

~~Political~~ (189) Department.

ORDINARY MS.

G.O., No. 60.

DATED 24-8-98

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[Despatch Abstract.]

Malabar Marriage Act, 1896

Recording progs Abstract
reviewing report on the work
done under the ——— during
the year 1897-98

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BACK PAPERS.

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Government (1898) of Madras. PUBLIC.

Order no. 1022 dated 11-8-97
Order no. 1022 dated 24-8-98
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G.O., No. 1022, 11th August 1898.

AUGUST.

Malabar Marriage Act, IV of 1896.

Reviewing report on the work done under the — during the year 1897-98.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From the Hon'ble M.R.By. P. RAJARATNA MUDALIYAR, Diwan Bahadur, Registrar-General of Births, Deaths and Marriages, to the Chief Secretary to Government, dated Madras, 15th July 1898, No. 479-G.

I have the honour to submit a brief report on the work done under the Malabar Marriage Act, IV of 1896, during the year ending 31st March 1898.

2. Twenty-four notices of intention to register sambandhams were received during the year as compared with thirty-six received during the last two months of 1896-97. The decrease is easily explained. As yet, the Act has found favour only with a small section of even the educated classes of the community affected by it, and many of these took the earliest opportunity, after its publication in January 1897, to register their sambandhams. There was accordingly a falling off in the number that followed in the year under report, and it is more than probable that the number will be still fewer in the next few years and more. Though the Act does not contemplate any revolutionary changes, there is no disguising the fact that the mass of the population of the West Coast view it as an innovation which would eventually undermine their peculiar social fabric which has existed for centuries under the operation of the Marumakkatayam and Aliyasantana laws. They accordingly look upon the measure with considerable aversion and even suspicion. In my late tour through the district, I noticed that the prejudice was stronger in North Malabar than in the South, and that the very women who ought to welcome the change were the greatest opponents. This accounts for the much smaller number of notices of intention to register sambandhams received from that part of the district than from South Malabar, viz., 3 against 21 in the year under review, and 5 against 29 in the previous year. There is reason to hope, however, that these prejudices will gradually wear away, and that the advantages afforded by the new law will, in time, come to be duly appreciated by a larger number of Marumakkatayam families.

3. The annexed statement shows the number of notices received, the number of sambandhams registered, and the number pending disposal :—

Districts.	Number of notices pending disposal at the end of the previous year.	Number of notices received during the year.	Total.	Number of sambandhams registered.	Number of notices struck off, section 8 (4).	Number pending disposal at the end of the year.
Madras	..	..	..	..	..	..
South Canara	1	..	1	..	1	..
Tellicherry (North Malabar)	4	3	7	6	1	..
Calicut (South Malabar)	21	21	42	35	2	5
Total, 1897-98	26	24	50	41	4	5
Total, 1896-97	..	35	35	10	..	25

4. As in the previous year, the largest number of notices of intention to register sambandhams came from the Nayers, chiefly Government servants and vakils.

Districts.	Caste.				Profession.					
	Nayers.	Tiyas.	Others.	Total.	Government servants and pensioners.	Vakils, editors and medical practitioners.	Brots and landlords.	Merchants.	Others.	Total.
Madras	..	..	..	..	..	..	..	..	..	..
South Canara	..	..	..	..	..	..	..	..	..	..
Tellicherry	..	3	..	3	3	..	..	..	..	3
Calicut	21	..	..	21	9	5	4	1	2	21
Total for 1897-98	21	3	..	24	12	5	4	1	2	24
Total for 1896-97	28	6	2	36	18	9	3	1	5	36

* One editor. One medical practitioner.

† One landlord.

‡ One washerman.

5. Altogether 51 sambandhams have been registered as marriages under the Act between the date of its introduction in January 1897 and the 31st March 1898. The result may be considered to be on the whole satisfactory.

6. No objections were received in any of the cases registered and no suit has been filed for cancellation of registration.

7. The subjoined statement shows the receipts, remittance and expenditure during the past two years :—

Years.	Total fees collected.	Attendance fees retained by the registrars.	Amount disbursed to process-servers, &c.	Balance.	Amount remitted during the year.	Expenditure on account of notice boards.
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
1896-97	* 108 9 0	29 0 0	31 8 0	* 48 1 0	43 5 0	21 5 0
1897-98	248 3 0	110 8 0	23 2 0	114 9 0	† 119 5 0	6 12 0

* This is the correct figure.

† Includes Rs. 4-12-0 collected in 1896-97.

8. Referring to paragraph 10 of G.O., No. 1292, Public, dated 8th December 1896, I beg to state that all the registrars except that of Malappuram think that the appointment of adigaries and other representative members of the Tarwads as marriage registrars is not only unnecessary but inexpedient as explained in paragraph 8 of my last report. M.R.By. Sankara Nayar suggests that as a tentative measure one or two adigaries might be appointed marriage registrars and I have asked the registrars to select a few suitable persons for this duty. The question of appointing process-servers and granting clerical assistance to marriage registrars may lie over until the necessity actually arises. As yet, no difficulty has been felt for want of such assistance.

9. The District Registrars of Tellicherry and Calicut have again brought to notice the inconvenience caused by the restrictive provisions of section 5 of the Act in respect of jurisdiction referred to in paragraphs 10 and 11 of my last report. The Registrar of Tellicherry reports that in consequence of this provision a notice of intention to register received by him from the Sub-Registrar of Cannanore had to be struck off under section 8 (4), as the latter was unable to go with his family to Tellicherry to complete registration. I venture therefore to suggest that steps be taken to amend the Act as proposed in my last report.

ORDER—No. 1022, Public, dated 11th August 1898.

The report of the Registrar-General of Births, Deaths and Marriages on the work done under the Malabar Marriage Act, IV of 1896, during the year 1897-98, shows that although the legislation has not so far been fully appreciated, yet this is only what should be expected.

2. His Excellency the Governor in Council considers that adigaries and other representative members of the Tarwads should not be appointed as marriage registrars until there is a greater demand for registration. The Government agrees with the Registrar General that the appointment of process-servers and the grant of clerical assistance to marriage registrars may lie over until necessity arises for such appointments.

3. With regard to the proposed amendments of the Act, His Excellency the Governor in Council, after a careful consideration of the arguments adduced, is of opinion that sufficient reason does not exist to justify further legislation on the subject at present. Government will be in a better position to judge how far the alleged defects need to be remedied, when further experience in the working of the Act has been gained.

(True Extract.)

[Signature]
for Chief Secretary.

To the Registrar-General of Births, Deaths and Marriages.
" the Collector of Malabar.
" South Canara.
" M.R.Ey. C. Sankaran Nayar Ayargal.
" V. Chappan Menon
" the Legislative Department.

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READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURE TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DUTY

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