

The United Provinces Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942

UTTAR PRADESH

India

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Act 11 of 1942

- Published on 4 July 1942
- Commenced on 4 July 1942
- [This is the version of this document from 4 July 1942.]
- [Note: The original publication document is not available and this content could not be verified.]

The United Provinces Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942(U.P. Act No. 11 of 1942)[Dated 4th July, 1942]Received the assent of the Governor of the United Provinces on June 28, 1942 and was published in the United Provinces Government Gazette on July 4, 1942, published, with SOR In Gazette, 1942, Part VII-A, page 17-18. It was re-enacted and continued by U.P. Act No. XIII of 1948.(Adapted and modified by the Adaptation of Laws Order, 1950)(Prepared by his Excellency the Government of the United Provinces in exercise of the powers assumed by him by the Proclamation, dated November 3, 1939 issued under Section 93 of the Government of India Act, 1935).An Act to extend the provisions of the Hindu Women's Rights to Property Act, 1937 and Hindu Women's Rights to Property (Amendment) Act, 1938, to agricultural landWhereas the Hindu Women's Rights to Property Act, 1937, as amended by the Hindu Women's Rights to Property (Amendment) Act, 1938, purports to give better rights to women in respect of property in general;And whereas many transactions have already taken place in this Province on the basis of that women had acquired better rights under the said Acts in respect of agricultural land as well as other kinds of property;And whereas it has now been established that the said Acts do not operate to give them better rights in respect of agricultural land;And whereas in order to validate those transactions as well as to give women in future those better rights and for other purposes, it is expedient to extend the operation of the said Acts to agricultural land with retrospective effect, but with certain savings;And whereas by the Proclamation, dated the third day of November, 1939, promulgated under Section 93 of the Government of India Act, 1939, the Governor of the United Provinces has assumed to himself all powers vested by or under the aforesaid Act in the Provincial Legislature;And whereas the continuance in force of the said proclamation has been approved by resolutions of both Houses of Parliament :Now, therefore, the Governor in exercise of the powers aforesaid is pleased to make the following Act;

1. Short title and extent.

(1) This Act may be called the United Provinces Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942. (2) It extends to the whole of [Uttar Pradesh] [Substituted by the A.O., 1950].

2. Extension of Act XVIII of 1937 and Act XI of 1938 to Agricultural land.

- The term "property" in the Hindu Women's Rights to Property Act 1937, and Hindu Women's Rights to Property (Amendment) Act, 1938; 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 had not been passed : and Provided further that nothing in this Act shall affect any rule of succession prescribed for tenant's rights in agricultural land by any special law for the time being in force.