M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1173 Press Mis.

176-177

Dated 16-7-1860.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
16th July 1860.

No. 176. Read the following letter from Surgeon EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to J. D. BOURDILLON, Esq., Secretary to Government, Fort Saint George, dated 12th July 1860, No. 869 :—

1. I have the honor to report as follows, in reply to the Order of Government, No. 1,127, of 9th instant.

2. In Mahomedan Law, all children born in marriage have equal rights : in India, therefore, where women are married either simply by the Nikka ceremonial or by the additional display in the Shádi or rejoicings, the Law does not recognise any distinction in the rights of the children from Nikka or Shádi wives. But, in the social customs of the Mahomedans of Southern India, a great distinction is made between the offspring of the two marriages.

3. A Nikka wife never receives even in her household, the same amount of respect from relatives ; and never receives from her husband an equal monthly allowance to that of a Shádi wife. The Nikka and Shádi children in their father's households, receive equal courtesy from relatives, because they are then looked upon, alike, as the children of the master of the house. But a father never grants to Nikka children allowances equal to those which he apportions to his Shádi children. And when parents are seeking for suitable marriages for their children, Nikka offspring are regarded as greatly inferior in social rank to Shádi offspring, and the taint of the Nikka marriage is remembered for generations. I use the word taint because men who marry by the Nikka ceremony take such Nikka wives from families of inferior rank to themselves, or from women of very low position, while the wives who are married by the Shádi ceremony are always of equal rank to the men. As a rule, therefore, it might be stated that Nikka wives and Nikka children do not receive incomes equal to those of the Shádi relation ; that the courtesies and respect shown to them in their families and by the outer world, are greatly less than those which Shádi wives and children receive.

4. It was doubtless this position of the two classes, which led Lord Clive in 1801 to grant to the Shádi sons of Nabob Muhammad Áli, incomes of Rupees 50,000 per annum, while only Rupees 10,000 per annum, were allotted to Nikka sons. Also to Shádi daughters Rupees 25,000 per annum, but to Nikka wives and Nikka daughters only Rupees 5,000 per annum, and this principle or scale has been followed amongst the Carnatic Stipendiaries during the last sixty years.

No. 177. ORDER THEREON, 16th July 1860, No. 1,173.

This letter will be communicated to the Board of Revenue, with reference to the Order of 9th instant, No. 1,127. Under the opinion expressed by Mr. Balfour, the Government resolve to recognize Mansúr-ud-daula the eldest son by the Shádi wife, as head of the family of the deceased Kutub-ud-daula ; and they accordingly direct that the pension be registered in his name and be paid to him.

(Signed) J. D. BOURDILLON,
Secretary to Government.

Pro: for July 1860 Nº 87-88-

11-6-12

27-11-17

Sect: Cons. 29: Sept: 1801.
Ch. 1.

R. 2d Oct: 1821. Ro 3-6.
27: June 1823. Ro 4-5.
2: Dec: 1829. Re 16-17.

30-9-10

Pro: of the Bd of Rev: 28 January 62 C Nº 327 in
Pro: of the Board of Revenue
Nº 10 July 1868 Nº 2414
17/12/68

Nº 176 & 177.

Revenue Department
Pro: of Govt: for July 1860
From Nº 1416

The Government Agent at Chepank,
and Paymaster of Carnatic Stipends.

To

J. D. Bourchier Esqr
Secretary to Government
Fort St George

Dated 12th July 1860
Recd 13th " 1860
Nº 1173-16 July No. 869 of 1860.

In reply to the Order of Government Nº 1127 of 9th Instant, I submit this report as to the law and custom in Muhsalman families of rank with respect to the rights of children by Nikka marriage. 2

Fort St. Geo
16 July 1860

11 Copies - Board of Revenue
3 " Civil Auditor

Encl: Nº 2667/25 Oct 1860

Encl: Some
Under orders

Nº 1173

This letter will be communicated to the Board of Revenue with reference to the order of 9th Instant, Nº 1127 - Under the opinion expressed by Mr Balfour, the Government resolve to recognize Mansur uddaudah the eldest son by the Shádi wife, as head of the family of the deceased Kentubuddaulah; and they accordingly direct that the pension be registered in his name and be paid to him.

617] Madras—Printed at the Government Press.

With an order