M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 14

(2) Date of repair 21-4-69

(3) Initials of the Referencer

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. / ~~B.P. No.~~	946	Press / ~~Mis.~~
Dated	15-7-1876	~~196~~ .

Not to be folded or roughly handled

No. 138. Read the following Proceedings of the Board of Revenue, dated 19th June 1876, No. 1,586 :—

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Chittoor, 18th February 1876, No. 81.

I HAVE the honor to submit the report called for in the Board's endorsement on Petition* No. 2,170 of 1875 from Mahomed Akbar and Bubu Sahiba.

* Herewith returned.

2. Petitioners are the great grandson and great granddaughter of Saram Bibi, who again is one of the granddaughters of Shah Abdul Nabob, the original grantee of the Punji Dehat Inam Pension.

3. To illustrate the claim of the petitioners, and their descent from the original grantee, I beg to enclose a genealogical tree in which their names are numbered 39 and 42 respectively.

4. They claim the allowance enjoyed by the late Syed Asathoolla Hussein, after deducting Rupees 48 continued to his widow Budai Bibi, No. 32.

5. The Punji Dehat Inam allowance was not originally fixed in amount, but fluctuated according to the annual proceeds of the inam lands. The allowance in question, which amounted to Rupees 97-15-4 for Fasli 1252, was a one-sixth share of one half of the entire inam of the Punji Dehat Inam Village, and was enjoyed in equal shares by the four gosha females numbered 10, 11, 12, and 13. The females were daughters of the above-mentioned Saram Bibi, No. 9.

6. Syed Asathoolla Hussein, No. 17, referred to in paragraph 4, is the son of No. 11, and the entire allowance was registered in his name and drawn by him as Masharnullah or head of the family. After his death, which took place on the 19th November 1842, the Collector in the statement which accompanied his letter, dated 24th November 1845, No. 190, recommended to the Board that Rupees 48 out of Rupees 97-15-4, the allowance drawn by No. 17 for Fasli 1252, might be continued to his widow Budai Bibi, No. 32, during her lifetime, as she possessed no other means of livelihood. This was accordingly sanctioned by Government in their Order, dated 27th February 1846, communicated with the Board's Proceedings, dated 5th March 1846.

7. In column 6 of the statement showing the value of the Dehat Inams on an average of ten years' produce submitted to the Board with the then Collector Mr. Bourdillon's letter, dated 14th November 1850, No. 139, a sum of Rupees 70-7-11 is shown opposite to the name of the said Syed Asathoolla Hussein as having lapsed to Government, and in columns 9, 10, and 11 of the same statement a sum of Rupees 48 is shown as continued in the name of his widow Budai Bibi, No. 32. The several allowances proposed to be given in the above statement on account of the Punji Dehat Inam were approved and sanctioned by Government in their Order, dated 13th June 1851, No. 564, communicated with the Board's Proceedings, dated 23rd idem.

8. Thus it will be seen that, when the allowances of the several sharers of the Punji Dehat Inam were fixed at certain sums per annum on the average value of the proceeds of the inam lands of the above village during the preceding ten years, a portion of the allowance (Rupees 70-7-11) enjoyed by the late Syed Asathoolla Hussein was shown as having lapsed to Government on his death and the remaining portion (Rupees 48) as being enjoyed by his widow Budai Bibi, No. 32, who still enjoys it in common with one Mahomed Tippu, No. 15, the son of Bi Sahiba Bibi, No. 10, one of the gosha females aforesaid.

9. Had Syed Asathoolla Hussein been alive when the Punji Dehat Inam allowance was settled, his allowance would have doubtless been fixed at Rs. 104 per annum, as was done in the case of other Inamdars, the nature and tenure of whose allowances were similar to that of Syed Asathoolla Hussein.

10. The petitioners, Mahomed Akbar, No. 39, and Bubu Sahiba, No. 42, who are the grandson and granddaughter respectively of Nos. 12 and 13, claim the continuance in their names of the balance of the allowance in question left after paying Rupees 48 to Budai Bibi. Their petition to this effect was rejected by me on the ground that no claim was preferred at or soon after the death of the Dehat Inamdar whose allowance they claim, and that the G.O., dated 19th July 1855, No. 873, communicated with the Board's Proceedings, dated 28th idem, No. 1,938, recognizing the hereditary nature of the Punji Dehat Inam, which was passed thirteen years subsequent to the death of the above-named Syed Asathoolla Hussein, cannot have retrospective effect.

11. As it, however, now appears from the Board's endorsement that the Government order was intended to have retrospective effect, I think the petitioner's claim may be submitted for the favorable consideration of Government.

12. With regard to the inquiry made by Government in their Order, No. 873, dated 19th July 1855, as to whether any other shares in the village had been resumed or reduced in amount on the ground that the grant was not hereditary, the then Collector, in his letter, No. 1, dated 2nd January 1856, reported that no shares had been resumed on that ground. Why the case of Syed Asathoolla Hussein, who died on the 19th November 1842 and whose allowance was reduced and continued to his widow Budai Bibi by Order of Government, dated 27th February 1846, was omitted to be mentioned in the above letter, No. 1 of 1856, I am unable to say at this distance of time.

13. In support of my present recommendation on behalf of the petitioners, I beg to mention that two Dehat Inamdars, Achi Bibi and Hussein Bibi, who were drawing a reduced amount of allowance and whose name did not appear in the Collector's report of 1856, were on their application allowed the full allowance of their late husband Mahomed Abdul Shah in the Order of Government, dated 16th August 1865, No. 1,904, communicated with the Board's Proceedings, dated 2nd September 1865, No. 5,438.

Enclosure No. 1.—Petition.

Enclosure No. 2.—Genealogical Tree.

One Syed Asathoolla Hussein, the son of Moharanni Shah Bibi, held a share equal to Rupees 97-15-4 a year of Punji Dehat Inam, and died in 1842, leaving a son, a brother, and a widow. The hereditary character of the inam was not then acknowledged, and a reduced grant of Rupees 48 a year was continued to the widow Budai Bibi for life, the remainder being resumed (G.O., 27th February 1846).

2. Petitioners, Mahomed Akbar, No. 39, in genealogical table, and Bubu Sahiba, No. 42, claim the resumed portion of the allowance. In support of their claim the Collector says that the whole of the allowance in question was enjoyed in equal shares by the four females, Nos. 10, 11, 12, and 13, who were sisters, and that it was registered in Syed Asathoolla Hussein's name, and was drawn by him as head of the family. He was son of No. 11; the claimants Mahomed Akbar and Bubu Sahiba are respectively the grandson and granddaughter of Nos. 12 and 13. There is nothing on record in the Board's Office in support of the statement that the grant was enjoyed in equal shares by Nos. 10, 11, 12, and 13, and was held by the deceased as head of the family. The facts that no such claim was urged from the time of his death until recently and that the descendants of Nos. 12 and 13 hold shares of Rupees 110 and Rupees 148 respectively are in favor of the view that Nos. 12 and 13 had nothing to do with the deceased's share. Mahomed Akbar's brother, No. 38, has a share of Rupees 55-5-0, and Bubu Sahiba's brother, No. 43, has a share of Rupees 26. If Nos. 12 and 13 had an interest in the allowance held by the deceased, it is not likely they would have refrained from [illegible] unsupported and appears to be unfounded. Petitioners cannot claim as next heirs, as there are others more nearly related who exclude them.

3. With reference to the fact noted in the Board's endorsement on the petition that the hereditary character of the Punji Inam has since been recognized and that it was intended that the order* of Government on the subject should have retrospective effect, it is to be considered whether the lapsed share should now be continued to the heirs of the deceased. His widow is still alive, and he left a son who is possibly living. If this were the only case in which a share had been resumed, it would not be of much consequence, but it appears from the statement submitted with the Collector's letter of 14th November 1850 that shares aggregating Rupees 386-14-2 a year had lapsed or were resumed. The genealogical table in Board's Proceedings, dated 3rd July 1875, No. 1,852, shows that no share could have lapsed for want of heirs, as the descendants of the original grantee now surviving are very numerous. It is for Government to decide whether inquiry should now be made as to the heirs to shares that lapsed so many years ago; the Board merely observe that claim to a very large amount may be put forward. In the present case the petitioners have certainly not established their claim, and the Board are of opinion that it should be rejected. Whether the claim of the deceased's widow or of his son if alive to the lapsed share is to be recognized is a question for Government to consider. They have made no claim.

* 19th July 1855, No. 873.

(A true Copy and Extract.)

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

Proceedings of the Madras Government, Revenue Department,
15th July 1876.

No. 139. ORDER THEREON, 15th July 1876, No. 946.

Miscellaneous.

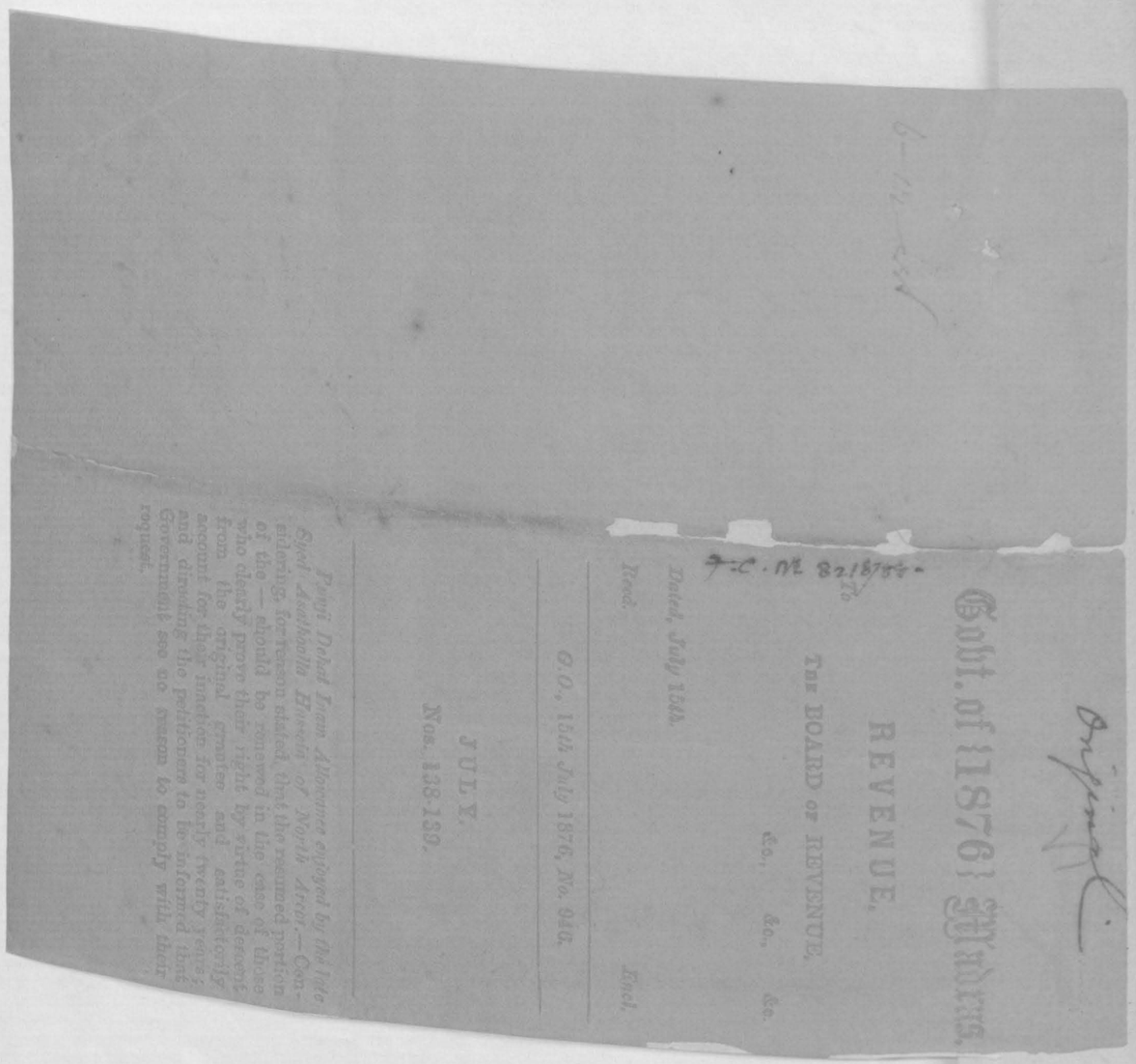
THE Government are of opinion that the allowance being admitted to be hereditary, and the resumption in 1846 being acknowledged to be wrong, it should be renewed in the case of those who clearly prove their right by virtue of descent from the original grantee and satisfactorily account for their inaction for nearly twenty years, the hereditary character of the Inam having been acknowledged by Government in 1855. The petitioners, who have come forward to claim the allowance, can have no valid title so long as there are others more nearly related to the deceased Syed Asathoolla Hussein. They will accordingly be informed that the Government see no reason to comply with their request.

(True Extract.)

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

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

Exd. A. Grubert.



Govt. of [illegible] {1876} Madras.

RETURN

THE BOARD OF REVENUE.

&c., &c., &c.

Dated, July 15th.

Rcd.

Encl.

G.O., 15th July 1876, No. 944.

JULY.

Nos. 138-139.

Punji Dehat Inam Allowance enjoyed by the late Syed Asathoolla Hussein, ordering, for reason stated, that the resumed portion of the — should be renewed in the case of those who clearly prove their right by virtue of descent from the original grantee and satisfactorily account for their inaction for nearly twenty years; and directing the petitioners to be informed that Government see no reason to comply with their request.

No. 1,586.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 19th June 1876.

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Chittoor, 18th February 1876, No. 81 :—

I HAVE the honor to submit the report called for in the Board's endorsement on Petition* No. 2,170 of 1875 from Mahomed Akbar and Bubu Sahiba.

* Herewith returned.

2. Petitioners are the great grandson and great granddaughter of Saram Bibi, who again is one of the granddaughters of Shah Abdul Nabob, the original grantee of the Punji Dehat Inam Pension.

3. To illustrate the claim of the petitioners, and their descent from the original grantee, I beg to enclose a genealogical tree in which their names are numbered 39 and 42 respectively.

4. They claim the allowance enjoyed by the late Syed Asathoolla Hussein, after deducting Rupees 48 continued to his widow Budai Bibi, No. 32.

5. The Punji Dehat Inam allowance was not originally fixed in amount, but fluctuated according to the annual proceeds of the inam lands. The allowance in question, which amounted to Rupees 97-15-4 for Fasli 1252, was a one-sixth share of one half of the entire inam of the Punji Dehat Inam Village, and was enjoyed in equal shares by the four gosha females numbered 10, 11, 12, and 13. The females were daughters of the above-mentioned Saram Bibi, No. 9.

6. Syed Asathoolla Hussein, No. 17, referred to in paragraph 4, is the son of No. 11, and the entire allowance was registered in his name and drawn by him as Masharnullah or head of the family. After his death, which took place on the 19th November 1842, the Collector in the statement which accompanied his letter, dated 24th November 1845, No. 190, recommended to the Board that Rupees 48 out of Rupees 97-15-4, the allowance drawn by No. 17 for Fasli 1252, might be continued to his widow Budai Bibi, No. 32, during her lifetime, as she possessed no other means of livelihood. This was accordingly sanctioned by Government in their Order, dated 27th February 1846, communicated with the Board's Proceedings, dated 5th March 1846.

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per annum, as was done in the case of other Inamdars, the nature and tenure
whose allowances were similar to that of Syed Asathoolla Hussein.

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No. 1,938, recognizing the hereditary nature of the Punji Dehat Inam, whic
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Asathoolla Hussein, cannot have retrospective effect.

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claim may be submitted for the favorable consideration of Government.

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2. Petitioners, Mahomed Akbar,* No. 39, in genealogical table, and Bubu
Sahiba, No. 42, claim the resumed portion of the allowance. In support of their

claim the Collector says that the whole of the allowance in question was enjoyed
in equal shares by the four females, Nos. 10, 11, 12, and 13, who were sisters,
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him as head of the family. He was son of No. 11; the claimants Mahomed
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the statement that the grant was enjoyed in equal shares by Nos. 10, 11, 12, and 13,
and was held by the deceased as head of the family. The facts that no such claim
was urged from the time of his death until recently and that the descendants of
Nos. 12 and 13 hold shares of Rupees 110 and Rupees 148 respectively are in favor
of the view that Nos. 12 and 13 had nothing to do with the deceased's share.
Mahomed Akbar's brother, No. 38, has a share of Rupees 55-5-0, and Bubu Sahiba's
brother, No. 43, has a share of Rupees 26. If Nos. 12 and 13 had an interest in the
allowance held by the deceased, it is not likely they would have refrained from
urging their claims when he died. The assertion that they had an interest in it is
unsupported and appears to be unfounded. Petitioners cannot claim as next heirs,
as there are others more nearly related who exclude them.

3. With reference to the fact noted in the Board's endorsement on the
petition that the hereditary character of the Punji Inam has since been recognized
and that it was intended that the order* of
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retrospective effect, it is to be considered whether the lapsed share should now be
continued to the heirs of the deceased. His widow is still alive, and he left a son
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present case the petitioners have certainly not established their claim, and the Board
are of opinion that it should be rejected. Whether the claim of the deceased's widow
or of his son if alive to the lapsed share is to be recognized is a question for
Government to consider. They have made no claim.

(A true Copy and Extract.)

Acting Sub-Secretary.

* 19th July 1855, No. 873.

To the Secretary to Government, Revenue Department,
with genealogical tree to be returned, petition, and
copy of Board's endorsement.

Copy to the Collector of North Arcot.

Exd. A. Gruber.

No. 33.

Endorsement on petition No. 2170 of 1875

Referred to the Collector for report.

The Board observe that the Government not only recognized the hereditary nature of the Inam in the order quoted in the Collector's endorsement but directed enquiry to be made as to whether any other shares in the Village had been resumed or reduced in amount on the ground that the grant was not hereditary with a view to the mistake being rectified. The then Collector of North Arcot in his letter of 2nd January 1856 No. 1 reported that no shares had been resumed on that ground

Q. 21 Feb 1876 No. 8
15 Feb 57 — 11-12
19 Feb 58 — 15-16
16 Aug 63 — 25-26

Read
No. 945
1876.

Board of Revenue,
MADRAS.

PROCEEDINGS, 19TH JUNE 1876, No. 1,586.

Dated 3 July 1876

Encl. 3
2 Maps

Received 10 July 76.

JUNE.
No. 1,586.

Panji Dehat Inam Allowance—of Rupees 97-15-4 a year enjoyed by the late Syed Assthoolla Hussein of North Arcot.—Submitting for orders of Government Board's opinion that claim of Mahomed Akbar and Bubu Sahiba, petitioners in No. 2,170 of 1875, to resumed portion of —, should be rejected.

The Board's Proceedings
No. 945 of 15th July 1876

The L.R. in Inam No. 945 of
the Alienation being admitted to be
hereditary, and the resumption in
1846 being acknowledged to be wrong,
it should be ruled in the case of
those who claim to have their rights
by virtue of descent from the original
Grantee and satisfactorily account for
their inaction for nearly 20 years
the hereditary character of the Inam
Inquiry commenced by L.R. on
1855. The Petitioners, who had only
proved a claim to the alienation could
not be allowed to have the Inam
with reference to the demand for Assthoolla Hussein
will accordingly be resumed for the Government
Government.

Board's Proceedings
No. 945 of 15th July 1876

C-13: Inq by Rists

grounds but that several shares had been resumed for failure of heirs and one for fraud but there is nothing to show what other shares were alluded to. It is clear that the order of Government was intended to have retrospective effect and the Collector will therefore investigate the claim and report as to its validity.

Revenue Board Office
Madras
4th October 1875

By order
(Sd.) C. A. Galton
Asst. Sub Secretary

True copy

C. Woodburn
Acting Sub Secretary

Ex M

Enclosure in Proceedings
of the Board of Revenue
to the Secretary to Govt.
R.D. 8/19th June 1876 No. 1586.

Rev 536/76
No 276 of 76

GO 15th July 1876 No 946