

Married Women's Property Regulation, 1962

SIKKIM

India

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Rule MARRIED-WOMEN-S-PROPERTY-REGULATION-1962 of 1962

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Married Women's Property Regulation, 1962Published vide Notification No. 1155 /H, dated 12.10.1962Last Updated 20th February, 2020Whereas it is expedient to provide for the rights of Sikkimese women married to persons other than Sikkim Subjects to acquire, hold and dispose of immovable property in Sikkim and to, provide for rules of succession to property held by such Sikkimese women.Now Therefore, His Highness the Maharaja of Sikkim has been pleased to make and promulgate the following Regulation;

1. Short title and extent.

- (i) This Regulation may be called Married Women's Property Regulation, 1962;(ii)It shall extend throughout the territory of Sikkim.

2. This Regulation shall come into force on such date as may be appointed for the purpose by His Highness the Maharaja of Sikkim.

3. In this Regulation the term :

(a)"Sikkimese" means a person who is a Sikkim Subject at the time of her marriage(b)"Law" means Statutes, regulations, rules and includes customary law.

4. A Sikkimese woman who holds immovable property in Sikkim at the time of her marriage shall continue to hold such property notwithstanding her marriage with a person who is not a Sikkim Subject and shall have the power to dispose of such property either by sale, mortgage or otherwise to a Sikkim Subject during her life-time.

5. A Sikkimese: woman married to a person who is not a Sikkim Subject shall have no right to acquire any immovable property or any interest in such property in the territory of Sikkim subsequent to her marriage.

6. If, a Sikkimese women marries a person who is not a Sikkim Subject the husband and any offspring born of that marriage shall acquire no interest in any immovable property which she may hold in Sikkim by virtue of Section 4 of this Regulation.

7. Notwithstanding the provisions of any other law to the contrary any immovable property in Sikkim which may be held by a Sikkimese woman at the time of her marriage shall not on her death devolve on her husband if she held been married to a non-Sikkim Subject nor shall it be inherited by Any offspring of such marriage.

8. Any immovable property held by a Sikkimese woman married to a person who is not a Sikkim Subject is contemplated in Section 4 of this Regulation shall devolve on her death and be inherited by such person or persons who would have been regarded but for her marriage as her next of kin under the rules for intestate succession, provided always that such next of kin in order to succeed to such property is a Sikkim Subject.