

*Not to be changed*

1934 .

Govt. of India

Finance Department

Ex II Branch

Pros. Nos.  
Serial

Subject.

Commutation of the political pension of Mirza Aminuddin Bakhsh, a member of the Ex-Royal family of Delhi; and decision that, under Rule III of Section I Chapter X of the Wazirka Manual one third of the original pension should be resumed on the death of the pensioner irrespective of the fact that the pension was a portion of the pension inherited by him along with other co-heirs.

Previous References.

Later References.

Retain

Nh  
6.10.70

P.D. 11.  
Cc. Branch

Commutation of the political pension of Mirza Amin-uddin Bakht, a Member of the ex-Royal family of Delhi.

.....

The pension in the present case being less than Rs.5/- is compulsorily commutable, and it falls under category 3(1) of the Finance Department Letter, No.D/2160-R.II, dated the 18th December 1931. Particulars as regards the age of the beneficiary's heir and the latter's share in the pension are given in para.2 of the P.U.C. Finance Department may see and be asked kindly to let us know the commuted value of the pension. According to Rule II of Chapter X of the Wasika Manual, one third of the original pension is to be resumed. The original pension in this case was Rs.9/- and the amount available for continuance to the heir of Mirza Aminuddin Bakht, if not commuted, will be rupee one only (Rs.4-Rs.3) and not Rs.2/-/- as stated in the p.u.c.

Sd/- C.G. Prior.  
16.1.34.

Finance Department.

The amount to be commuted is Rs.4 and, as stated above, the amount available for continuance is Re.1. The date of pensioner's birth is 16-9-1907 and that of his father, his heir, is 1877. The Actuary may be asked kindly to let us have the commutation value of this pension.

SNB.22.1.34.  
BG.22.1.34.

Sd/- J.B. Shearer.  
23.1.34.

Govt. Actuary.

Will Finance Department kindly expedite the return of the F. & P. Deptt. file regarding "Commutation of the political pension of Mirza Aminuddin Bakht, a member of the ex-Royal family of Delhi", which was sent to them on the 19th January last, under F. & P. Dept. <sup>no.</sup> ~~no.~~ No.D.4311-E/33?

Sd/- Raj Rup,  
for Assistant Secretary.

Finance Department.

The file in question was sent to the Government Actuary on the 23rd January last with our Dy.No.361-Ex.II. This may also be passed on to him in continuation.

R.L.K.  
22-2-34  
Govt. Actuary.

Sd/- B.Grice.  
22.2.34.

The capitalised value of the pension of Rs.4/- per mensem payable to Mirza Aminuddin Bakht so long as he is alive and of Rs.1/- per mensem to commence on his death and to continue thereafter during the life of his father Mirza Wahiduddin Bakht is Rs.740/-. The calculation has been made at 4½% rate of interest.

Sd/- N. Mukerji.  
6.3.34.

Finance Department.

The file may now be returned to the F. & P. for issue of necessary orders.

SNB.7.3.34.

Sd/- B. Grice.  
7.3.34.

F. & P. Deptt.

Two drafts submitted.

Sd/- C.G. Prior.  
13.2.34.

The fact that the pensions enjoyed by the two heirs were not compulsorily commuted (since the amount in each case was less than Rs.5) leads one to the conclusion that the local authorities regarded the two pensions as forming one unit. Though the Local Govt. have not said this in the present communication, they feel that Rs.2/- is available for continuance.

2. If the Finance Department agree, this will necessitate a recalculation of the commuted value already arrived at. The file may be referred to that Department in the first instance.

Sd/- C.G. Prior.  
9.5.34.

Finance Department.

The question seems to be whether, according to the Wasika Manual (which is not in the file), or to past practice, the pensions of co-heirs in such cases are treated as a single pension or as separate pensions for the purpose of determining the portion available for continuance. There have probably been similar cases in the past and F. & P. Dept. may be asked kindly to put up one or two precedents and also the Wasika Manual.

B.G.21.5.34.

Sd/- J.B. Shearn, J.B. Shearn.

F. & P. Department.

The Wasika Manual together with our F.No.40(1)-G/33 are put up and may be sent to the Finance Department. No other precedent is readily traceable.

2. It will be seen from Corx p.3. and the statements enclosed to S.No.3 in the linked file that the pensions distributed among co-heirs have been treated as a single pension.

Sd/- C.G. Prior.  
26.6.34.

Finance Department.

According to Rule V, Chapter X, on pp.55-56 of the Wasika Manual the amount awarded to heirs "will remain entire in the name of one member of their body; the other heirs will receive their shares through him". The rule goes on to say that the Treasury Officer will be responsible for ascertaining that all persons on whose account the head of the family draws money, are alive. If this rule has remained unchanged, it seems clear that pensions of co-heirs should be treated as a single pension for the purpose of determining the portion available for <sup>continuance</sup> ~~continuance~~. In the present case presumably the entire pension of Rs.6/- (i.e. 2/3rds of the original pension of Rs.9/-) was in the name of Mirza Aminuddin Bakht and Mst: Farzana Sultan Begum received her share through him. On her death her share lapsed and the pension was reduced from Rs.6/- to Rs.4/-, so that balance available for continuance is clearly Re.1/-. The U.P. Govt's arguments in support of their proposal that the balance should be held to be Rs.2/- may be reasonable enough in themselves and the financial effect in this particular case may not be considerable. But the proposal is against the rules and its acceptance would apparently introduce a new principle which would be applicable to similar cases in future and the cumulative financial effect would be considerable. We may advise that the commutation value should stand as already calculated and communicated in F. & P. Dept. letter dated 14.3.34.

B.G.7.7.34.

Sd/- J.B. Shearer.  
8.7.34.

The file on the subject was last referred to the Finance Dept. on 27th June 1934 under this Dept. u.o. No. D-1415-G/34. They may see and be asked kindly to expedite its disposal and return.

Sd/- A.F. Emmer.  
6.7.34.

Finance Department.

The file is being returned to the F. & P. Deptt. today with our u/o No. 2856-Ex.II/34.

Sd/- B. Grice.  
9.7.34.

R.AK.9.7.34.

F. & P. Department.

From page 5<sup>3</sup> ante. A draft is submitted for approval, which need not be seen by Finance Dept. before issue. After issue, the file will be sent to them with reference to their marginal note on page 6<sup>3</sup> ante.

Sd/- C.G. Prior.  
25.7.34.

Finance Department.

*From the F&P Department, No. F. 281 (2) - G/33, dated the 14th March 1934.*

*To the A.S. & P. No. D. 1561 - Ex II / 34, dated the 21st March 1934.*

*From the F&P Department, No. F. 281 (2) - G/34, dated the 27th July 1934.*

No F.281(2)-G/33.

GOVERNMENT OF INDIA.

Foreign and Political Department,

New Delhi, the 14<sup>th</sup> March 1934.

A copy of the undermentioned papers is forwarded to the Finance Department for communication to the Accountant General, United Provinces.

2. The sanction has been given by this Department with the concurrence of the Finance Department, vide their U.O.I. No.1173-Ex-II, dated the 7th March 1934.

By order, etc.,

Deputy Secretary to the Government of India.

Stamp: FINANCE DEPARTMENT, GOVERNMENT OF INDIA, 15, 1361-Ex II, 16/3/34.

Handwritten: 2487 M.B. 17/3

- 1. Letter from the Government of the United Provinces, No. 4133, dated the 12th December 1933, with enclosures.
- 2. Letter to the Government of the United Provinces, No. F.-281(2)-G/33, dated the 14<sup>th</sup> March 1934.

No D - 1361 - Ex II / 34 of 21 - 3 / 34  
Dated 20/3/34  
A copy of the papers noted in the margin is forwarded to the A. G., U. P.

(With 2 s.cs.)

(We agreed u.o.)

The addt. added above may issue.

By order, e

Handwritten notes: 16/3/34, 15/3/34, 16/3/34

6  
Copy of a letter No. 4133, dated Lucknow the 12th December 1933, from the Deputy Secretary to the Government of the United Provinces, to the Political Secretary to the Government of India, New Delhi.

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Subject:- Commutation of the political pension of Mirza Aminuddin Bakht, a member of the ex-Royal family of Delhi.  
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*p. 2 infra*  
I am directed to forward a copy of letter No. C.A.2/3016, dated September 20, 1933, with enclosure, received from the Accountant General, United Provinces and to say that as the pension is liable to reduction when it descends to the beneficiary's heirs, the case is submitted for the orders of the Government of India under paragraph 4 of their letter No. D.2160-R-II, dated December 18, 1931.

2. Mirza Aminuddin Bakht is unmarried. His heir is his own father, Mirza Wahiduddin Bakht, who was born in 1877. The amount of pension available for continuance, if not commuted, would be Rs. 2/-.

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*M. Banerji*  
Political Secretary  
Foreign & Political Department.  
*M.B.*

Copy of letter No.C.A.2/3016, dated September 20, 1933, from the Accountant General, United Provinces, to the Chief Secretary to the Government of the United Provinces, Political Department.

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Commutation of the Political pension of M.Aminuddin Bakht, a member of the Delhi Ex-Royal family.  
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I have the honour to forward herewith a copy of letter No. 397/II-119, dated the 8th August 1933 from the Political Agent, Benares, to the address of Government recommending the ~~x~~ commutation of the pension of Rs. 4/- p. m. enjoyed by M. Aminuddin Bakht a Member of the Ex-Royal family of Delhi. The pension sanctioned to him may be treated to have been granted for the 2nd life as a member of the above family and the amount being below Rs. 5/- p.m. is compulsorily commutable under Rule III Sec.I. Chapter X at page 55 of the Wasika Manual.

As it is a limited grant under para 3(i) of the G.I.F.D. letter No. D/2160/R/II, dated 18-12-31 liable to reduction on continuation to the heirs, the amount to be paid on commutation may kindly be ascertained from the Government of India in term of para 4 of the G.I.F.D. letter quoted above.

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Copy of letter No. 397/II-119, dated the 8-8-33, from the Political Agent, Benares, to the Chief Secretary Government, U.P. through the Accountant General, U.P. Allahabad.  
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I have the honour to state that Mst. Muhammadi Khanum who was in receipt of a political pension of Rs. 9/- died on 1-11-1931 and after a ~~and~~ deduction of 1/3 a sum of Rs. 6/- was continued to her heirs, Mirza Aminuddin Bakht and Mst. Farzana Sultan Begam, a P.P.O. No. C.P.L./399 for Rs. 6/- was issued in their favour. Mst. Farzana Sultan Begum died on 3-10-32. I have decided that Rs. 2/-, share of Mt. Farzana Sultan Begum, should lapse to Government and the remaining Rs. 4/- the share of M. Aminuddin Bakht being less than Rs. 5/- should be commuted under para 715(iii) of M.G.O. This pension was granted to M.Aminuddin Bakht in the second generation. His date of birth is 16-9-1907.

I therefore request that necessary steps for its commutation may be taken.

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*M. B. Amerji*  
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H.A.

From

The Deputy Secretary to the Government of India  
in the Foreign and Political Department,

To

The Chief Secretary to the Government of the  
United Provinces.

New Delhi, the 14<sup>th</sup> March 1934.

Commutation of the political pension  
of Mirza Aminuddin Bakht, a member of  
the ex-Royal family of Delhi.

Sir,

*hp 1-2 rule*  
With reference to the letter from the Government of  
the United Provinces, No. 4133, dated the 12th December 1933,  
I am directed to state that the Governor General in Council is  
pleased to sanction the commutation of the political pension  
of Rs. 4/- (rupees four) per mensem enjoyed by Mirza Aminuddin  
Bakht. The commutation value of the pension in question is  
Rs. 740/- (seven hundred and forty) only. I am to point out  
that according to Rule II of Chapter X of the Wasika Manual  
the amount of pension available for continuance, if not  
commuted, will be Re. 1/- only and not Rs. 2/- as stated in  
paragraph 2 of the letter under reply, and the commutation  
value mentioned above has been arrived at accordingly.

2. The expenditure involved should be met from within the  
sanctioned budget grant.

I have the honour to be,  
Sir,  
Your most obedient servant,

Sd. C. G. Prior,

Deputy Secretary to the Government of India.

*M. Banerji*

Copy of a letter No.1345, dated the 17th April 1934, from the Deputy Secretary to Government, United Provinces, Political Department, Lucknow, to the Political Secretary to the Government of India, New Delhi.

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Commutation of the political pension of Mirza Aminuddin Bakht, a member of the ex-Royal family of Delhi.  
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7/14/34  
With reference to the Foreign and Political department's letter no.F.281(2)-G/34, dated March 14, 1934, I am directed to say that Mirza Aminuddin Bakht was a co-heir with Mst. Farzana Sultana Begum of Mst. Muhammdi Khanum who was in receipt of a political pension of Rs.9/-. On the death of Mst.Muhammdi Khanum one-third of her pension was resumed and the remainder was shared by her heirs, Rs.4/- going to Mirza Aminuddin Bakht and Rs.2/- to Mst. Farzana Sultana Begum.

2. In accordance with rule II of Chapter X of the Wasika Manual a further Rs.3/- of the pension will be resumed on the death of the present holders, and it may therefore be held that on a strict interpretation of this rule only Re.1/- of Mirza Aminuddin Bakht's pension is available for continuance. Mst. Farzana Sultana Begum has however died and her share has lapsed. It would therefore appear more equitable if of the Rs.3/- which is to be resumed on the death of the pensioners in the second generation, Re.1/- be deemed to have already been resumed with the lapsing of the share of Mst. Farzana Sultana Begum. Had there been only one heir of Mst. Muhammdi Khanum the amount of pension available for continuance on the death of that heir would have been Rs.3/-. As there were two heirs it would appear equitable that the amount to be resumed should be taken from the shares of the co-heirs in proportion to their shares and should not be deducted in its entirety from the share of the surviving co-heir.

I am, therefore, to ask that, if the Government of India agree, the commuted value of the Mirza's pension may be re-calculated and revised orders issued.

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TRUE COPY

*M. Banerji*  
Superintendent, Issue Branch,  
Foreign & Political Department

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No.F.281(2)-G/34.

From

The Deputy Secretary to the Government of India  
in the Foreign and Political Department,

To

The Chief Secretary to the Government of the  
United Provinces.

Dated Simla, the 27<sup>th</sup> July 1934.

Commutation of the political pension of  
Mirza Aminuddin Bakht, a member of the  
ex-royal family of Delhi.

Sir,

With reference to your letter No.1345, dated the 17th  
April 1934, I am directed to state that the Government of  
India have decided, after careful consideration, that the  
commuted value of the pension of Rs.4/- (rupees four) per  
mensem enjoyed by Mirza Aminuddin Bakht should stand at  
Rs.740/- (Seven hundred and forty) as already intimated.

I have the honour to be,

Sir,

Your most obedient servant,

Sd. C.G. Prior,

Deputy Secretary to the Government of India.

Copy, with a copy of the letter replied to, forwarded  
to the Finance Department, for information, with reference  
to the endorsement from the Foreign and Political Depart-  
ment No.F.281(2)-G/34, dated the 14th March 1934.

By order, etc.,



Deputy Secretary to the Government of India.

*No action is required. May be filed with*  
*Record with*  
*11/7*

*(Delhi)*

*20/7/34*  
*3296-Ex II*  
*30/7/34*