Revenue (1896.) Department.

PRESS SERIES.

G.O., No. 524.

DATED 12th October.

7

[Despatch Abstract.]

Sanctioning the continuance of certain
Yomiah allowance in the name of Sheik Mader
-Sahib in the Godavari District.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Revenue (1896) Department.

CURRENT No. 6690

Ap. 62/10

SECY. GOVT. MADRAS 19 SEP 96 REV. DEPT.

The Hon: Mr Grose C.I.E

5 P

From The Board of Revenue
(Land Revenue)

No. 2432 Routine

Dated 7th September 1896

Received 9.9.96

Registered 10.9.96

Enclosures 2

Spare copies

Memo/ **Order** (Mem) dy 12th Oct: 1896 J.G.
No 524 11/10/96

The continuance of the allowance to Sheik Madar Sahib, son of the deceased pensioner, is sanctioned as recommended.

SUBJECT.

Submitting to Government a statement of lapsed Yeomiah in Godavari with the remark that the Collector should have addressed Government direct with reference to S.O. No 129 A.

2
3 The Collector of Godavari
6 " Acctt General
16 Copy to the Board of Rev. L.R. } Ad. 27.10

10/5

Note The grant is a ceremonial allowance. It is proposed to continue the same to the ~~[illegible]~~ only son of the last holder who is reported to be doing the prescribed service.

c 8/10

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2/

Tabular report on a lapsed Yeomiah in the Godavari District

Case no	Taluk and village extent and value of entire inam or Yeomiah	When and by whom granted name of the original grantee. Sannads or original documents in support of the grant	Nature of the grant, Charity or Service nature of duty prescribed by the grant	Name of the last holder Date of his demise & the relationship in which he stood to the grantee	Share ~~enjoy~~ enjoyed by the deceased and that held by the other members	Family left by the deceased name and age of the parties, their circumstances and the means of subsistence possessed by them	Recommendation of the Sub Collector and the grounds on which it is made	Recommendation of the Collector Godavari	3 Decision
1	2	3	4	5	6	7	8	9	10
1	Rajahmundry Taluk Rajahmundry Allowance per annum 40-6-10	unknown (Vide remark in col 3 of the statement embodied in G O no 797 d 31-7-73 vide B. P. no 4989 Rev. d 8-8-73	For Service at the large Mosque (Royal Mosque) at Rajahmundry, keeping the mosque clean and lighting lamps etc.	Sheik Ahamad, died on 12-2-96 Relationship (unknown)	Entire allowance of Rs 40-6-10	1 Sheik Madar son of the deceased aged 24 years. 2. Gulam Khadar, younger brother of the deceased aged 52 years. Besides the allowance there are lands in the following villages	The allowance was sanctioned in the name of Sheik Ahamad now deceased in the order of Govt no 797 d 31-7-73. The Tahsildar of Rajahmundry reports that Sheik Madar son of the deceased has been doing service in the mosque since the date of his father's death & that the office has always been held by the members of the eldest line. I agree with the Tahsildar and recommend that Sheik Madar may be allowed the usual allowance of Rs 40-6-10 on the condition of his performing the prescribed duties.	Ref no 3583 ter of 96 d 17-8-96 The allowance is claimed by (1) Sheik Madar son of the deceased (2) Gulam Khadar, a brother of the deceased & (3) Khasim saheb (a person unconnected with the deceased's family). The first is the son of the deceased and as such is better entitled to the allowance than the second who is only a brother of the deceased. The 3rd has no hereditary right but claims the service simply because he is a Koran reader in the mosque. I support the recommendation of the Sub Collector & the Tahsildar. A copy of the Sub-Collector's report on the subject is herewith submitted	

Villages	extent of land	Annual incomes	date & no of title deeds
	a. c.		
Bommuru	3 · 50	18-0-0	30-7-60 - no 475
Hukkum petah	4 · 80	18-0-0	26-7-60 no 226
Total	8 · 30	36-0-0	

(sd) G. W. Elphinstone
Ag Sub Collr
3-8-96

(sd) V. A. Brodie
Collector

For collector.

No
20

To
The Secretary
to the Commissioner

From 4752 of 96

The Collector of
Godavari Dt.

Ref No 3083/Ver of 96

Dated 17-8-96

Despatched 24-8-96

Received BOARD OF REVENUE 28 AUG. 96 MADRAS.

51

Subject

Submitting a tabular report regarding a lapsed Yeomiah in the Godavari District and recommending its continuance to the heir of its last holder

---

Ref Curpt No. 414/459 of 96 ~~Eng.~~

Sub- GODAVARI DISTRICT, COLLECTOR'S OFFICE,
Rajahmundry ~~Cocanada~~, 23—8—1896.

BOARD'S REV. REG. No 4752 OF 1896

2K

FROM

G. W. Elphinstone ESQ.,
Ag Sub COLLECTOR,
Godavari District.

To

THE Collector Godavari

SIR,

I have the honor to submit the following case for favor of orders:—

2. Sheik Ahamad, attendant of the Royal Mosque at Rajahmundry died on 12-2-96 leaving a son named Sheik Madar Saheb aged 24 years and a younger brother named Gulam Khadar, aged 52 years.

3. Madar Saheb is reported to have been rendering service in the Mosque since the date of his father's death, and is the proper heir to receive the allowance of Rs 40-6-10 sanctioned in the name of the deceased Ahamad Saheb in G.O. No 729 of 31-7-73.

4. Gulam Khadar, the brother of the deceased

and another Mahamad Khasimsaheb have put in petitions claiming the allowance and protesting against the grant of the allowance to the son of the deceased. Gulam Khadar is a divided brother of the deceased and Khasim Saheb has no claim except that he is a Sermon reader in the same mosque. But the office is always held by the members of the eldest line.

5. I therefore recommend that the sanction of Government may be obtained to continue the allowance to the son of the deceased viz, Sheik Madar Saheb.

6. A recommendation roll is herewith submitted in the prescribed form.

I have the honor to be,
Sir,
Your most obedient servant
(Sd) G. W. Elphinstone
Ag. Sub Collector

(True Copy)

For Collector.

20
20 8

REVENUE (189) DEPARTMENT.

FROM

THE COLLECTOR,
Godavari District.

To

THE

Dated
Despatched } 189 .
Received

No.
ENG.

ENCLOSURES.

SUBJECT.

1
[illegible] 25/9/96

189 6
REVENUE [illegible]
1
6490

(2,000—27-11-95.) 7

Proceedings of the Board of Revenue

(Land Revenue),

Dated 7th September 1896.

No. 2432. Routine.

READ ——— Endorsement of V. A. Brodie, Esqr., Collector of Godavari, Ref. No. 3083/Rev. of 96, dated 17th August 1896, to the Secretary to the Commissioners of Land Revenue, Madras.

Resolution:—

4P

Submitted to Government with the remark that the Collector should have addressed Government direct with reference to S. O. No. 129 A.

(True extract)

Malan
Ag. Secretary.

To
The Secretary to Government, R. D. with Statt. & encls: in original.

Ex Cm [illegible]

8/10

NOTE FOR THE Registrar.

C no 6490.

The Secretary wishes you to look up the question whether in the case of a ceremonial allowance a brother × (1) or son × of the deceased pensioner should be preferred. The Mahomedan Law may throw some light on it. Again, is there any custom in the present case that only the sons ~~shall~~ should succeed. Asharafalli & Mahomed Yakub succeeded to the allowance tho' they were × brothers.

KD
20/9/96

Mr. Mahomed Yakub is no doubt Asharafally's brother; but there is nothing to show what relationship Asharafally bore to the person who drew the allowance before him.

CR

Note for the Secy

Please see note on the margin.

There is nothing to show when and by whom the allowance was originally granted or who the original grantee was. But so far as papers are available the allowance was ~~[illegible]~~ sanctioned to one Asharafally in E.M.C. No 14 d. 2.1.1846.

Asharafally having died without any issue, it was continued to his brother Mahomed Yakub - vide G.O. No 1339 d. 13.8.1860.

On Mahomed Yakub's death, the allowance was continued to his eldest son Sheikh Ahmed, vide G.O. No 797 d. 31.7.1873.

Sheik Ahmed being now dead, the Collector proposes to continue the allowance to his eldest son Sheik Mad which is in accordan with the precedent.

Under the Mahomedan Law brothers can never take any share of the property, where there is a son or son's son, how low soever. (vide item 21 ~~of~~ at page 4 of Macnaghten's "Principles & precedents of Muhammadan law".

5/10/96.

The Muhd. law governing this case is found in chapter IX of Macnaghten's book pp 327–344. The law seems to be that in such cases Govt. can appoint the son or the brother in its place or in fact anyone else apparently having regard to the personal qualifications of nominee. There seems however no need to interfere in this case as the son is said to discharge the duties satisfactorily

8/10/96.

[illegible]

11/10/96

Government (1896) of Madras.

REVENUE.

Recd. } 1896. Enclosures.

Regd. Spare copies.

G.O., No. 524, 12th October 1896.

OCTOBER.

Yeomiah Allowance.

Sanctioning the continuance of certain — in the name of Sheik Madar Saheb, son of the deceased pensioner, Sheik Ahamed, Godávari district.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Land Revenue), No. 2432, Routine, dated 7th September 1896:—

Read—endorsement of V. A. BRODIE, Esq., Collector of Gódávari, to the Secretary to the Commissioners of Land Revenue, dated 17th August 1896, Ref. No. 3083-Ver.

Read—the following letter from G. W. ELPHINSTONE, Esq., Acting Sub-Collector of Gódávari, to the Collector of Gódávari, dated Rajahmundry, 3rd August 1896, Ref. on Cur. Petn. No. 414–459:—

I have the honour to submit the following case for favour of orders.

2. Sheik Ahamed, attendant of the Royal Mosque at Rajahmundry, died on 12th February 1896, leaving a son named Sheik Madar Saheb, aged 24 years, and a younger brother, named Gulam Khadar, aged 52 years.

3. Madar Saheb is reported to have been rendering service in the mosque since the date of his father's death, and is the proper heir to receive the allowance of Rs. 40–6–10 sanctioned in the name of the deceased Ahamed Saheb in G.O., No. 797, dated 31st July 1873.

4. Gulam Khadar, the brother of the deceased, and another Mahamad Khasim Saheb have put in petitions claiming the allowance and protesting against the grant of the allowance to the son of the deceased. Gulam Khadar is a divided brother of the deceased and Khasim Saheb has no claim except that he is a sermon reader in the same mosque; but the office is always held by the members of the eldest line.

5. I therefore recommend that the sanction of Government may be obtained to continue the allowance to the son of the deceased, viz., Sheik Madar Saheb.

6. A recommendation roll is herewith submitted in the prescribed form.

Enclosure.

Tabular report on a lapsed yeomiah in the Gódávari district.

<table>
<tr><th>Case number.</th><th>Taluk and village, extent and value of entire inam or yeomiah.</th><th>When and by whom granted, name of the original grantee, sannads or original documents in support of the grant.</th><th>Nature of the grant, charity or service; nature of the duty prescribed by the grant.</th><th>Name of the last holder, date of his demise and the relationship in which he stood to the grantee.</th><th>Share enjoyed by the deceased and that held by the other members.</th><th>Family left by the deceased, name and age of the parties, their circumstances and the means of subsistence possessed by them.</th><th>Recommendation of the Sub-Collector and the grounds on which it is made.</th><th>Recommendation of the Collector of Gódávari.</th><th>Decision.</th></tr>
<tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr>
<tr><td>1</td><td>Rajahmundry taluk, Rajahmundry. Allowance per annum Rs. 40-6-10.</td><td>Unknown (*vide* remark in column 3 of the statement embodied in G.O., No. 797, dated 31st July 1873—*vide* Board's Proceedings, Mis. No. 4989, dated 8th August 1873).</td><td>For service at the large mosque (Royal mosque) at Rajahmundry, keeping the mosque clean and lighting lamps, &c.</td><td>Sheik Ahamed; died on 12th February 1896. Relationship unknown.</td><td>Entire allowance of Rs. 40-6-10.</td><td>1. Sheik Madar, son of the deceased, aged 24 years.
2. Gulam Khadar, younger brother of the deceased, aged 52 years.
Besides the allowance there are lands in the following villages:—<table><tr><th>Villages.</th><th>Extent of land.</th><th>Annual income.</th><th>Date and No. of title-deeds.</th></tr><tr><td></td><td>ACS.</td><td>RS.</td><td></td></tr><tr><td>Bommuru .. ..</td><td>3·50</td><td>18</td><td>30th July 1860, No. 475.</td></tr><tr><td>Hukkumpetah .. ..</td><td>4·80</td><td>18</td><td>26th „ „ „ 226.</td></tr><tr><td>Total ..</td><td>8·30</td><td>36</td><td></td></tr></table></td><td>The allowance was sanctioned in the name of Sheik Ahamed now deceased in the Order of Government, No. 797, dated 31st July 1873. The Tahsildar of Rajahmundry reports that Sheik Madar, son of the deceased, has been doing service in the mosque since the date of his father's death and that the office has always been held by the members of the eldest line. I agree with the Tahsildar and recommend that Sheik Madar may be allowed the usual allowance of Rs. 40-6-10 on the condition of his performing the prescribed duties.
(Signed) G. W. ELPHINSTONE,
Ag. Sub-Collector.
3rd August 1896.</td><td>Reference No. 3083-Ver., dated 17th August 1896. The allowance is claimed by (1) Sheik Madar, son of the deceased; (2) Gulam Khadar, a divided brother of the deceased, and (3) Khasim Saheb (a person unconnected with the deceased's family). The first is the son of the deceased and as such is better entitled to the allowance than the second who is only a brother of the deceased. The third has no hereditary right, but claims the service simply because he is a koran reader in the mosque. I support the recommendation of the Sub-Collector and the Tahsildar. A copy of the Sub-Collector's report on the subject is herewith submitted.
(Signed) V. A. BRODIE,
Collector.</td><td>....</td></tr>
</table>

Resolution—No. 2432, Routine, dated 7th September 1896.

Submitted to Government, with the remark that the Collector should have addressed Government direct with reference to Standing Order No. 129-A.

(True Copies and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with statement and one enclosure in original.

ORDER—No. 524, Revenue, dated 12th October 1896.

Miscellaneous.

The continuance of the allowance to Sheik Madar Saheb, son of the deceased pensioner, is sanctioned as recommended.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Collector of Gódávari.
,, the Accountant-General.
Copy to the Board of Revenue (Land Revenue).

Exd. C. M. [illegible]

40 Copies.

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EAD AGAIN G.O., No. DATED
189

URRENT No.

NCLOSURES TO G. No.

ULED BY GOVERNMENT.

ASSED BY GOVERNMENT.

[illegible] WITH EDITOR.

APERS NOT RETURNED BEING MEANT FOR DESPATCH IN ORIGINAL.

B.—
A = Print in full.
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= Print heading only.

4.1.63/02