on the ground that he was not an heir-at-law of Daval Beebee, and that he had no valid claim to the pension enjoyed by her.

2. The claim of the second claimants, Nissar Hussain Sahib and others, was likewise rejected, *vide* Government Order dated 18th October 1866, No. 2,822, communicated with the Board's Proceedings of the 30th idem, No. 7,847. They are sons and daughters of Abbas Ally Sahib, brother of Daval Beebee's husband,

Kaja Mahomed Sahib. Abbas Ally Sahib's allowance of Rs. 115-8-0 was continued to them, *vide* Government Order dated 5th January 1855, No. 36.

3. The claim of the third, namely, Patcha Begam, is not admissible for reasons stated in the Collector's letter dated 20th August 1867, No. 224, contained in the Board's Proceedings under reply. She is not in any way related to Daval Beebee, and has not the least claim to her allowance.

4. The claim of the fourth, namely, Jeyana Begam and her son Meer Moojafer Hussain, has been now inquired into under the orders of Government and Board of Revenue in their endorsements dated 26th September and 1st November 1867, respectively, on their petition* to Government No. 2,151 of 1867, and I beg to report on it as follows:—

* Board's No. 118.

5. Jeyana Begam's son, Moojafer Hussain, states, on behalf of his mother, that his mother is the daughter of one Kaja Hussain Ally Sahib, and that the latter was the brother of Kaja Mahomed Sahib, who was the husband of Daval Beebee. He has presented a genealogical table showing that his mother is related to Johurulla Khan in the following manner. This genealogical table is attested by two Mahomedan witnesses. It shows that his mother, Jeyana Begam, is the daughter of Kaja Hussain Ally Sahib, son of Aptab Begam, daughter of Rabia Begam, who was sister of Johurulla Khan and daughter of Noorulla Khan, son of Maha Begam.* It also shows that his mother's father Kaja Hussain Ally Sahib was adopted by Jemilahbhano, the second wife of Johurulla Khan, and that Kaja Mahomed Sahib, husband of Daval Beebee, was adopted by Saleha Begam, the first wife of Johurulla Khan.

* The original grantee of the land for which the money allowance was commuted.

6. Jeyana Begam is related to Daval Beebee and to her husband Kaja Mahomed Sahib in the same manner as Nissar Hussain Sahib is related to them, because the former is the daughter of Kaja Hussain Ally Sahib and the latter is the son of Abbas Ally Sahib, who are brothers of Kaja Mahomed Sahib. These three persons, as well as Syed Hussain Sahib and Syed Kassim Sahib, appear from the accompanying genealogical table presented by Jeyana Begam's son, as sons of Aptab Begam, who was the sister's daughter of Johurulla Khan. They are numbered in it as 30, 31, 35, 34, and 32, respectively. From Meer Moojafer Hussain's statement, which is supported by witnesses, it appears that Sadat Begam, mentioned in Mr. Fraser's letter as brother's wife of Meer Ibrahim Ally, is in reality not so, but that she is the wife of one Syed Ally Sahib, No. 13, son of Johurulla Khan's third wife Noorjaha Begam, No. 10. In the Statement No. 1, forwarded to the Board with letter No. 27, dated 20th February 1848, Mr. H. Forbes, the late Sub-Collector in charge, mentioned that Sedat Begam was the brother's wife of Meer Ibrahim Ally, and the allowance of Rs. 115-8-0 was continued to her under the sanction of Government in their Minutes of Consultation dated 20th June 1848, No. 656, but no mention was then made that Mahomed Sahib, Abbas Ally, and Meer Ibrahim Ally were brothers. From the present inquiry it would appear that Meer Ibrahim Ally is not a brother of Kaja Mahomed Sahib and Abbas Ally Sahib.

7. The statement of Meer Moojafer Hussain that Syed Ally, the husband of Sadat Begam, is the son of Johurulla Khan's third wife, cannot be considered very reliable, because he was spoken of as having no issue, *vide* paragraph 11 of the Collector's letter dated 29th June 1867, No. 183, contained in the Board's Proceedings dated 15th August 1867, No. 5,286.

8. Under the foregoing circumstances I consider that the title of any one of these claimants is not clear, and that it would be advisable to refer them to the Civil Court, according to the view of Government, for determination as to who are the nearest and legal heirs to Daval Beebee under the Mahomedan Law.

9. Petition, Government No. 1,135 (Board No. 71) of 1867, received with the Proceedings under reply, and petitions Nos. 37 and 38 of 1868 and 118 of 1867 are herewith returned.

ENCLOSURES Nos. 1 to 4.—Petitions.

ENCLOSURE No. 5.—Genealogical tree.

SUBMITTED to Government, with reference to their endorsement on petitions Nos. 1,135 of 1867 and 173 and 839 of 1868.

2. The allowance referred to is the one-third share of a grant made to Johurulla Khan by the Zemindar of Kota Ramachendrapuram, which was enjoyed by Daval Beebee, as widow of Mahomed Sahib, a nephew of Johurulla Khan.

3. The Government seem to be now of opinion that the allowance having been granted on account of resumed land should be continued if there are any heirs to it, and that the heirs must be looked for amongst the blood relations of Mahomed Sahib and not of Daval Beebee.

4. There are now seven claimants, namely:—

1. Kajam Ally Sahib, son of Patna Begam, a sister of Mahomed Sahib.
2. Patcha Begam, Kajam Ally Sahib's wife, who was put forward with a spurious claim as heir to Daval Beebee, when her husband's claim was rejected, in Government Order dated October 1867, Petition Department.
3. Kaja Nissar Hussain,
4. Layah Begam,
5. Jumahdeen,

Children of Kaja Abbas Ally, a brother of Mahomed Sahib. Their claims were negatived in Government Order, 18th October 1866, No. 2,822.

6. Jeyana Begam, the daughter of Kaja Hussain Ally, a brother of Mahomed Sahib.
7. Meer Moojafer Hussain, son of Jeyana Begam.

5. Hence Government have to decide between Nos. 3 and 5, the sons, and Nos. 4 and 6, the daughters, of brothers of Mahomed Sahib.

6. The most obvious course would be to give the pension to Nos. 3 and 5, but the decision of Government may be influenced by the fact that they and their sister, No. 4, are already in enjoyment of the one-third share of the allowance which was assigned in 1848 to Abbas Ally, their father.

Proceedings of the Madras Government, Revenue Department,
16th January 1873.

7. If the pension is continued, orders will be required as to the payment of arrears which have accrued since 1863, when Daval Beebee died.

No. 111. ORDER THEREON, 16th January 1873, No. 54.

Miscellaneous.

IT appears that Daval Beebee's daughter died without issue, and the Government are consequently of opinion that the money allowance enjoyed by her (as widow of Mahomed Sahib) in lieu of an ancient resumed Inám should be continued in equal shares to the children of the brothers and sisters of Mahomed Sahib. In the Board's Proceedings under review and in the Collector's letter, incorporated with that of the 28th June 1866, No. 4,402, Kaja Ally Sahib is described as the son of Fatma Begam, sister of Mahomed Sahib, but no allusion to this fact is made in the Collector's letter of the 19th September 1867, nor is it borne out by the genealogical table which formed an enclosure to that letter. This point must be made clear before the shares are apportioned.

2. The payment of arrears is sanctioned from the date of Daval Beebee's decease.

3. The petitioners will be referred to the Collector.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.
,, the Collector, of the Godavery District with petitions Nos. 1,135 and 2,151 of 1867 and Nos. 173 and 838 of 1868, with their enclosures.
,, the Accountant-General.

Exd. F. R. Bantleman.

4 Sisters of Mahomed

1-7-73

4/5 1/98
16/copies
2-5-16-00

Debit 2338 Pr 1873 Jan.
Bd Pr. 31 Aug. 1873.

13/01

Govt. of India.

REVENUE.

To

THE BOARD OF REVENUE,

&c. &c. &c.

Dated January 16th.

Read.

Encl.

G. O., 16th January 1873, No. 54.

JANUARY.

Nos. 109–111.

Daval Beebee's Inam Allowance in Godavery District.—Proceedings Board of Revenue submitting a list of claimants to it, with orders thereon.

For Orders.

Ove Daval Beebee as Widow of Mahomed Saheb nephew of Johur Ali Khan was in enjoyment of a money allowance and died in 1863. The Inam report was received in 1868, but the papers were mislaid & lost sight of.

There are Seven Claimants:-

1. Kajum Ally Saheb.
2. Pateha Begum.
3. Khaja Nesar Hussain.
4. Zayah Begum.
5. Jamaludeen.
6. Seyana Begum.
7. Meer Mojuffer Hussain.

The claims of Nos 1&2 have already been dismissed by Government, and there seems no reason to reopen consideration of their case.

Nos 3&5 are sons, and Nos 4&6 Daughters, of Brothers of Mahomed Saheb. The claims of Nos 3,4&5 were negatived in 1866 as they were not legal heirs of Daval Beebee

but

The allowance being in lieu of ancient Inam cannot be returned of course. Mahomed Saheb died in Govt service - but he left a widow & daughter. The widow died in 63 predeceasing the daughter - who though married seems to have had no issue. If she had issue the ~~money~~ Inam claim succeeds - if not, then I think the money must be ~~to~~ divided equally between the children & sisters of Mahomed

but Government have since ruled that the pension should go to the heirs of Mahomed Sahib; hence their claim revives. The Board consider that Nos. 3 & 5 are the natural heirs, but point out that they & No. 4 are already in receipt of separate allowances continued from their father Abbas Ali. No. 7 is a son of No. 6, so may be left out of consideration.

It is submitted that the amount may be distributed amongst Nos. 3, 4, 5 & 6 as follows.

	Present	New	Total
No. 3 —	38-8-	19-4-	57-12-
4 —	38-8-	19-4-	57-12-
5 —	38-8-	19-4-	57-12-
6 —	———	57-12-	57-12-
	115-8-	115-8-	231-0-0

Duval Boobee died in 1863. Orders are required as to payment of arrears.

J.

By 19/12

Sahib. This would leave Otherwise in charge of No. 1 Kayem Ally - and Each of the five would get $\frac{115}{5} = 23$ R. They are all on Exactly the same footing - in behalf of the three.

L.O.S

It is not to be found by the poor claimant - he pledges

L.O.S

Petition (Revenue) Dept

Memo for orders

Petition Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers

Proceedings of the Board of Revenue (Here enter 4th August 1868 No. 5,656)

Order thereon.

It appears that Daval Beebee's daughter died without issue and the Govt are consequently of opinion that the money allowance enjoyed by her (as widow of Mohomed Sahib) in lieu of pensionable resumed inám should be continued in equal shares to the Children of the brothers and

Sisters

Rd w/pap
Rd 4/1/73

Sisters of Mahomed Sahib - In the Boards Proceedings under review and in the Collector's letter incorporated with that of the 28th June 1866 No. 4402 Khaja Alli Sahib is described as the Son of Fatma Begum Sister of Mahomed Sahib but no allusion to this fact is made in the Collector's letter of the 19th Sept. 1867 nor is it borne out by the Genealogical table which formed an enclosure to that letter - This point must be made clear before the Shares are apportioned -

The payment of arrears is sanctioned from the date of Daval Bibi's decease.

The Petitioners will be referred to the Collector. -

14 To The Board of Revenue No. 17 Jan. 7
1 " The Collector with petitions No. 1135 & 2151 of 67 & 173 & 838 of 68 with the enclosures
6 " The Accountant General. J

40/4

Govt. of {187 } Madras.

To _____

Dated } 187 , No.
Recd. }

Nos.