

Revenue (1897) Department.

PRESS SERIES.

G.O., No. 13

DATED 8 January 1897

[Despatch Abstract.]

Sanctioning the continuance of certain Beht
Inam Allowance in N. Arcot Dh, last enjoyed by
Peebee Saiba the "Acknowledged Kindred" Fattuna
Baba.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Am	1019/00						

Revenue (1896) Department.

CURRENT No.

Order

From The Collector of
North West

Refon P. No. 83 of 96

Dated 23 September 1896

Received 25-9-96

Registered 25-9-96

Enclosures

Spare copies

SUBJECT

Reporting the nos & dates
of the Proceedings
sanctioning the pensions
of No 49-8-84-2-2-8
in the names of
Muhammad Abdulla
& Muhammad Azizul-
-din respectively

Am P-419

BACK PAPERS.

G.O.	No.	Department.	Date.
W	1796	R	15-9-96
W	170	R	15-3-75
W	260	R	11-9-95
	4280	R	30-10-95

FURTHER PAPERS.

G.O.	No.	Department.	Date.

North Arcot Collectors Office

Chittoor 230 September 1896

From 3 Illustrations
S. H. Wynne Esqre

Collector of
North Arcot.

To

The Chief Secretary to
Government.
Revenue Department.

Madras

Sir

With reference to the Proceedings
of the Madras Government No 1796, Rev:
Department, dated 14th September 1896,
I have the honor to report that the
pension of Rs 49-8-8 per quarter was
sanctioned in the name of Muhammed
Abdulla in G. O. No 160, Revenue,
dated 18th March 1895, and Rs 2-2-8 per
month, in the name of Muhammed

Azizuddin in G.O. No 860, Revenue,
dated 11th September 1891.

I have the honor to be,
Sirs
Your Most obedient servant.

Amir-ul-Umra
For Collectors

Ch

D
4 1,000-11-6-96.

Re. a Dehat Inam allowance

REVENUE DEPARTMENT.

Read again No. 1796 dt 14-9-96.
- cor. 6906 of 1896.

From

Dated

189 .

The Hon Mr. G. S. C. B.

FOR ORDERS.

The question is
in whose name should
the Dehat Inam al-
lowance of Rs 26 ^{per annum} ^{test}
enjoyed by Beebee Sahib
under G.O. No 271 Rev dt
24-2-76. be continued.
The history of this allow-
ance is briefly as
follows:-

The village of
Punji in the North
atrest district was
by ^{by Mahab Safetulla Khan}
granted to one Shaik
abdul Wahab and
his heirs for defraying
the expenses of the
Lungekhana for Fakirs
founded by Shaik
abdul. for maintain-
ing themselves and
praying for the prosper-
ity of

13-1-97
G. S. C. B.

1/10/97. It is not known whether the
Lungekhana is still maintained
and if so by whom.

4/1/97
R. S. C. B.

in the name of Beebe
 Sahiba in G.O. d. 24.2.76
 No 271. Beebe Sahiba
 having died in January
 1895, ^{without any issue} the allowance
 enjoyed by her ~~was~~ ^{is}
 claimed by the three
 individuals noted
 below:-

- (1). Fatima Beebe, daughter
 of the brother of the
 deceased's husband
 - (2) Mahomed Abdulla,
 brother of No (1). and
 - (3) Mahomed Azizuddin
 (Hafizuddin), half brother
 of the deceased's husband
 No (1) claimed the
 allowance on the
 ground that she was
 brought up by the
 deceased and perform-
 ed her funerals.
- No (2) resigns his claim
 in the event of the
 pension being conti-
 nued to No (1) but claims
 it for himself in any
 other case.
 The grounds on which

No 2 (Mahomed Abdulla) was
 granted an allowance
 of Rs. 172.2.7 in G.O. No. 1000/95

Amount of the current
 order Rs. 1796

which No (3) bases his
 claim are "that he
 is the nearest heir to
 the deceased, that
 the allowance en-
 joyed by the deceased
 descended from his
 father and that he
 has a large family
 consisting of 5 sons
 and their children.
 The colls recommend-
 ed that the allowance
 might be continued
 to Fatima Beebe, "as
 she has the best legal
 title to it having been
 brought up and ack-
 nowledged by the de-
 ceased as her daughter.
 A draft order was ac-
 cordingly submitted
 approving the colls
 recommendation
 but the H.M. said:-
 "I am not sure about
 this. How can Fatima
 Bee have a better
 claim than her brother
 There is no such thing

as "adoption" in Mahomedan law and I should think that as the allowance came from the husband's progenitor, (3) would have a better claim than (2)?"

It is submitted ~~that the allowance~~

that the allowance in question is hereditary and claims to these allowances are ^{generally} dealt with in accordance with the Mahomedan Law.

Under this law, "females *** take with the same full proprietary right as males, so that the property devolves after their death on their heirs. The same is the case with widows, who take their share without any restriction in the disposal of it and after their death, the property inherited from the husband, goes to their heirs

not to the heirs of their husbands".

In the case under consideration the allowance having been registered in the name of Beebee Saliba in 1876 became her property and on her death, ~~therefore~~, it goes to her heirs. Though husband is an heir under the Muhammadan Law, his brothers or halfbrothers or their issue are nowhere mentioned as such. The only person in this case entitled to succeed to the allowance is Fatima Beebee who having been brought up by the deceased lady and having performed her funeral ceremonies, ~~became~~ has become her "acknowledged kindred". ~~who under the~~ Under the Muhammadan Law an "acknowledged kindred" ~~does~~ inherits in default of heirs down to the "successor by contract".

The third of the claimants

Please see page X
of the Muhammadan
Law-putup.

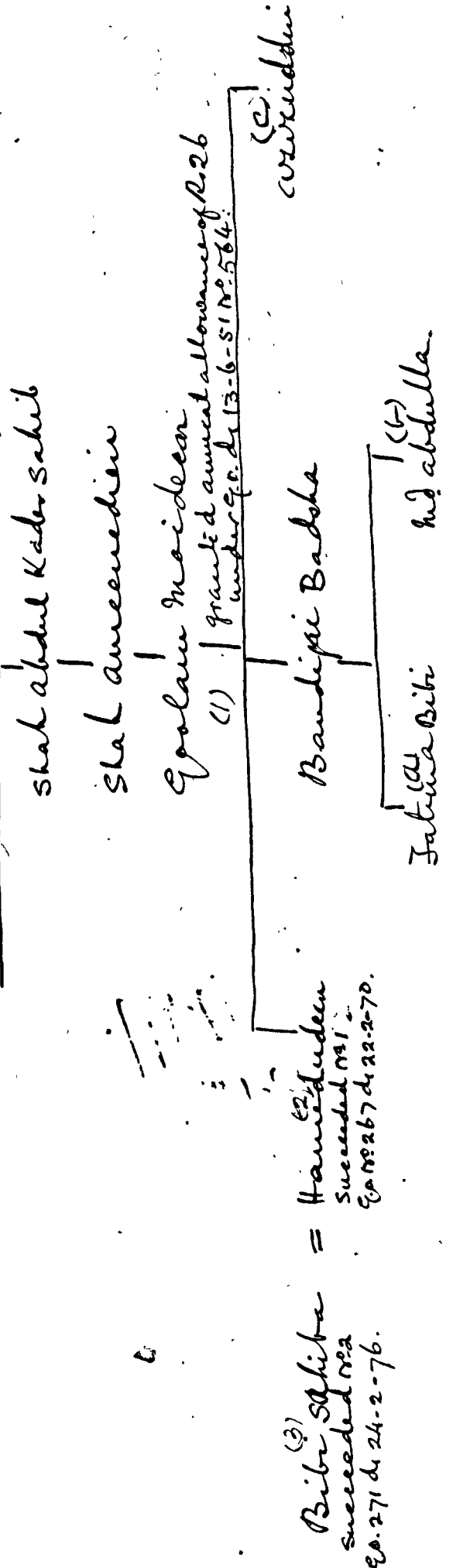
Muhammad Azizuddin is a retired Police Constable in receipt of a superannuation pension of Rs 8 per mensem. He is also in receipt of a dehat nam allowance of Rs 26 per annum vide G.P. No 860 dt 11.9.1891. He also laid claim to the allowance granted to Mahomed Abdulla (the 2nd of the claimants), in G.P. No 160 dt 18.3.95; but the claim was rejected by Govt. vide G.P. No 4280 mis dt 30.10.95.

23/12/96.

1/12/96.

17/11/97.

Dehat nam at Pany granted to Shaikh Abdul Wahab & his heirs



Note 1, 2, 3 represent the order of succession to the allowance. a, b, c - - - present claimants. The history of the allowance in dispute can be traced from 1851 only.

Print full

Read again ^{4/2} Ep. No. 1796 R
14.9.96

abstract

Read also C. No. 6906/96

2p8/1

Ep. (Press) of 8th Jan. 1897, No. 13.

The collector's
recommendation
that the Dehat man
allowance of Rs 26 per
annum, last enjoyed
by Beebee Saliba, ~~shall~~
be continued to her
"Acknowledged Kindred"
Fattima Beebees, is
sanctioned.

18/1/97

3 To the Collector N. B. B. B.
C. B. A. G.
16 Copy u a B. B. of Rev. (L. A.)

40/5

18.12.1897

From orders
18.
7 Jan. 97

Government {1897} of Madras.
REVENUE.

Recd.

Regd.

} 1897.

Enclosures

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G.O., No. 13, 8th January 1897.

JANUARY.

Dehat Inam Allowance.

Sanctioning the continuance of certain —, in the North Arcot district, last enjoyed by Beebee Sahiba to her "acknowledged kindred" Fathima Beebee.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again the following G.O., No. 1796, Routine, dated 14th September 1896:—
 Read—the following paper from the Collector of North Arcot, Ref. on P. No. 83 of 1895, dated 24th July 1896:—

STATEMENT of lapsed Dehat Inam Pension recommended for renewal in the district of North Arcot.

1	2	3	4	5	6	7	8
Case number.	Taluk and village, extent and value of the entire inam.	When and by whom granted, name of the original grantee, sanads in support of the grant.	Nature of the grant, charity or service; if service, nature of the duty prescribed by the grant.	Name of the last holder, date of his decease, and the relationship in which he stood to the original grantee.	Share enjoyed by the deceased, and that held by the other members of the family.	Family left by the deceased and name and age of the parties, their circumstances, and the means of subsistence possessed by them.	Recommendation of the Collector and the grounds on which it is made.
P. P. Order No. 739.	Ready money allowance of Rs. 26 per annum granted in lieu of the Dehat Inam village Punji in Walaja taluk.	Granted on the 22nd Sharhame, 6th Joolose, by Nawab Sadatoolah Khan to Shaikh Abdul Wahab as per pervana of the above date.	Hereditary.	Beebee Sahiba died on the 6th January 1895, widow of the great great grandson of the original grantee.	The deceased was in the enjoyment of the entire allowance.	(1) Fathima Beebee, aged 24 years (is under the protection of her husband, Dost Mohi-ud-din). (2) Muhammad Abdulla, aged 22 years (possesses 2 acres of land at Punji and gets a pension of Rs. 49-8-8 per quarter). (3) Muhammad Aziz-ud-din, aged 60 years (draws a Dehat Inam pension of Rs. 2-2-8 per mensem and Rs. 8 per mensem as retired police head constable, also possesses some land in Folar taluk).	Beebee Sahiba, Dehat Inamdar No. 105, who was in the enjoyment of Rs. 26 per annum, under G.O. No. 271, dated 24th February 1876, died on the 6th January 1895, leaving no issue. There are three claimants (as noted in column 7) to the allowance enjoyed by the deceased, and their relationship to the deceased pensioner is as given below:— (1) Fathima Bee, daughter of Bundaghi Batoha, brother of Hamid-ud-din, husband of the deceased. (2) Muhammad Abdulla, brother of No. (1). (3) Muhammad Aziz-ud-din, half brother of Hamid-ud-din, husband of the deceased. Claimant No. 1 urges that she was brought up by the deceased and performed her funerals and consequently the allowance should be registered in her name. Her brother No. (2) has deposed before the Tahsildar of Walaja that he has no objection to the allowance being continued to his sister and that if this cannot be done it should be registered in his name. The reasons adduced by Muhammad Aziz-ud-din No. 3 for the allowance being continued in his name are that he is the nearest heir to the deceased, that the allowance enjoyed by the deceased descended from his father, and that he has a large family consisting of five sons and their children. I recommend that the allowance may be continued to Fathima Beebee, as she has the best legal title to it having been brought up and acknowledged by the deceased as her daughter.

Order—No. 1796, Routine, dated 14th September 1896.

The Collector of North Arcot is requested to quote the number and date of the Proceedings, sanctioning the * pensions referred to in column 7 of his tabular statement, dated 24th July 1896, Ref. on P. No. 83 of 1895.

(True Extract.)

(Signed) A. T. ARUNDEL,
 Ag. Secretary to Government.

To the Collector of North Arcot.

READ—also letter from the Collector of North Arcot, dated Chittoor, 23rd September 1896, Ref. on P. No. 83 of 1896.

ABSTRACT.—Reporting the numbers and dates of the Proceedings sanctioning the pensions of Rs. 49-8-8 and Rs. 2-2-8 in the names of Muhammad Abdulla and Muhammad Aziz-ud-din, respectively.

ORDER—No. 13, Revenue, dated 8th January 1897.

Miscellaneous.

The Collector's recommendation that the Dehat inam allowance of Rs. 26 *per annum*, last enjoyed by Beebee Sahiba, be continued to her "acknowledged kindred" Fathima Beebee, is sanctioned.

(True Extract.)

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

To the Collector of North Arcot.
 " Accountant-General.
 Copy to the Board of Revenue (Land Revenue).

Exd. Shaik Karim.

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AD AGENT G.O., No.
189

PAPER.

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ORDER OF GOVERNMENT

ORDER OF GOVERNMENT.

ORDER OF GOVERNMENT WITH DIITO.

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