Sectt. I (1)-I—10,006—7-10-70.

(1) Number of pages 8

(2) Date of repair 30.5.92

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / ~~B.P. No.~~	925	Press / ~~Mis.~~
Dated	3. 3. 1877	~~197~~ .

Not to be folded or roughly handled

No. 134. Read the following Proceedings of the Board of Revenue, dated 21st February 1877, No. 760:—

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Palmanair, 1st November 1876, No. 512:—

In their Order, dated 10th May 1874, No. 607, Revenue Department, the Government, on the recommendation of the Board, sanctioned the revival of a service yeomiah of Rupees 177 per annum in the name of Mir Nazar Hoossain, with retrospective effect from the 2nd October 1869. This date was fixed as that from which the arrears of yeomiah was to be paid to the claimant, as the Board were under the impression that the claim to the renewal of the yeomiah was for the first time made in a petition presented to them by Mir Nazar Hoossain on the date in question.

2. Mir Nazar Hoossain has since presented to me the accompanying petition* in which he states that he originally applied for the continuance of the said allowance on the 10th December 1860, and that it should be passed to him from that date, if not, from the date† of its discontinuance, as he considers that he is justly entitled to it from the latter date under G.O., No. 544, dated 18th May 1853.

3. In the report submitted to the Board under date the 8th October 1872, on the claim preferred by Mir Nazar Hoossain to the removal of the yeomiah allowance, I find that no allusion was made to the petitioner's first application, inasmuch as he did not in the petition which formed the subject of that report distinctly specify the point he now brings forward.

4. Referring, however, to the list or register of petition of the year 1860, presented by Mir Nazar Hoossain. I find that there are two entries‡ in it other the 20th of the same month. One is dated 10th December 1860 and the Collector on the first petition of two petitions purporting to have been the second that, as the matter was one of long standing, the Deputy Collector would not interfere. The endorsement by the Treasury Deputy was that petitioner should appear in person, and on

5. The entry of the first petition in the register is made in a regular and consecutive manner, but that of the second is very suspicious, and has evidently been subsequently interpolated in the space left between the entries of two other petitions. It was no doubt fraudulently entered, possibly in view to support the present claim. However this may be, the point at issue is whether Mir Nazar Hoossain presented a petition in 1860 claiming the renewal of the yeomiah. This he undoubtedly did; and it now remains for the Board to consider whether Mir Nazar Hoossain is not entitled to the arrears of the yeomiah from the 10th December 1860, seeing that it has been satisfactorily proved that the services attached to the yeomiah was duly performed by petitioner's father up to the time of his death, and since then by his son, the present petitioner.

* No. 2,516, dated 14th August 1876.

† 24th November 1840.

‡ Translation enclosed.

ENCLOSURE No. 1.—Petition.

ENCLOSURE No. 2.—Extract from Petition Register.

SUBMITTED for the orders of Government with reference to G.O., dated 19th May 1874, No. 607.

2. A religious service yeomiah of Rupees 177 a year was discontinued in 1840 because the incumbent Phetoors Hoossain was implicated in a fraud in connection with another yeomiah. The service, however, continued to be performed by Phetoors Hoossain until his death in 1865, and after that by his son Mir Nazar Hoossain. The latter in 1869 petitioned the Board claiming the continuance of the allowance. His claim was rejected by the district authorities under an erroneous impression that the grant had been discontinued under the Board's circular, dated 23rd September 1852, directing the discontinuance of allowances for the performance of religious festivals. He renewed the claim in 1871, when it was again rejected on the same grounds. He then appealed to Government, and on further inquiry it was found that the grant was not one falling within the scope of the circular above quoted, but a religious service yeomiah which had been discontinued for fraud on the part of the claimant's father as stated above. Considering that such grants are permanent and hereditary as long as the service is kept up, the Board were of opinion that the fault of an individual incumbent did not warrant the discontinuance of the grant for ever. They therefore recommended the renewal of the grant and payment of the arrears from 1869, assuming that the claim was first made in that year. This proposal was sanctioned in G.O., dated 19th May 1874, No. 607.

3. Mir Nazar Hoossain lately addressed the Collector representing that his claim was first made in 1860, and claiming arrears from that time. It appears from the register of petitions in the Collector's office that the claimant did assert his claim in 1860, and that an endorsement was passed directing him to appear in person; but whether he did so or not is not stated.

4. There is, however, another entry in the register regarding a second petition on the same subject and an endorsement to the effect that, as the matter was of long standing, the Deputy Collector declined to interfere. The first entry is genuine, but it appears that the second is an interpolation fraudulently made possibly in view to support the present claim.

5. The Board observe that when the claim was made in 1860, the claimant's father was alive and continued to perform the service until his death in 1865, hence the claim to arrears previous to that time is clearly inadmissible. Though the claimant performed the service after his father's death, it does not appear that he intimated the fact to the authorities and claimed the allowance in consideration of his performing the service until 2nd October 1869, from which date payment of arrears has already been sanctioned.

6. In these circumstances, and considering that there is reason to believe that the public records have been tampered with in view to support the claim, the Board are of opinion that it should be rejected.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

Proceedings of the Madras Government, Revenue Department,
3rd March 1877.

No. 135. ORDER THEREON, 3rd March 1877, No. 925.

Miscellaneous.

THE Government concur with the Board of Revenue.

(True Extract.)

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

To the Board of Revenue.

Rvd. A. S. Rodgers.

No. 760.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 21st February 1877.

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Palmanair, 1st November 1876, No. 512 :—

In their Order, dated 19th May 1874, No. 607, Revenue Department, the Government, on the recommendation of the Board, sanctioned the revival of a service yeomiah of Rupees 177 per annum in the name of Mir Nazar Hoossain, with retrospective effect from the 2nd October 1869. This date was fixed as that from which the arrears of yeomiah was to be paid to the claimant, as the Board were under the impression that the claim to the renewal of the yeomiah was for the first time made in a petition presented to them by Mir Nazar Hoossain on the date in question.

2. Mir Nazar Hoossain has since presented to me the accompanying petition* in which he states that he originally applied for the continuance of the said allowance on the [illegible] discontinuance, as he is justly entitled to it from the latter date under G.O., No. 544, dated 18th May 1853.

* No. 2,516, dated 14th August 1876.

† 24th November 1840.

3. In the report submitted to the Board under date the 8th October 1872, on the claim preferred by Mir Nazar Hoossain to the removal of the yeomiah allowance, I find that no allusion was made to the petitioner's first application, inasmuch as he did not in the petition which formed the subject of that report distinctly specify the point he now brings forward.

4. Referring, however, to the list or register of petition of the year 1860, presented by Mir Nazar Hoossain. One is dated 10th December 1860 and the other the 20th of the same month. The endorsement by the Treasury Deputy Collector on the first petition was that petitioner should appear in person, and on the second that, as the matter was one of long standing, the Deputy Collector would not interfere.

‡ Translation enclosed.

I find that there are two entries‡ in it of two petitions purporting to have been

5. The entry of the first petition in the register is made in a regular and consecutive manner, but that of the second is very suspicious, and has evidently been subsequently interpolated in the space left between the entries of two other petitions. It was no doubt fraudulently entered, possibly in view to support the present claim. However this may be, the point at issue is whether Mir Nazar Hoossain presented a petition in 1860 claiming the renewal of the yeomiah. This he undoubtedly did, and it now remains for the Board to consider whether Mir Nazar Hoossain is not entitled to the arrears of the yeomiah from the 10th Decem-

ber 1860, seeing that it has been satisfactorily proved that the services attached to the yeomiah was duly performed by petitioner's father up to the time of his death, and since then by his son, the present petitioner.

Enclosure No. 1.—Petition.

Enclosure No. 2.—Extract from Petition Register.

Submitted for the orders of Government with reference to G.O., dated 19th May 1874, No. 607.

2. A religious service yeomiah of Rupees 177 a year was discontinued in 1840, because the incumbent Phetoors Hoossain was implicated in a fraud in connection with another yeomiah. The service, however, continued to be performed by Phetoors Hoossain until his death in 1865, and after that by his son Mir Nazar Hoossain. The latter in 1869 petitioned the Board claiming the continuance of the allowance. His claim was rejected by the district authorities under an erroneous impression that the grant had been discontinued under the Board's Circular, dated 23rd September 1852, directing the discontinuance of allowances for the performance of religious festivals. He renewed the claim in 1871 when it was again rejected on the same grounds. He then appealed to Government, and on further inquiry it was found that the grant was not one falling within the scope of the Circular above quoted, but a religious service yeomiah which had been discontinued for fraud on the part of the claimant's father as stated above. Considering that such grant is permanent and hereditary as long as the service is kept up, the Board were of opinion that the fault of an individual incumbent did not warrant the discontinuance of the grant for ever. They therefore recommended the renewal of the grant and payment of the arrears from 1869, assuming that the claim was first made in that year. This proposal was sanctioned in G.O., dated 19th May 1874, No. 607.

3. Mir Nazar Hoossain lately addressed the Collector representing that his claim was first made in 1860, and claiming arrears from that time. It appears from the register of petitions in the Collector's office that the claimant did assert his claim in 1860, and that an endorsement was passed directing him to appear in person; but whether he did so or not is not stated.

4. There is, however, another entry in the register regarding a second petition on the same subject and an endorsement to the effect that, as the matter was of long standing, the Deputy Collector declined to interfere. The first entry is genuine, but it appears that the second is an interpolation fraudulently made possibly in view to support the present claim.

5. The Board observe that when the claim was made in 1860, the claimant's father was alive and continued to perform the service until his death in 1865, hence the claim to arrears previous to that time is clearly inadmissible. Though the claimant performed the service after his father's death, it does not appear that he intimated the fact to the authorities and claimed the allowance in consideration of his performing the service until 2nd October 1869, from which date payment of arrears has already been sanctioned.

6. In these circumstances, and considering that there is reason to believe that the public records have been tampered with in view to support the claim, the Board are of opinion that it should be rejected.

(A true Copy and Extract.)

Acting Sub-Secretary.

Rev 1877. Dept

Board of Revenue,

MADRAS. No. 1192

PROCEEDINGS, 21ST FEBRUARY 1877, No. 730.

Dept 26 Feb 1877

Encl. 2 Read

Received 28 Febry

FEBRUARY.

No. 769.

Service Yeomiah — of Rs 177 per annum revived in 1874 in the name of Mir Nasar Hoossain of North Arcot District, with retrospective effect from 2nd October 1869. Submitting to Government letter from Collector regarding claim of this individual to arrears of — from 10th December 1860, and expressing opinion that it should be rejected.

Ltr to Govt enclosing Ltr to Bd of Revenue dated 12-3-77

134-35

3-3-77

Copied 2/3/77