

# **The Bihar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1948**

BIHAR

India

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### **Act 21 of 1948**

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The Bihar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1948 Bihar Act 21 of 1948 [Governor's assent published in the Bihar Gazette of the 1st April, 1948.] An Act to re-enact the Bihar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942. Whereas the Bihar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, was enacted by the Governor in exercise of the powers assumed to himself by the Proclamation, dated the 3rd November, 1939, issued by him under Section 93 of the Government of India Act, 1935; And Whereas under paragraph 6 of the India (Provisional Constitution) Order, 1947, the said Bihar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, shall, unless re-enacted by an Act of the Provincial Legislature, have no effect after the first day of April, 1948; And Whereas it is expedient to continue the operation of the said Bihar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, after the first day of April, 1948; It is hereby enacted as follows:-

### **1. Short title, extent and commencement.**

(1) This Act may be called the Bihar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1948. (2) It extends to the whole of the [State] [Substituted by A.L.O.] of Bihar. (3) It shall come into force on the second day of April, 1948.

### **2. The term 'property' in Acts 28 of 1937 and 11 of 1938 to include agricultural land.**

- The term 'property' in the Hindu Women's Rights to Property Act, 1937, and the Hindu Women's Rights to Property (Amendment) Act, 1938, as in force in the [State] [Substituted by A. L.O.] of Bihar, shall include, and shall be deemed always to have included, agricultural land: Provided that

where any person who, but for this Act, would have been entitled to any property has been in possession or has made a transfer thereof, his possession till the commencement of this Act, shall be deemed to be as lawful, and the transfer made by him shall be deemed to be as valid, as if this Act has not been passed: Provided further that nothing in this Act shall affect any rule of succession prescribed for tenants' rights in agricultural land by any special law for the time being in force.

### **3. Repeal and saving.**

- The Bihar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942, is hereby repealed, and anything done and any action taken in exercise of any power conferred by or under the said Act shall be deemed to have been done or taken in exercise of powers conferred by or under this Act.