CHAPTER - VII

PROHIBITED DEGREES OF MEITEI MARRIAGE AND ITS IMPORTANCE TO THE CUSTOMARY MARRIAGE PRACTICES

Before the Enforcement of the Hindu Marriage Act, 1955

According to Meitei customs there are several surnames among whom there cannot be a valid marriage. They are said to be within the prohibited degrees of Meitei marriage. These prohibited degrees may be classified as follows:

1. Yek tinnaba
2. Shairuk tinnaba
3. Pee tinnaba
4. Pen tinnaba
5. Leinung pen tinnaba
6. Mungnaba
7. Ngaknaba

1. Yek Tinnaba

Yek-salai (clan) means the kinship relation of the clan and lineages and sublineages having a common ancestor. In other words, yek-salai means surnames having a common ancestor and the relationship so established thereof. Meitets have seven yek-salais viz.

(i) Mangang (Ningthoujas)
(ii) Luwang
(iii) Khuman
(iv) Angom
(v) Moirang
(vi) Kha-Nganba
(vii) Sarang Leishangthem

Yek-tinnaba means surnames of the same yek-salai. The persons belonging to the same yek-salais cannot marry each other. During the monarchial system in Manipur, the persons who married in contravention of this custom were exiled to Haojongpal and other remote places.¹

Many instances of exile were recorded in the Cheitharol Kumbaba (Royal chronicle) during the king’s reign. Some of them are -

1. On 24th. Inga., Thangja (Saturday), 1978 marriage between persons of Tourangbam and Ayekpam were prohibited and they were exiled to Haojongpal.²

2. On 29th Kalen, Nungmatjing (Sunday), 1870, Soram and Naoroibam were exiled to Haojongpal.³

3. On 28th Hiyanggei, Irai (Friday) 1878, Yanglem and Laishram were exiled to Haojongpal.⁴

It is believed that the persons of the same yek-salai are the descendants of the same blood. So, marriage is strictly prohibited among them. But as an exception to this rule people of the same yek-salai can intermarry if the

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³ ibid, p 389.
⁴ ibid, p.439
bride happens to be Mitaya Ariba or Nongpokharam and the bridegroom Nongchupharam. It is for this reason is that Mitaya Ningthouja marries a Mayang Ningthouja.\(^5\) Probably the reason is that though Mitaya Ariba and Nongchupharam belong to the same by merger, scientifically there is no common origin (stock) by blood. The prohibition on same yek is based on the concept of blood relationship. If there is no inherent blood relationship between two persons, their marriage may not be debarred merely on the ground of same yek-salai.

2. Shairuk Tinnaba

*Shairuk tinnaba* means persons belonging to the same *Sahiruk* (clan). This is also called as *Salai lotpa* (*Salai* concealed). *Shairuk tinnaba* is of manifold nature

(i) *Yek's shairuk tinnaba* e.g. old Moirang and old Chenglei khaba Nganba are of the same *shairuk*, prohibited to inter-marriage.

(ii) *Shairuk tinnaba* with curse. They are those descendents whose ancestors at one time promised not to do inter-marriage between their descendents. It was so happened from an incidence causing their lives saved from killing as war victims by the winners in the battle field.

There are four notable *shairuks* since time immemorial whose descendents cannot marry to each other. They are first Mungyamcha, Lairencham and Kanghujam surnames being scheduled as Mangang Salai irrespective of their yek-salai; secondly, Moirang Anouba and Angom Salai; thirdly, Sarang

\(^5\) Supra note 2 at p. 15.
Leishangthem, Khaba Nganba, Haorok Konthou and Moirang Ariba and lastly Achom Yumlembam, Hidam and Langmaithem Tellotpa Shangbam of khaba and Angom salai respectively.⁶

Shairuk Tinnaba is divided into two viz, Shairuk Achouba and Shairuk Macha. Shairuk Achouba is on the male line and blood relationship. In the Meitei archaic language it is called as Macheng Pachama, Kairei Mayellu. The descendants of the same father but of different mothers of different yek-salai are also called Shairuk Achouba.⁷ Shairuk Macha is on the female line. It is also called Pee tinnaba or Pen Tinnaba. Ordinarily Pen Tinnaba excluding Leinung Pentinnaba is called Shairuk Macha.⁸

The list of the Shairuk Tinnaba with their respective surnames are given below:

(a) Mungyangjam and Loirenjam of Moirang Ariba with Ningthouja Yek. Because they are the descendants of Nongda Lairen Pakhangba.⁹

(b) Mungyangjam and Loirenjam of Moirang Ariba with Yumkhaibam of Angom yek.¹⁰


Note: The people who came with Poireiton and who came down from hills are known as Mitaya Ariba. Subsequently in the historic age many people from the East and many from the west were forced to settle in Manipur as war captives and some were brought by good kings of Manipur to have the caste duty done by them. Those who came from the West were known as Nongchupharam and those came from the East Nongpokharam. They were all merged to the Manipuri community. When these strangers became merged into the Manipuri community they belonged to one of the yeks. (ref. L. Ibungohal Singh, op.cit.), pp.14 –15.
(c) Kanghujam with Ningthouja Salai. Because Kanghujam is taken as the surname of Ningthouja Ariba Yek. Kanghujam female is called Wangngam Lakhimom and female of Ningthouja Salai is called Wangamlon.\(^{11}\)


(e) All surnames of Moirang yek with Aheibam, Hentakpam, Haobijam, Thinbam, Langgeljam, Sanjiram, Kabolambam, Khaidem and Khukukcham with Nganba yek.

\(^{11}\) N.Khelchandra Singh, 'Meitei Samajda Chatnaba Louna Leinabagi Pathap'. (MS); N.Khelchandra Singh, op cit. p.24.
(f) All surnames of Moirang yek with Khuraijam of Khaba yek (descendants of Khaba Nongalba).

(g) Lousikam, Heiwam, Loitam, Meinam, Sorokkhaibam and Khuraijam of Sarang Leishangthem yek with Konthoujam, Konjengbam, Loktonbam, Yanggoibam and Henmoibam of Chenglei yek.

(h) The above mentioned surnames of Sarang Leishangthem and Changlei yek (mentioned in (g)) with 9 surnames of Nganba yek (mentioned in (e) above).

(i) The above mentioned surnames of Sarang Leishangthem and Changlei yek (mentioned in (g) above) with Khuraijam of Khaba yek (descendants of Khaba Nongalba).

(j) The above mentioned surnames of Sarang Leishangthem and Changlei yek (mentioned in (g) above) with Meihoubam, Tekcham, Thongam and Thamangjam of Nganba Salai.12


12. Supra note 10 at pp.144-146
(l) All surnames of Luwang yek with Oinam, Maimom, Aheibam, Moichem, and Laishram of Khuman yek.\(^{13}\)

(m) Meihoubam, Tekcham, Thongngam and Thamangjam of Nganba Salai with Wakongthem, Khunjanmayum, Kambongthem, Thangjam and Khumukcham of Luwang yek.\(^{14}\)

(n) Haokongbam, Laikujam, Yoirenbam, Konjengbam, Akuwam and Lisham of Moirang yek with Mayanglambam of Nganba Salai.

(o) Laimujam, Lambujam, Wangbijam, Kangbijam, Nganglem, Nungleppam, Thangajam, Ningthoukhongjam, Konkham, Moirangkeithellakpam, Okram, Yaikhom, Kumabam, Wayenbam, Chakpatabam and Melem of Moirang yek with Khuraijam and Nongjengbam of Khaba Salai.

(p) Khuraijam and Nungjenbam of Khaba salai with Meitram of Luwang yek.


(r) Loktonbam of Chenglei with all surnames of Moirang yek.

(s) Khuraijam and Nongjengbam of Khaba Salai with Thokchom, Polem, Pukhrambam and Soibam of Moirang Anouba.

(t) Laiphrakpam, Lairenmayum, Ngangom, Khoainajam, Wangkhem, Hidam and Khomdram of Moirang yek with Khuyonthem and Mungkhom of Angom yek.

(u) Mungyangjam of Moirang yek with Ningombam and Laitonjam of Angom yek.\(^{15}\)

\(^{13}\) ibid. pp 146-148.; Atombapu Sharma, Meihourol Sakok Amasung Paknaba Yengbagi Maru Oiba Wayen, p.4

\(^{14}\) Supra note 12 at p.148

\(^{15}\) ibid. pp.148-149.
(v) **Naorem** with all surnames of **Chenglei (Sarang Leishangthem)**. **Naorem** is **Chenglei yek** because king **Naethingkhong** (663 A.D - 763 A.D) approved and recognized a person of **Naorem** as his son and he was converted to **Ningthouja yek**. So descendants of **Naorem** blood cannot marry with a person of **Sarang Leishangthem**.\(^{16}\)

(w) **Khoknam, Kambam, Thoibam, Sambanduram, Kojiam, Ningombam, Laitonjam and Huirem of Angom yek** with all the surnames of **Luwang yek**.

(x) **Thoubal Taba Waikhom** of **Ningthouja** with **Waikhom** of **Luwang**, **Thoubal Taba Waikhom is Nongchup Haram**.\(^{17}\)

(y) **Khuraijam** of **Khaba Nganba** with **Huidrom** of **Ningthouja yek**.

(z) **Khuraijam** of **Khaba Nganba yek** with **Nganbam** of **Moirang yek**.

(aa) **Khuraijam** of **Khaba Nganba yek** with **Hijam** of **Luwang yek**.

(bb) **Khuraijam** of **Khaba Nganba yek** with **Leimapokpam** of **Ningthouja yek**.\(^{18}\)

(cc) **Huidrom** of **Ningthouja yek** with **Langoljam** of **Nganba yek**.\(^{19}\)

(dd) **Leimapokpam** of **Ningthouja yek** with **Oinam** of **Khuman yek**.

(ee) **Yenkokpam** of **Ningthouja yek** with **Wangbijam** of **Nganba yek**.\(^{20}\)

(ff) **Langpoklakpam** of **Ningthouja yek** with **Salam** of **Luwang yek**.\(^{21}\)

(gg) **Haorongbam, Konjengbam, Laikujam, Okram, Loirenjam, Mungyangjam and Lisham of Moirang yek** with **Khuraijam** of **Khaba Nganba yek**.

(hh) The above mentioned 7 surnames of **Moirang yek** (mentioned in (gg) above) with **Huidrom and Leimapokpam** of **Ningthouja yek**.

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17. Atombapu Sharrmas op. cit. pp-8-9
18 Kalachand Singh, op. cit. p-153.
19. ibid p. 150.
20. ibid p.149.
21. Supra note 17 at p.9.
(ii) The same 7 surnames of Moirang yek with Hijam and Ngangom of Luwang yek. The above mentioned 7 surnames of Moirang yek are given as Moirang Salai, the descendants of Khwanghanba.

(jj) Konthoujam and Loktonbam of Sarang Leishangthem (Khaba Chenglei) with all surnames of Moirang yek-salai.

3. Pee Tinnaba

The meaning of Pee Tinnaba means descendants of the same Pee (mother). It is a kind of Shairuk Macha Tinnaba as it is also on the female line of blood relationship. It may be caused by a woman having issues by more than one husband.

The list of Pee Tinnaba with their respective surnames are given below:

(a) Charoibam of Ningthouja yek with Moirang Pukhrambam of Moirang yek.
(b) Chingamakha taba Irom of Ningthouja yek with Loklaobung taba Laishram of Khuman yek.
(c) Leishangthem taba Samthibam of Ningthouja yek with Moirangthem of Moirang yek.
(d) Arubam of Luwang yek with Akham of Khuman yek.
(e) Laimanai Thounaojam of Luwang yek with Yombidok taba Konthoujam of Sarang Leishangthem (Chenglei).
(f) Phammihanbam of Luwang yek with Hoidrom of Ningthouja yek.
(g) Phammihanbam of Luwang yek with Yumnam of Ningthouja yek.
(h) Ngangom of Luwang yek with Yensembam of Ningthouja yek.

22 Supra note 18 at p.158.
23 Supra note 21 at p. 10
(i)  *Salam of Luwang yek with Yumnam Moibunglokpam of Ningthouja yek.*

(j)  *Hijam of Luwang yek with Leimapokpam of Ningthouja yek.*

(k)  *Yairipok tabla Hijam of Luwang yek with Sanabam of Ningthouja yek.*

(l)  *Thangmeiband tabla Soram of Luwang yek with Nambul Mapan tabla Keisam of Ningthouja yek.*

(m)  *Thoknaojam of Luwang yek with Maibam of Khuman yek.*

(n)  *Leisangthem tabla Ngangom of Luwang yek with Huidrom of Ningthouja yek.*

(o)  *Luwang yek hanba Angtha tabla Kshetrikhana (descendants of Chaobam Manikhomba) of Luwang yek with Uchekon tabla Laishram of Khuman yek.*

(p)  *Luwang yek Hanba Kshetri Sanjimayum (descendants of Pattra Singh) with Uchekkon tabla Laishram of Khuman yek.*

4. *Pen tinnaba (Pendinnaba)*

Pen tinnaba means descendants of the same *Mabok* (maternal grandmother). In other words, *Pen tinnaba* means persons belonging to different *yek salais* but having a common maternal grandmother. It may be caused by the following ways -

(a)  When the mothers are the sisters.

   e.g.

   ![Family Tree Diagram](image)

   Here $D_1$ and $D_2$ are the sisters and $X$ and $Y$ are the bridegroom and bride.

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(b) When one is the child of Mother’s brother.

   e.g.

   \[ \text{G.M. (Maternal Grand Mother)} \]
   \[ \text{M} \quad \text{MB} \]
   \[ \text{X} \quad \text{Y}^+ \]

   M and MB are the mother and mother’s brother i.e., M and MB
   are the brother and sister of the same mother G.M.

(c) When one is the child of father’s sister.

   e.g.

   \[ \text{G.M. (Maternal Grand Mother)} \]
   \[ \text{F} \quad \text{FS} \]
   \[ \text{X} \quad \text{Y}^+ \]

   F and FS are the father and father’s sister.

   This prohibition is extended up to the third generation including the bridegroom’s
   and bride’s generation.\(^{25}\)

   The list of the Pen tinnaba with their respective surnames are given below;

   (a) All the surnames of Ningthouja yek with Naorem of Sarang Leishangthem
       (Chengleti) as king Naotihngkhong adopted a Naorem blood as his son and
       this child and his descendants merged to Ningthouja yek.

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(b) Atom of Ningthouja yek with Maikam of Khuman yek.

c) Paonam of Ningthouja yek with Laingamtaba, Thangjam and Khagokpam of Sarang Leishangthem.

d) Paonam of Ningthouja yek with Kshetri Sanjiram of Nongchup Haram.

e) Sawombung taba Leimapokpam of Ningthouja yek with Oinam of Khuman yek.

(f) Haokham of Ningthouja yek with Salai taba Salam of Luwang yek.

g) Atom, Paonam, Leimapokpam and Yengkokpam of Ningthouja yek with Meikam and Oinam of Khuman yek.

(h) Atom, Paonam, Leimapokpam and Yenkokppam of Ningthouja yek with Wahengbam of Nganba yek.

(i) Charoibam of Ningthouja yek with Langgoljam of Nganba yek

(j) Tensubam of Ningthouja yek with Amakcham of Khuman yek.

(k) Tensubam of Ningthouja yek with Oinam of Khuman yek.

(l) Ngairangbam (Nongchup Haram) of Ningthoua yek with Khulem of Khuman yek.

(m) Yairipok taba Keisam (Nongchup Haram) of Ningthouja yek with Phougeisangbam of Moirang Anouba.

(n) Waikhom of Ningthouja yek with Sansenbam of Khuman yek.

(o) Sanasam of Ningthouja yek with Oinam Awangtaba of Khuman yek.

(p) Takyen Mapan taba Yenkokpam of Ningthouja yek with Wangbijam of Nganba yek.

(q) Wangkheirakpam of Ningthouja yek with Moirangthem taba Haobam of Khuman yek.

(r) All the surnames of the Angom yek with Soibam of Moirang Anouba.

(s) Wangkhem of Angom yek with Haobam of Khuman yek.

(t) Mungkhom of Angom yek with Leisangthem and Sarangthem of Sarang Leishopangthem.
(u) All the surnames of Angom yek with Khuyonthem, Mungkhom, Kiyam, Putonjam, Sangtonjam and Sangngambam of Moirang yek.

(v) All the surnames of Angom yek with Khoknam, Khoibam Sambuduram, Kambam, Ningngombam, Laitonjam and Huirem of Luwang Phantek.

(w) Ngangom Chingsomba Phungga of Luwang yek with Kabo Kengngoi Mayum.

(x) Satpam of Khuman yek with Ningthoukhongjam of Moirang yek. Here, Ningthoukhongjam signifies Ningthoukhongjam Manjor Premananda’s blood. This prohibition is not applied to other Ningthoukhongjam surnames.

(y) Hawaiabam of Khuman yek with Wangkheirakpam of Ningthouja yek.

(z) Haobam of Khuman yek with Khwangthem of Moirang yek.

(aa) Uchekkon taba Laishram of Khuman yek with Kshtri Khanachaobam of Nongchup Haram.

(bb) Uchekkon taba Laishram of Khuman yek with Kshtri Sanajimayum of Nongchup Haram.

(cc) Moirangthem taba Hawaiabam of Khuman yek with Wangkheirakpam of Ningthouja yek.

(dd) Leishangthem taba Ngangngom of Moirang Salai with Huidrom of Ningthouja yek.

(ee) Ngangngom of Moirang Salai with Hijam of Luwang Salai.

(ff) Ngangngom of Moirang Salai with Khuraijam of Nganba Salai.

(gg) All the surnames of Chenglei yek with Loktonbam and Konthoujam.

(hh) Yairipok taba Potsangbam with Ningthoukhongjam.26

26. Supra note 22 at pp.149-154.
5. Leinung Pentinnaba

*Leinung Pentinnaba* means descendants of the same great grand mother how high so ever. It may be caused by a woman having issues of more than one husband. The issues of such woman though they belong to different *vek-salais* are nothing but uterine brothers and sisters. Thus, the descendants of uterine brothers born of the great grand mother by more than one husband are said to be within the prohibited degrees called "*Leinung Pentinnaba*".

e.g. *Pureilemmusu*, sister of *Pureiroba Angou* born *Khamjingkon* from her first husband. Then she married to *Khaba Yupoiroi* and born *Krumkoiba* to them. *Khamchingkon* became *Nganba yek-salai* and spreaded it. Through his descendants likewise *Krimkoiba* spreaded *Khaba yek-salai*. So, *Khaba* and *Nganba yek-salais* are Leinung Pentinnaba.27

\[ \text{G.G.M. (Great Grand Mother)} \]

\[ \begin{array}{ccc}
    & S_1 & S_2 \\
    & S_1S_1 & S_2S_2 \\
    S_1, S_1S_1 & S_2S_2 & \text{(Male)} & \text{(Female)} \\
    \hline
    & S_1 & S_2 \\
    & S_1S_1 & S_2D \\
    S_1, S_1S_1 & S_2DD & \text{(Male)} & \text{(Female)}
\end{array} \]

S$_1$ and S$_2$ are the uterine brothers and S$_1$S$_1$S$_1$, S$_2$S$_2$D & S$_2$DD are *Leinung Pentinnaba*.

27. Supra note 21 at p.10
The *Leining Pentinnaba* of different yeks with their respective surnames are given below:

(a) *Kansabam, Akoijam/Koijam, Ningombam, Laitonjam and Huirem of Angom Salai* (descendants of *Khoidom*) with *Khoknam, Sampaduram, Khoibam of Luwang Salai*. (descendants of *Mandom*)


(c) *Thokchom, Soibam (Pukhrambam), Singkhaibam, Moirangkeithellakpam, Thangjam Ngangkham, Moirangmayum, Aheibam Lairenmayum, Laiphraekpam, Khoiraijam, Leimacham, Moirangkhwairakpam, Hidam of Moirang Anouba yek with Khuyonthem, Mungkham, Khoircmgbam, Lisam, Moirangleirenmayum, Toupokcham, Putolcham and Sangdonjam of Moirang yek.*

(d) *Naorem (merged to Ningthouja) with all surnames of Sarang Leishangthem.*

(e) *Yenkhom of Takyen Mapan Taba Ninthouja yek with Wangbijam of Moirang yek.*

(f) *Irom of Ningthouja yek with Laishram of Khuman yek.*

(g) *Santhibam of Ningthouja yek with Moirangthem of Moirang Yek.*

(h) *Leiyujam, Nambujam, Wangbijam, Kangbijam, Ngangom, Nungleppam, Thangajam, Ningthoukhongjam, Konkham, Moirangkeithellakpam, Okram, Yaikhom, Kumabam, Wayenbam, Chakpatabam and Melem with Loktonbam.*

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28. Supra note 9 at pp.98-99.
(i) Kasabam, Akoijam/Koijam, Ningngombam, Laitonjam and Huirem of Angom Yek with all the surnames of Luwang Yek.

(j) Nongjengbam and Khuaian of Khaba Salai with all the surnames of Nganba Salai.

(k) Hijam and Salam of Luwang yek with Oinam, Maimom, Langheibam, Moichem and Laishram of Khuman yek.  

6. **Mungnaba**

Mungnaba means persons (descendants) having a common maternal grandmother of the fifth degree and also the persons falling within three different surnames with a common maternal grandmother (i.e. within third degree). Mungnaba is of two types viz, Ee-mungnaba and Minggou mungnaba.

In other words, the persons within five degrees of relationship from two full sisters as first degree and also the persons within three degrees of relationship from two cousin sisters as first degree whose fathers are full brothers or uterine brothers are called Mungnaba. The above mentioned Mungnaba is called Ee-mungnaba. If a male marries with a female whose name is similar to that of mother's name or if a female marries with a male whose name is similar to that of father's name is called Minggou mungnaba.

\[ \text{G.P. (Grand parents)} \]

\[ \begin{align*}
\text{1st degree} & \quad D_1 \quad D_2 \\
\text{2nd degree} & \quad D_{11} \quad D_{12} \quad D_{21} \quad D_{22} \\
\text{3rd degree} & \quad D_{111} \quad D_{112} \quad D_{121} \quad D_{122} \\
\text{4th degree} & \quad D_{1111} \quad D_{1112} \quad D_{1121} \quad D_{1122} \\
\text{5th degree} & \quad D_{11111} \quad D_{11112} \quad D_{11121} \quad D_{11122} \\
\end{align*} \]

\[ \text{G.P. (Grand parents)} \]

\[ \begin{align*}
\text{1st degree} & \quad S_1 \quad S_2 \\
\text{2nd degree} & \quad S_{11} \quad S_{12} \quad S_{21} \quad S_{22} \\
\text{3rd degree} & \quad S_{111} \quad S_{112} \quad S_{121} \quad S_{122} \\
\text{4th degree} & \quad S_{1111} \quad S_{1112} \quad S_{1121} \quad S_{1122} \\
\end{align*} \]

\[ \begin{align*}
\text{Male} & \quad D_1 \quad D_2 \\
\text{Female} & \quad D_{11} \quad D_{21} \\
\end{align*} \]

\[ \begin{align*}
\text{Male} & \quad S_1 \quad S_2 \\
\text{Female} & \quad S_{11} \quad S_{21} \\
\end{align*} \]

\( D_1 \) & \( D_2 \) are full blood sisters and \( S_1 \)\( D \) and \( S_2 \)\( D \) are cousin sisters.

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29 Supra note 26 at 148-150
30 Supra note 25 at p.23
31 Sambandha Nirnoy (MS).
7. Ngaknaba

It is a prohibition between two surnames of two different yek-salais. Though they do not have any blood relationship, the descendants of these two surnames regard themselves as near kins and accordingly their intermarriage is prohibited. It may be caused by showing respect and honour between two surnames in consideration of saving life in war, teaching as Guru and adopting as natural wards. 32

The Ngaknaba of different yeks with their respective surnames are given below:

(a) Leiyubam, Lambujam, Wangbijam, Kangbijam, Nganglon, Nungleppam, Thangajam, Ningthoukhongjam, Konkham, Moirangkeithellakpam, Okram, Waikhom, Kumabam, Wayenbam, Chakpatabam and Melem of Moirang Ariba yek with Moirang Anouba yek (descendants of Kouba Angangnga)

(b) Haokhom of Ningthouja yek with Salam of Luwang yek

(c) Irorn Chingamakha taba of Ningthouja yek with Amakcham of Khuman yek. 33

(d) Huidrom of Ningthouja yek with Amakcham of Khuman yek.

(e) Leirenlakpam with all the surnames of Angom yek. 34

(f) Putonjam and Sangdonjam of Moirang yek with all the surnames of Angom yek.

(g) Hijam and Salam of Luwang yek with Thangjam of Angom yek. 35

(h) Haobam of Khuman yek with Thangjam and Nongthombam of Luwang yek.

(i) Waikhom of Luwang yek with Akham of Khuman yek.

32. Supra note 27 at p.8
33. Supra note 10 at p.150.
34. Supra note 32 at p.6.
35. Supra note 33 at p.150.
(j) Kshetrikhana Chaobam with Nongchup Haram Moirang Inba Uchekon taba Laishram.\textsuperscript{36}

(k) Salam of Luwang yek with Maibam of Khuman yek

(l) Yenkhom of Ninthouja yek with Samjetsabam Hajari (Nongpok Haram) and Konthoujam of Chenglei yek.\textsuperscript{37}

The above discussed traditional Meitei customs on prohibition of marriage are on the same footing of prohibited degree of relationship and sapinda relationship of the Hindu Marriage Act, 1955 as both systems are based on blood relationship at a large. The only difference between the two systems is that the prohibition on Meitei marriage is more exhaustive than that of Hindu law.

During the historic period of Manipur, several migrants came from East and West and they situated in Manipur with the kind permission of the kings. Some of them merged into Meitei traditional Yek-salai. Still after the forceful conversion of Meiteis to Hinduism, some of these migrants do not have any Yek-salai but Gotra e.g, Meitei Bamons(Brahmins), Lairikyengbam and Kshetrimayum. So for the uniform application of these norms of prohibition to all the Meiteis irrespective of Mitaya Ariba (original Meitei) and migrants a modified from of customs of intermarriage based on Manusanghita of Aryan Hindu was enforced on 10th. Inga, Yumsakeisa (wednesday), Purnyajatra, 1790 (Cheithaba by Kakching Keithen, Sakabta, 1712). This newly enforced rule of prohibition is known as “Sambandha Nirnya”.\textsuperscript{38} Inspite of the Sambandha Nirnya which was recently came into operation amongst the Manipuri Hindus,

\begin{footnotes}
\item[36.] ibid p 158.
\item[37.] Supra note 34 at p.10.
\item[38.] B. Kullachandra Sharma, Meiteigee Luhongba Amasung Louna Leinabagi Wayen Wakhun, (1st edition, 1998), p.122
\end{footnotes}
still the Meiteis follow their traditional custom of prohibition of marriage based on yek-salai system but not on Gotra system.

**After the Enforcement of the Hindu Marriage Act, 1955**

(a) **Degree of prohibition relationship**

The degrees of prohibited relationship are defined under Section 3(g) of the Hindu Marriage Act, 1955, which states that two persons are said to be within the degrees of prohibited relationship -

(i) If one is a linear descendant of the other; or

(ii) If one was the wife or husband of a linear ascendant or descendant of the other; or

(iii) If one was the wife of the brother or of the father’s or mother’s brother or of the grandfather’s or grandmother’s brother of the other; or

(iv) If the two are brother and sister, uncle and niece, aunt and nephew, or children of brother and sister or of two brothers or of two sisters.

It is made clear that relationship under the clause includes relationship half or uterine blood as well as by full blood, illegitimate blood relationship as well as legitimate and relationship by adoption as well as by blood.39

(b) **Sapinda relationship**

Sapinda relationship is defined under section 3(f) of the Hindu Marriage Act, 1955, which states that -

(i) Sapinda relationship with reference to any person extends as far as the third generation (inclusive) in the line of ascend through the mother, and the fifth (inclusive) in the line of ascend through the father, the line

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being traced upwards in each case from the person concerned, who is to be counted as the first generation:

(ii) two persons are said to be 'Sapinda' of each other if one is a linear ascendant of the other within the limits of Sapinda relationship, or if they have a common linear ascendant reference to each of them.

Though the Shastras prescribed the seven degrees rule on the father’s side and five through the mother, the Act makes it five and three degrees respectively. The Act provides for locating the common ancestor first and it should be ascertained whether relationship to him is to be traced through the father or mother of the boy or girl to be married. If it is to be traced through the father, the common ancestor should be within five degrees, the boy or the girl and the common ancestor being each counted one degree. If on the other hand the relationship is to be traced through the mother the common ancestor must be within three degrees, the calculation being made in a similar manner. In deciding Sapinda relationship, relationship by half or uterine blood as well as by full blood and legitimate and illegitimate relationship as well are to be counted.40

Legal Affects of Non-compliance of Meitei Personal Law of Prohibited Degrees of Marriage.

Some provisions of the Hindu Marriage Act, 1955 like section 5(iv), 5(v), 7 and 11 protect the customs of a community. In combined analysis of these sections it is revealed that by performing only even the actual customary ceremony of marriage of a community it will not validate the marriage if it

contravenes section 11 of the Act. Section 11 of the Act lays down that any marriage solemnized after the commencement of this Act, shall be null and void if it contravenes any one of the conditions specified in clauses (i), (iv) and (v) of section 5. Sections 5 (iv) & 5 (v) talk about degrees of prohibited relationship and Sapinda relationship respectively. But these two clauses are not mandatory in the sense that they will not be strictly applied in case where the custom or usage of a community permits such a marriage even if the parties are within the degrees of prohibited relationship or are Sapindas to each other as the case may be. It is signified by the ending words of the two clauses “unless the custom or the usage governing each of them permits of marriage between the two”. Therefore, for analyzing the legal validity of *Meitei* marriage it is noteworthy to examine the *Meitei* customary prohibited degrees of marriage of their own.

Even before the enforcement of the Hindu Marriage Act, 1955 the marriage between two persons who are within any one of the above mentioned prohibited degrees of marriage particularly 'yek-tinnaba' was strictly forbidden by the *Meiteis*. It is a very old traditional custom of the *Meiteis* which is still practising. Some illustrative instances are discussed here to show that this custom has been practising among the *Meiteis* since very long back. In 1796 *Sakabta*, (1874 A.D), 2nd Inga (May-June), *Nungmaiching* (Sunday), all the *Pibas* of the seven *Salais* were called up by the king at the *Mandop* of *Govindaji* with all the assemblies of the Brahmins, *Cheirap*, *Garot*, all the nobles and officials and the king ordered that marriages between the forbidden degrees, *salais* and *gotras* should not take place, as it had increased the number of widows
and caused calamity in the land.41 If they violated this customary law they were 
penanced, excommunicated and exiled as outcast. Of them the *Yek-salai* 
relationship was considered the most important because of its wide range of legal 
boundary covering all the tribes belonging to *Meiteis*. Some of the penanced 
mariage in contravention of the above rule were recorded in the *Cheitharol 
Kumbaba* (Royal Chronicle):

1. On 23rd, *Sajiphu, Ningthoukaba* (Monday), *Sakabta* 1710 (1788 A.D) one 
   *Loitongbam* male was exiled at *Ithai* for marrying his elder sister-in-law.42

2. On 11th, *Hiyanggei, Irai* (Friday), *Sakabta* 1789 (1867 A.D.) *Thokchom Chirai 
   Lallupchingba* was exiled at *Haojongpal* for marrying his younger sister-in- 
law.43

3. On 24th, *Ingnga, Thangja* (Saturday), *Sakabta* 1791 (1869 A.D.) *Tourangbam* and 
   *Ayekpam* surnames were outcasted as *Haojongpan* for their intermarriage.44

4. On 21st, *Poinu, Yumsakeisa* (Wednesday), *Sakabta* 1792 (1870 A.D) one 
   *Laishram* male was outcasted as *Haojongpan* for marrying his daughter-in-
law *Thongam* female.45

5. On 28th *Hiyanggei, Irai* (Friday) *Sakabta* 1800 (1878 A.D) *Yanglem* and 
   *Laishram* were exiled to *Haojongpal* for their intermarriage.46

6. On 13th *Ingen, Irai* (Friday), *Sakabta* 1800 (1878 A.D) *Yenkokpam* and 
   *Sanasam* were exiled at *Haojongpal* for their intermarriage.47

41. L. Ibungohal Singh and N. khelchandra Singh (eds.), *Cheitharol Kumbaba*, (1st edition, 
42. ibid, p 139.
43. ibid, p.372.
44. ibid, p.382.
45. ibid, p.389.
46. ibid p.443.
47. ibid, p.441
It was probably during the reign of Garib Niwaz when the Brahmanical system of Gotras of Hindu system was introduced. Shanti Das introduced the Gotra for the seven yeks or the clans of the Meiteis.

(a) Ningthouja, the King's dynasty (Mangang) - Shandilya gotra
(b) Angom - Kaushika gotra
(c) Chenglei (Sarang Leishangthem) - Bhardhwaja gotra
(d) Luwang - Kashyap gotra
(e) Khuman - Madhugalya gotra
(f) Moirang - Atreya gotra
(g) Khaba-Nganba - Gautam gotra

The exact position of the restriction on choice of marriage partner (if there were any) in the pre-Hindu period is obscure. If we recall that in the earlier period the yeks were often at war with each other it seems likely, although not impossible, that rigid exogamy was custom. If this were the case, prohibition of marriage between certain Gotras, as well as between certain well-defined degrees of relationship was an innovation imposed by Hindu law, rather than a mere modification of existing traditional customs.49

It should be noted that these restrictions are now no longer strictly regarded. Intermarriage between prohibited degrees now may take place without stigma as a result of lack of judicial notice and even marriage outside the Hindu

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community results in few sections as the law and society are developing gradually. Presumably, the provisions under sections 5(iv) and 5(v) of the Hindu Marriage Act are to ensure avoidance of incestuous alliances. Further, section 18 (b) of the same Act renders every person who procures a marriage of himself or herself in violation of the conditions specified in sections 5(iv) and 5(v) liable to imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both. It is true that as Meiteis are having their own customs of prohibited degrees of relationship, they will be bound by those customs even after the enforcement of the Hindu Marriage Act. It means that whenever there is inconsistency between the Meiteis’ customs of prohibited degrees of relationship and those of codified Hindu Law, the former will prevail over the latter. Meiteis prohibited degrees of relationship are more exhaustive than the Hindu law. The provisions of the Hindu law of prohibited degrees of relationship and Sapinda relationship are found in the Meiteis’ prohibited degrees of relationship also. Therefore, for analyzing the legal validity of Meitei marriage on the strength of section 11 of the Hindu marriage Act, 1955, the courts should also examine the Meitei prohibited degrees of marriage of their own. The provisions of sections 3(f) and 3(g) of the Act should not only be the provisions of the courts for the application of section 11 to the Meiteis. Even after the enforcement of the Hindu Marriage Act, 1955 the Meiteis are primarily governed by their own customs of prohibited degrees of relationship and also the codified Hindu law does not override these provisions.