(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Reformers _____

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. [illegible]	Press Mark
Dated	18

Not to be folded or roughly handled

No. 91. Read the following Proceedings of the Board of Revenue, dated 18th July 1876, No. 1,845:—

Read the following letter from G. D. LEMAN, Esq., Collector of the Kistna District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Masulipatam, 9th May 1876, No. 711:—

With reference to Board's endorsement on Petition No. 1,390 of 1875, presented by Halmanissa Begum Sahiba, third daughter of the late Mubarak-ud-Dowlah Mirza Suban Ali Khán and niece of the present ex-Nawab Nazamud Dowlah Rastamja Davud Ali Khán Báhádur, of Masulipatam, I have the honor to submit the following report.

2. The petitioner's first petition was dated 29th October 1873. She represented that her maternal uncle (the ex-Nawab), since her marriage in 1872, one year before her petition was written, had neglected to pay her portion of monthly allowance and those of her two sisters and requested orders to compel him to pay her.

She calculated her pension as noted below:—

	Rs.	A.	P.	Rs.	A.	P.
Her father's allowance	101	0	0			
Her mother Jamin Begum's allowance ...	56	4	0			
				157	4	0
Deduct payments made by the ex-Nawab—						
To Asad Ali Khan, brother of Mubarak-ud-Dowlah	41	0	0			
To Azizunissa Begum, widow of Mubarak-ud-Dowlah by second marriage	15	0	0			
				56	0	0
				101	4	0

Petitioner having two sisters, her share, which is one third, will be Rupees 33-12-0.

3. The ex-Nawab of Masulipatam was called upon to explain, and he in his letter dated 14th February 1874 informed me that the pension of the petitioner and her two sisters was withheld by him towards the payment of a debt due to him by their father, amounting to Rupees 8,000, under the terms of an agreement executed by the petitioner, who was then unmarried, and her two elder sisters and attested by the husbands of the latter. The agreement recites that their father owed the ex-Nawab Rupees 8,000; that, in order to the repayment of the debt, it was agreed that the ex-Nawab was to withhold all payments to the married sisters and to petitioner herself, as soon as she was married, till such time as the debt with interest at one per cent. per mensem was paid. It is alleged in the agreement that the pension due to the two married ladies is Rupees 67-4-0 and to all three Rupees 79-4-0. The ex-Nawab, according to agreement, says he paid petitioner Rupees 12 per mensem up to the time of her marriage with Zamin Buksh, the only son of Sadulla Khan, who is now in receipt of a monthly pension of Rupees 280, and that she, being married to a well-to-do person, does not stand in need of support. I considered this explanation satisfactory and accordingly gave an endorsement to petitioner.

4. She next presented another petition on 2nd May 1874 representing that she was a minor when the agreement spoken of by the ex-Nawab was executed and

questioning the validity of it, but virtually admitting its execution. This petition was endorsed as follows:—

"The petitioner has no ground for complaint. Even if it were true that she was a minor at the time that the Kararnáma was taken by her uncle, the ex-Nawab, she is married to a well-to-do person, and the fact of the alleged debt to Nazamud Dowlah does not appear to be false."

5. The petitioner presented another petition on 23rd July 1874 requesting me to grant her a certificate, under Sections 6 and 21, Act XXIII of 1871, to enable her to seek redress in a competent Civil Court by establishing the invalidity of the agreement in question, under the terms of which her pension was withheld by her maternal uncle. This permission was not granted.

6. When the petitioner's father died it was found he owed Rupees 8,000 to the ex-Nawab as he had been faithless to the trust imposed in him when the ex-Nawab went to visit Mecca.

7. The arrangement the ex-Nawab speaks of was made by the family, and is admitted by them; and it does not appear to me that I should interfere in the matter.

Enclosure No. 1.—Petition.

In the foregoing letter the Collector reports upon a petition presented to the Board by Halmanisa Begum Sahiba, third daughter of the late Mubarak-ud-Dowlah Mirza Suban Ali Khan and niece of the present ex-Nawab Nazamud Dowlah Rastamja Daud Ali Khán Báhádur, of Masulipatam.

2. Petitioner complains that the present ex-Nawab withholds from her her share of the family pension, which, it appears, amounts to Rupees 33-12-0 a month. The Collector explains that the petitioner's share is withheld because she, apparently when a minor, entered into a joint agreement with her father and her sisters assigning the share of their branch of the family pension to the ex-Nawab in liquidation of a debt of Rupees 8,000 due by her father. Petitioner is now married to a man who draws a pension of Rupees 280 a month from Government, and the Collector considers that this circumstance and the fact that the debt was certainly contracted are sufficient grounds for refusing to interfere in petitioner's behalf either by ordinary payment of her share or by granting her a certificate to enable her to sue under the Pensions Act.

3. The Board entertain no doubt but that the alienation as against petitioner was an illegal transaction, and that were she permitted to sue she could recover her share. It is observed, however, that in the Order of Government sanctioning the continuance of the reduced allowance to the present holder "for himself and dependants" it is left to him as head of the family to manage and distribute the whole amount, subject, however, to interference on the part of the officers of Government in the event of the trust being abused.

Extract Minutes of Consultation, dated 30th May 1854, No. 625, paragraph 4.

4. The Board think that it rests properly with Government to decide whether in the present instance the conditions upon which the pension is paid in full to Nazamud Dowlah Rastamja Daud Ali Khán Báhádur have been observed or not, and whether the share claimed should be ordered to be paid to petitioner or whether a

certificate should be granted to her under Section 6 of the Pensions Act (XXIII of 1871). The matter will accordingly be submitted for the orders of Government.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

No. 92. ORDER THEREON, 11th August 1876, No. 1,077.

Miscellaneous.

THE Government will not order the petitioner's claim to be conceded by the ex-Nawab; but do not object to granting her a certificate, authorising her to seek redress in a Court of law:—under Section 6 of the Pensions Act (XXIII of 1871).

2. The Collector will grant such certificate, should petitioner apply for it.

(True Extract.)

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

To the Board of Revenue.

Exd. A. S. Rodgers.

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.

Date.	Taluk and village.	Extent and value of the entire Inam or Vrooodi.	When and by whom granted.	Sunnuds or other documents in support of the grant.	Nature of the grant, charity or service; amount of the duty prescribed by the grant.	Name of the original grantee.	Name of the individual, and the relationship in which he stood to the grantee and the date of his decease.	Shares enjoyed by the deceased and that held by 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.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
No. 1 of 1870.	Masulipatam, in Bandar Taluk.	Rupees 10 a-month.	Cbid in Council, 10th September 1770. Madras Government, 27th June 1803, and 4th December 1806, No. 1,106. Do. 15th April 1809, No. 1,077.	None.	To him of the pension resumed by Government on the death of the late Nabob of Masulipatam, and directed to be held on the grand pleasure of the Company.	Rasoolun Bibeedee, first son of Hossain 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 1859.	The whole amount allotted to the deceased was bestowed by enjoyment, but the portion of it was drawn by her. There are no other sharers.	1. Kareem-oon-Nissa Begum, aged 19 years, grand-daughter. 2. Manavar Begum, aged 31 years, daughter. 3. Azeimnissa 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 pension 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, Mansur-ud-Dowlah Meerja Javeedulla Bedeeo Khan, distributed to the members of his family Khatija Begum, Shadi wife of Kutub-ud-Dowlah, was allowed 10 Rupees a-month as per sharee 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-oon-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 oon-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 patrimonial 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.		

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-Dowlah's monthly pension of Rupees 150 :—

		Rs.
1.	Fatta Ali Khan, son of Kutb-ud-Dowlah by Nicka	45
2.	Kareem-oon-Nissa Begum, aughter of Munsur-ud-Dowlah by Shadi	25
3.	Bhanoo Begum, wife of Munsur-ud-Dowlah	7
4.	Khatija Begum, Shadi wife of Kutub-ud-Dowlah	10
5.	Manavur Begum, daughte 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-Dowlah	15
9.	Abbasi Mirza Khan,) by Mitta.	15
10.	Sakhena Begum,)	6

3. With regard to the headship of the family, which was a subject of contention, they observed that they considerd 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.

* Board's Proceedings, 4th August 1869, No. 3,701.

† Government Order, 9th July 1860, No. 1,127.

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.

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-Dowlah, 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. Bentleman.

No. 1,845.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 18th July 1876.

Read the following letter from G. D. LEMAN, Esq., Collector of the Kistna District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Masulipatam, 9th May 1876, No. 711 :—

WITH reference to Board's endorsement on Petition No. 1,390 of 1875, presented by Halmanisaa Begum Sahiba, third daughter of the late Mubarak-ud-Dowlah Mirza Suban Ali Khán and niece of the present ex-Nawab Nazamud Dowlah Rastamja Davud Ali Khán Báhadur, of Masulipatam, I have the honor to submit the following report.

2. The petitioner's first petition was dated 20th October 1873. She represented that her maternal uncle (the ex-Nawab), since her marriage in 1872, one year before her petition was written, had neglected to pay her portion of monthly allowance and those of her two sisters and requested orders to compel him to pay her.

She calculated her pension as noted below :—

	RS.	A.	P.	RS.	A.	P.
Her father's allowance	101	0	0			
Her mother Jamin Begum's allowance ...	56	4	0			
				157	4	0
Deduct payments made by the ex-Nawab—						
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				56	0	0
				101	4	0

Petitioner having two sisters, her share, which is one third, will be Rupees 33-12-0.

3. The ex-Nawab of Masulipatam was called upon to explain, and he in his letter dated 14th February 1874 informed me that the pension of the petitioner and her two sisters was withheld by him towards the payment of a debt due to him by their father, amounting to Rupees 8,000, under the terms of an agreement executed by the petitioner, who was then unmarried, and her two elder sisters and attested by the husbands of the latter. The agreement recites that their father owed the ex-Nawab Rupees 8,000; that, in order to the repayment of the debt, it was agreed that the ex-Nawab was to withhold all payments to the married sisters and to petitioner herself, as soon as she was married, till such time as the debt with interest at one per cent. per mensem was paid. It is alleged in the agreement that the pension due to the two married ladies is Rupees 67-4-0 and to all three Rupees 79-4-0. The ex-Nawab, according to agreement, says he paid petitioner Rupees 12 per mensem up to the time of her marriage with Zamin Baksh, the only son of Sadulla Khan, who is now in

receipt of a monthly pension of Rupees 280, and that she, being married to a well-to-do person, does not stand in need of support. I considered this explanation satisfactory and accordingly gave an endorsement to petitioner.

4. She next presented another petition on 2nd May 1874 representing that she was a minor when the agreement spoken of by the ex-Nawab was executed and questioning the validity of it, but virtually admitting its execution. This petition was endorsed as follows:—

"The petitioner has no ground for complaint. Even if it were true that she was a minor at the time that the Karárnáma was taken by her uncle, the ex-Nawab, she is married to a well-to-do person, and the fact of the alleged debt to Nazamud Dowlah does not appear to be false."

5. The petitioner presented another petition on 23rd July 1874 requesting me to grant her a certificate, under Sections 6 and 21, Act XXIII of 1871, to enable her to seek redress in a competent Civil Court by establishing the invalidity of the agreement in question, under the terms of which her pension was withheld by her maternal uncle. This permission was not granted.

6. When the petitioner's father died it was found he owed Rupees 8,000 to the ex-Nawab as he had been faithless to the trust imposed in him when the ex-Nawab went to visit *Mecca*.

7. The arrangement the ex-Nawab speaks of was made by the family, and is admitted by them; and it does not appear to me that I should interfere in the matter.

Enclosure No. 1.—Petition.

In the foregoing letter the Collector reports upon a petition presented to the Board by Halmaissa Begam Sahiba, third daughter of the late Mubarak-ud-Dowlah Mirza Suban Ali Khán and niece of the present ex-Nawab Nazamud Dowlah Rastamja Daud Ali Khán Bahádur, of Masulipatam.

2. Petitioner complains that the present ex-Nawab withholds from her her share of the family pension, which, it appears, amounts to Rupees 33-12-0 a month. The Collector explains that the petitioner's share is withheld because she, apparently when a minor, entered into a joint agreement with her father and her sisters assigning the share of their branch of the family pension to the ex-Nawab in liquidation of a debt of Rupees 8,000 due by her father. Petitioner is now married to a man who draws a pension of Rupees 280 a month from Government, and the Collector considers that this circumstance and the fact that the debt was certainly contracted are sufficient grounds for refusing to interfere in petitioner's behalf either by ordinary payment of her share or by granting her a certificate to enable her to sue under the Pensions Act.

3. The Board entertain no doubt but that the alienation as against petitioner was an illegal transaction, and that were she permitted to sue she could recover her share. It is observed, however, that in the Order of Government sanctioning the continuance of the reduced allowance to the present holder "for himself and dependants" it is left to him as head of the family to manage and distribute the whole amount, subject, however, to interference on the part of the officers of Government in the event of the trust being abused.

Extract Minutes of Consultation, dated 30th May 1854, No. 625, paragraph 4.

4. The Board think that it rests properly with Government to decide whether in the present instance the conditions upon which the pension is paid in full to Nazamud Dowlah Rastamja Daud Ali Khán Bahádur have been observed or not, and whether the share claimed should be ordered to be paid to petitioner or whether a certificate should be granted to her under Section 6 of the Pensions Act (XXIII of 1871). The matter will accordingly be submitted for the orders of Government.

(A true Copy and Extract.)

Acting Sub-Secretary.

To the Secretary to Government, Revenue Department,
with petition, to be returned

Copy to the Collector of the Kistna District.

Exd. A. S. Rodgers.

No 1077

R.D.

Petn for Rev. No 1845

of 18-7-76

The Govt will not order the Petrs claim to be conceded by the ex-Nawab; but do not object to granting him a certificate, authorising him to seek redress in the Courts of Law:— under Sect 6 of the Pensions Act (XXIII of 1871).

The Collr will grant such certificate to the Petr if he applies for it.

P.J. 11-8-76.

To the Secretary to Government.

Board of Revenue,
MADRAS.

Proceedings, 18th July 1876, No. 1,845.

Copy of the above letter with enclosure forwarded to the Collector of Trichinopoly for information and disposal.

Received 4th August 1876.

Copy sent to Petitioner.

JULY.
No. 1,845.

Pensions—granted to present ex-Nawab of Masulipatam, in Kistna District, for the support of the family—Submitting for orders of Government, with Board's views, petition presented by Hajeemassa Begum Sahiba complaining that her shares in — has been withheld from her in liquidation of certain debt due by her father to the ex-Nawab.

The Collector of Trichinopoly.

Sir,

In the Petition, marked in the margin, presented to the Board of Revenue by Hajeemassa Begum Sahiba, widow of the late Nawab Syud Ahmed Khan Bahadur, and daughter of the late Nawab Syud Hussain Khan Bahadur, it is stated that the Petitioner's father, who died in 1857, was indebted to the late Nawab Syud Ahmed Khan Bahadur in the sum of Rs. 6,25,000, and that the Petitioner's share of her father's property, which was attached by the Nawab's creditors, is sufficient to pay off the debt due by her father to the ex-Nawab.

2. The Petitioner has also stated that she has been informed that her claim to the property in question will be barred by the Statute of Limitations, unless she sues for it within three years from the date of the Nawab's death, which occurred on the 30th May 1874, and she has therefore prayed that the Government will grant her a certificate under Act XXIII of 1871, to enable her to sue for the property in the Civil Courts.

3. The Petitioner has also stated that she has been informed that her claim to the property in question will be barred by the Statute of Limitations, unless she sues for it within three years from the date of the Nawab's death, which occurred on the 30th May 1874, and she has therefore prayed that the Government will grant her a certificate under Act XXIII of 1871, to enable her to sue for the property in the Civil Courts.

4. The Petitioner has also stated that she has been informed that her claim to the property in question will be barred by the Statute of Limitations, unless she sues for it within three years from the date of the Nawab's death, which occurred on the 30th May 1874, and she has therefore prayed that the Government will grant her a certificate under Act XXIII of 1871, to enable her to sue for the property in the Civil Courts.

5. The Petitioner has also stated that she has been informed that her claim to the property in question will be barred by the Statute of Limitations, unless she sues for it within three years from the date of the Nawab's death, which occurred on the 30th May 1874, and she has therefore prayed that the Government will grant her a certificate under Act XXIII of 1871, to enable her to sue for the property in the Civil Courts.

6. The Petitioner has also stated that she has been informed that her claim to the property in question will be barred by the Statute of Limitations, unless she sues for it within three years from the date of the Nawab's death, which occurred on the 30th May 1874, and she has therefore prayed that the Government will grant her a certificate under Act XXIII of 1871, to enable her to sue for the property in the Civil Courts.

7. The Petitioner has also stated that she has been informed that her claim to the property in question will be barred by the Statute of Limitations, unless she sues for it within three years from the date of the Nawab's death, which occurred on the 30th May 1874, and she has therefore prayed that the Government will grant her a certificate under Act XXIII of 1871, to enable her to sue for the property in the Civil Courts.

8. The Petitioner has also stated that she has been informed that her claim to the property in question will be barred by the Statute of Limitations, unless she sues for it within three years from the date of the Nawab's death, which occurred on the 30th May 1874, and she has therefore prayed that the Government will grant her a certificate under Act XXIII of 1871, to enable her to sue for the property in the Civil Courts.

9. The Petitioner has also stated that she has been informed that her claim to the property in question will be barred by the Statute of Limitations, unless she sues for it within three years from the date of the Nawab's death, which occurred on the 30th May 1874, and she has therefore prayed that the Government will grant her a certificate under Act XXIII of 1871, to enable her to sue for the property in the Civil Courts.

10. The Petitioner has also stated that she has been informed that her claim to the property in question will be barred by the Statute of Limitations, unless she sues for it within three years from the date of the Nawab's death, which occurred on the 30th May 1874, and she has therefore prayed that the Government will grant her a certificate under Act XXIII of 1871, to enable her to sue for the property in the Civil Courts.