

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:1936

ANSWERED ON:07.03.2000

AMENDMENT IN HINDU SUCCESSION ACT

ANNA SAHEB M.K. PATIL;BASANGOUDA PATIL;GADDE RAMAMOCHAN;GORDHANBHAI JAVIA;M.V.V.S
MURTHI;RUDRAGOUDA PATIL;SHIVAJI MANE;SUSHIL KUMAR SAMBHAJIRAO SHINDE

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Union Government have directed all the States to carry out suitable amendments in the Hindu Succession Act to confer property rights on women in a joint family;

(b) if so, the details thereof; and

(c) the reaction of the State Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(SHRIMATI SUMITRA MAHAJAN)

(a)&(b) Yes, Sir. The State Governments and Union Territory Administrations were requested in September, 1997 to amend Section 6 of the Hindu Succession Act 1956 to provide coparcenary right in a coparcenary property for the daughter of a coparcenar in a Joint Hindu Family governed by the Mitaksharalaw a t par with their male counterparts. This was to be done o n the pattern o f the amendments made in the Act by the State Governments of Andhra Pradesh, Karnataka, Maharashtra and Tamil Nadu.

(c) The responses received from some of the State Governments are as follows:

Sikkim

The Hindu Succession Act 1956 and related legislations are not extended to the State of Sikkim.

Nagaland

The state enjoys special provision relating to the existing Customary Laws of the land that include inheritance etc. under Article 371 (a) of the Constitution. Therefore, the amendment in the provisions relating to inheritance is not considered relevent to the State.

Kerala

In Kerala, coparcenary property rights have been abolished vide Kerala Joint Hindu Family System (Abolition) Act, 1975 which came into force w.e.f. 1.12.76. Hence, in effect, Section 6 of the Hindu Succession Act 1956 does not operate in Kerala.