

*General provisions relating to succession***Part II,
sec. 15, page
10.**

111. Full blood preferred to half blood.—Heirs related to an intestate by full blood shall be preferred to heirs related by half blood, if the nature of the relationship is the same in every other respect.

Illustration

(i) A brother by full blood is preferred to a brother by half blood; but a brother by half blood succeeds before a brother's son by full blood, a brother being a nearer heir than a brother's son.

(ii) A paternal uncle by half blood is preferred to a paternal uncle's son by full blood, an uncle being a nearer heir than an uncle's son.

(iii) A full brother's daughter's is preferred to a half brother's daughter's daughter but the former is not preferred to a half brother's daughter's son, as the nature of the relationship is not the same in the two cases. The latter, who is a nearer heir by virtue of rule 4 in section 104 is preferred although he is only related by half blood.

(135)

112. Mode of succession of two or more heirs.—If two or more heirs succeed together to the property of an intestate, they shall take the property—

**Part II,
sec. 24, page
11.**

(a) save as otherwise expressly provided in this Part, *per capita* and not *per stirpes*; and

(b) as tenants-in-common and not as joint tenants.

(136)

113. Right of child in womb.—A person who was in the womb at the time of the death of an intestate and who is subsequently born alive shall have the same right to inherit to the intestate as if he or she had been born before the death of the intestate. The inheritance shall be deemed to vest in such a case with effect from the date of the death of the intestate.

(137)

114. Presumption of survivorship.—Where two persons have died in circumstances rendering it uncertain whether either of them, and if so which, survived the other then, for all purposes affecting succession to property, it shall be presumed, until the contrary is proved, that the younger survived the elder.

**Part III-A,
Divn. III,
sec. 16, page
14.**

(138)

(139)

115. Application of Partition Act, 1893, in certain cases.—Where, after the commencement of this Code, a share in any immovable property of an intestate or in any business carried on by such intestate, whether solely or in conjunction with other,—

(a) devolve upon one or more of the intestate's son, son's son, son's son's son, together with other relatives, and one of the heirs sues for partition, or

(b) devolves upon a daughter, together with any of the male relatives specified in Class I of the Eighth Schedule, and any one of such male relatives compels the daughter to take her share of the property of the intestate for separate enjoyment (which he is hereby empowered to do),

the provisions of the Partition Act, 1893 (IV of 1893) shall apply as if there was a partition and as if he or she were the transferee of a share of a dwelling house and the intestate's family, were an undivided one.

(140)

Disqualification of heirs

116. Hermit, etc., disqualified.—A person who has completely and finally renounced the world in any of the modes set forth in sub-section (1) of section 110 shall be disqualified from inheriting the property of any of his relatives by blood, marriage or adoption.

(141)

117. Unchaste wife disqualified.—A woman, who after marriage, has been unchaste during her husband's lifetime, shall, unless he has condoned the unchastity, be disqualified from inheriting his property:

Provided that the right of a woman to inherit to her husband shall not be questioned on the above ground, unless a Court of law has found her to have been unchaste as aforesaid in a proceeding to which she and her husband were parties and in which the matter was specifically in issue, the finding of the Court not having been subsequently reversed.

(142)

118. Disqualification of certain widows remarrying.—The widow of a predeceased son, the widow of a predeceased son of a predeceased son, the father's widow and the brother's widow shall not be entitled to succeed as heirs, if on the date the succession opens, they have remarried.

115. Application of Partition Act, 1893, in certain cases.—Where, after the commencement of this Code, a share in any immovable property of an intestate or in any business carried on by such intestate, whether solely or in conjunction with others, devolves upon one or more of the intestate's son, son's son, son's son's son, together with other relatives, and one of the heirs sues for partition, the provisions of the Partition Act, 1893 (IV of 1893) shall apply as if there was a partition and as if he or she were the transferee of a share of a dwelling house and the intestate's family, were an undivided one.

Part II, sec.
12, page 9.

(139)

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Part II, sec.
18, page 11.

(140)

117. Unchaste wife disqualified.—A woman, who after marriage, has been unchaste during her husband's lifetime, shall, unless he has condoned the unchastity, be disqualified from inheriting his property:

Part II, sec.
19, page 1.

Provided that the right of a woman to inherit to her husband shall not be questioned on the above ground, unless a Court of law has found her to have been unchaste as aforesaid in a proceeding to which she and her husband were parties and in which the matter was specifically in issue, the finding of the Court not having been subsequently reversed.

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118. Disqualification of certain widows remarrying.—The widow of a predeceased son, the widow of a predeceased son of a predeceased son, the father's widow and the brother's widow shall not be entitled to succeed as heirs, if on the date the succession opens, they have remarried.

(New)

(142)

(143)

119. Murderer disqualified.—A person who commits murder or abets the commission of murder shall be disqualified from inheriting the property of the person murdered, or any other property in furtherance of the succession to which he or she committed or abetted the commission of the murder.

(144)

120. Convert's descendants disqualified.—Where, before or after the commencement of this Code, a Hindu has ceased or ceases to be one by conversion to another religion, children born to him or her after such conversion and their descendants shall be disqualified from inheriting the property of any of their Hindu relatives, unless such children or descendants are Hindus at the time when the succession opens.

(145)

121. Succession when heir disqualified.—If any person is disqualified from inheriting any property under this Chapter, it shall devolve as if such person had died before the intestate.

(146)

122. Disease, defect, etc., not to disqualify.—No person shall be disqualified from succeeding to any property on the ground of any disease, defect or deformity, or save as provided in this Chapter, on any other ground whatsoever.

(147)

Escheat

123. Failure of heirs.—If an intestate has left no heir qualified to succeed to his or her property in accordance with the provisions of this Part, such property shall go to the Government; and the Government shall take the property subject to all the obligations and liabilities to which an heir would have been subject.

119. Murderer disqualified.—A person who commits murder or abets the commission of murder shall be disqualified from inheriting the property of the person murdered, or any other property in furtherance of the succession to which he or she committed or abetted the commission of the murder.

**Part II,
sec. 20.
page 11.**

(143)

120. Convert's descendants disqualified.—Where, before or after the commencement of this Code, a Hindu has ceased or ceases to be one by conversion to another religion, children born to him or her after such conversion and their descendants shall be disqualified from inheriting the property of any of their Hindu relatives, unless such children or descendants are Hindus at the time when the succession opens.

**Part II,
sec. 20.
page 11.**

(144)

121. Succession when heir disqualified.—If any person is disqualified from inheriting any property under this Chapter, it shall devolve as if such person had died before the intestate.

**Part II,
sec. 22.
page 11.**

(145)

122. Disease, defect, etc., not to disqualify.—No person Part II, shall be disqualified from succeeding to any property on the ground of any disease, defect or deformity, or save as provided in this Chapter, on any other ground whatsoever.

**Part II,
sec. 23.
page 11.**

(146)

Escheat

123. Failure of heirs.—If an intestate has left no heir qualified to succeed to his or her property in accordance with the provisions of this Part, such property shall go to the Crown; and the Crown shall take the property subject to all the obligations and liabilities to which an heir would have been subject.

**Part II,
sec. 25.
page 11.**

(147)

(148)

CHAPTER III

Testamentary succession

124. Testamentary succession.—(1) Any Hindu may dispose of by will or other testamentary disposition any property which is capable of being so disposed of by him in accordance with the provisions of the Indian Succession Act, 1925 (XXXIX of 1925), or any other law for the time being in force and applicable to Hindus.

(2) Nothing herein contained shall authorise a Hindu—

(a) to deprive any person of any right to maintenance to which such person is entitled under the provisions of this Code or any other law for the time being in force;

(b) to create in property any interest or estate which he or she cannot lawfully create.

CHAPTER III

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**Part III,
sec. 1.
page 12.**

(2) Nothing herein contained shall authorise a Hindu—

(a) to deprive any person of any right to maintenance to which such person is entitled under the provisions of this Code or any other law for the time being in force;

(b) to create in property any interest or estate which he or she cannot lawfully create.

(149)

PART VIII.—MAINTENANCE

125. Maintenance explained.—In this Part, the expression “maintenance” includes—

- (i) in all cases, provision for food, clothing, residence, education and medical attendance and treatment; and
- (ii) in the case of an unmarried daughter, also the reasonable expenses of, mid incident to, her marriage.

Personal liability to maintain members of family

126. Maintenance of wife.—(1) Subject to the provisions of this section, a Hindu wife, whether married before or alter the commencement of this Code, shall be entitled to be maintained by her husband during his life-time and alter his death, by his father.

(2) A Hindu wife may claim maintenance from her husband only if and while she lives with him:

Provided that she shall be entitled to live separately from him without forfeiting her claim to maintenance—

(a) if he is suffering from a virulent form of leprosy or has been suffering from venereal disease in a communicable form and not contracted from her;

(b) if he keeps a concubine in the same house in which his wife is living ;

(c) if he has been guilty of such cruelty as to render it unsafe for her to live with him;

(d) if he is guilty of desertion, mat is to say, of abandoning her without just cause and without her consent or against her wish;

(e) if he has ceased to be a Hindu by conversion to another religion;

(f) if there is any other cause justifying her living separately.

(3) A Hindu wife shall not be entitled to separate residence and maintenance from her husband if she is unchaste or ceases to be a Hindu by conversion to another religion.

(150)

127. Maintenance of widowed daughter-in-law.—The obligation of a father-in-law to maintain his widowed daughter-in-law under section 126 only extends in so far as he has the means to do so and the widowed daughter-in-law is unable to maintain hereself out of her own property or to obtain maintenance from her husband's estate or from her son, if any, or his estate. Any such obligation shall cease on her remarriage.

PART VIII.—MAINTENANCE**Part III-A,
sec. 3.
page 2.**

125. Maintenance explained.—In this Part, the expression “maintenance” includes—

- (i) in all cases, provision for food, clothing, residence, education and medical attendance and treatment; and
- (ii) in the case of an unmarried daughter, also the reasonable expenses of, mid incident to, her marriage.

Personal liability to maintain members of family

126. Maintenance of wife.—(1) Subject to the provisions of this section, a Hindu wife, whether married before or after the commencement of this Code, shall be entitled to be maintained by her husband during his life-time and after his death, by his father.

**Part IV,
sec. 26.
page 19
and 20.**

(2) A Hindu wife may claim maintenance from her husband only if and while she lives with him:

Provided that she shall be entitled to live separately from him without forfeiting her claim to maintenance—

- (a) if he is suffering from a loathsome disease ;
- (b) if he keeps a concubine in the same house in which his wife is living;
- (c) if he has been guilty of such cruelty as to render it unsafe or undesirable for her to live with him;
- (d) if he is guilty of desertion, that is to say, of abandoning her without just cause and without her consent or against her wish;
- (e) if he has ceased to be a Hindu by conversion to another religion;
- (f) if there is any other cause justifying her living separately.

(3) A Hindu wife shall not be entitled to separate residence and maintenance from her husband if she is unchaste or ceases to be a Hindu by conversion to another religion.

(149)

127. Maintenance of widowed daughter-in-law.—The obligation of a father-in-law to maintain his widowed daughter-in-law under section 126 only extends in so far as he has the means to do so and the widowed daughter-in-law is unable to maintain herself out of her own property or to obtain maintenance from her husband's estate or from her son, if any, or his estate. Any such obligation shall cease on her remarriage.

**Part III-A,
sec. 8,
page 13.**

(150)

(151)

128. Maintenance of children and aged parents.—(1) Subject to the provisions of this section, a Hindu is bound, during his life-time, to maintain his legitimate or illegitimate child and his aged parents.

(2) A legitimate or illegitimate child may claim maintenance from his or her father so long as he or she is a minor:

Provided that in the case of an unmarried daughter she may claim maintenance so long as she lives with her father and remains unmarried.

(3) A father may claim maintenance from his son if he is aged and infirm.

(152)

129. Maintenance of children by mother.—A Hindu woman is bound during her life-time to maintain her legitimate or illegitimate children if her husband is unable to do so and she has the necessary means to maintain them.

128. Maintenance of children and aged parents.— (New)

(1) Subject to the provisions of this section, a Hindu is bound, during his life-time, to maintain his legitimate or illegitimate child and his aged parents.

(2) A legitimate or illegitimate child may claim maintenance from his or her father so long as he or she is a minor:

Provided that in the case of an unmarried daughter she may claim maintenance so long as she lives with her father and remains unmarried.

(3) A father may claim maintenance from his son if he is aged and infirm.

(151)

129. Maintenance of children by mother.—A Hindu (New)
woman is bound during her life-time to maintain her legitimate or illegitimate children if her husband is unable to do so and she has the necessary means to maintain them.

(152)

(153)

Liability of heirs to maintain dependants out of estate

130. Maintenance of dependants.—(1) Subject to the provisions of section 131 the heirs of a deceased Hindu shall be bound to maintain the dependants of the deceased out of the estate inherited from the deceased by the heir.

(2) The following relatives of the deceased shall be deemed to be his dependants for the purposes of this Part, namely :—

(i) his father;

(ii) his mother;

(iii) his widow, so long as she does not remarry;

(iv) his son, son of his predeceased son, or son of a predeceased son of his predeceased son, who is a minor, so long he remains one, provided and to the extent that he is unable to obtain maintenance, in the case of a grandson, from his father's estate, and in the case of a great-grandson, from the estate of his father or father's father,

(v) his unmarried daughter, so long as she remains unmarried;

(vi) his married daughter;

Provided and to the extent that he is unable to obtain maintenance from her husband or from her son, if any, or his estate;

(vii) his widowed daughter:

Provided and to the extent that she is unable to obtain maintenance—

(a) from the estate of her husband, or

(b) from her son, if any, or his estate, or

(e) from her father-in-law or his father or the estate of either of them;

(viii) any widow of his son or of a son of his predeceased son, so long as she does not remarry:

Provided and to the extent that she is unable to obtain maintenance from her husband's estate, or from her son, if any, or his estate; or in the case of a grandson's widow, also from her father-in-law's estate;

(ix) his minor illegitimate son, so long as he remains a minor;

(x) his unmarried illegitimate daughter, so long as she remains unmarried.

Liability of heirs to maintain dependants out of estate

130. Maintenance of dependants.—(1) Subject to the provisions of section 131 the heirs of a deceased Hindu shall be bound to maintain the dependants of the deceased out of the estate inherited from the deceased by the heir. **Part III-A, sec. 5, page 12.**

(2) The following relatives of the deceased shall be deemed to be his dependants for the purposes of this Part, namely:—

- (i) his father,
- (ii) his mother;
- (iii) his widow, so long as she does not remarry;

(iv) his son, son of his predeceased son, or son of a predeceased son of his predeceased son, who is a minor, so long as he remains one, provided and to the extent that he is unable to obtain maintenance, in the case of a grandson, from his father's estate, and in the case of a great-grandson, from the estate of his father or father's father,

- (v) his unmarried daughter, so long as she remains unmarried;
- (vi) his married daughter;

Provided and to the extent that she is unable to obtain maintenance from her husband or from her son, if any, or his estate;

- (vii) his widowed daughter:

Provided and to the extent that she is unable to obtain maintenance—

- (a) from the estate of her husband, or
- (b) from her son, if any, or his estate, or
- (c) from her father-in-law or his father or the estate of either of them;

(viii) any widow of his son or of a son of his predeceased son, so long as she does not remarry:

Provided and to the extent that she is unable to obtain maintenance from her husband's estate, or from her son, if any, or his estate; or in the case of a grandson's widow, also from her father-in-law's estate;

- (ix) his minor illegitimate son, so long as he remains a minor,

(x) his unmarried illegitimate daughter, so long as she remains unmarried.

(154)

131. Extent of liability of heirs to maintain dependants.—Where a dependant has not obtained, by testamentary or intestate succession, any share in the estate of a male Hindu dying after the commencement of this Code, or

where, in a case of testamentary succession, the share so obtained by a dependant is less than what would be awarded to him or her by way of maintenance under this Part,

he or she is entitled, subject to the provisions of this Part, to maintenance from those who take the estate:

Provided that the liability of each heir shall be in proportion to the value of the share or part of the estate taken by him or her;

Provided further that no person who is himself or herself a dependant shall be liable to contribute to the maintenance of others, if he or she has obtained a share or part the value of which is, or would if the liability to contribute were enforced become, less than what would be awarded to him or her by way of maintenance under this Part.

(155)

Amount of Maintenance

132. Amount of maintenance.—(1) In determining the amount of maintenance, if any, to be awarded to the wife, children or aged parents under this Part, regard shall be had to—

- (a) the position and status of the parties;
- (b) the reasonable wants of the claimant;
- (c) if the claimant is living separately from the father, whether he or she is justified in doing so;
- (d) the value of the claimant's property and any income derived from such property, or from the claimant's own earnings, or from any other source ;
- (e) the number of persons who are entitled to maintenance under the provision of this Part.

(2) In determining the amount of maintenance, if any, to be awarded to a dependant under this Part, regard shall be had to—

- (a) the net value of the estate of the deceased, after providing for the payment of his debts;
- (b) the provision, if any, made under a will of the deceased in respect of the dependant;
- (c) the position and status of the deceased and of the dependant;
- (d) the degree of relationship between the two ;
- (e) the reasonable wants of the dependants ;
- (f) the past relations between the dependant and the deceased;
- (g) the value of his or her property and any income derived from such property, or from his or her own earnings, or from any other source;
- (h) the number of dependants who are entitled to maintenance under the provisions of this Part;
- (i) in the case of a widow, her conduct.

131. Extent of liability of heirs to maintain dependants.—**Part III-A,
sec. 4,
page 12.**

Where a dependant has not obtained, by testamentary or intestate succession, any share in the estate of a male Hindu dying after the commencement of this Code, or

where, in a case of testamentary succession, the share so obtained by a dependant is less than what would be awarded to him or her by way of maintenance under this Part,

he or she is entitled, subject to the provisions of this Part, to maintenance from those who take the estate:

Provided that the liability of each heir shall be in proportion to the value of the share or part of the estate taken by him or her;

Provided further that no person who is himself or herself a dependant shall be liable to contribute to the maintenance of others, if he or she has obtained a share or part the value of which is, or would if the liability to contribute were enforced become, less than what would be awarded to him or her by way of maintenance under this Part.

(154)

Amount of Maintenance

132. Amount of maintenance.—(1) In determining the amount of maintenance, if any, to be awarded to the wife children or aged parents under this Part, regard shall be had to—

**Part III-A,
sec. 6,
page 13.**

- (a) the position and status of the parties;
- (b) the reasonable wants of the claimant;
- (c) if the claimant is living separately from the father, whether he or she is justified in doing so;
- (d) the value of the claimant's property and any income derived from such property, or from the claimant's own earnings, or from any other source ;
- (e) the number of persons who are entitled to maintenance under the provision of this Part.

(2) In determining the amount of maintenance, if any, to be awarded to a dependant under this Part, regard shall be had to—

- (a) the net value of the estate of the deceased, after providing for the payment of his debts;
- (b) the provision, if any, made under a will of the deceased in respect of the dependant;
- (c) the position and status of the deceased and of the dependant;
- (d) the degree of relationship between the two;
- (e) the reasonable wants of the dependants;
- (f) the past relations between the dependant and the deceased;
- (g) the value of his or her property and any income derived from such property, or from his or her own earnings, or from any other source;
- (h) the number of dependants who are entitled to maintenance under the provisions of this Part;
- (i) in the case of a widow, her conduct.

(155)

(156)

133. Amount of maintenance in the discretion of court.—(1) It shall be in the discretion of the Court to determine whether any, and if so what, maintenance shall be awarded under the provisions of this Part, with due regard to the considerations set out in sub-section (1) or sub-section (2) of section 132, as the case may be, so far as they are applicable.

(2) The expenses that may be allowed to an unmarried daughter in respect of her marriage shall in no case exceed the value of one-half of what she would have inherited from the deceased, if he had died intestate.

(157)

134. Amount of maintenance may be altered on change of circumstances.—The amount of maintenance, whether fixed by a decree of court or by agreement, either before or after the commencement of this Code, may be altered subsequently, if there is a material change in the circumstances, justifying such alteration.

(158)

135. Debts to have priority.—Subject to the other provisions contained in this Part debts of every description shall have priority over the claims of dependants for maintenance under this Part.

(159)

136. maintenance when to be a charge.—A dependant's claim for maintenance under the provisions of this Part shall not be a charge on the estate of the deceased or any portion thereof, unless the same has been created by the will of the deceased, by a decree of court, by agreement between the dependant and the owner of the estate or portion, or otherwise.

(160)

137. Transfer where a third person is entitled to maintenance.—Where a third person has a right to receive maintenance out of an estate and such estate or any part thereof is transferred, the right to receive maintenance may be enforced against the transferee if the transferee has notice of the existence of such right, and in such a case the right can be enforced against the property to the extent to which it would have been liable had this Code not been passed.

133. Amount of maintenance in the discretion of court.—(1) It shall be in the discretion of the Court to determine whether any, and if so what, maintenance shall be awarded under the provisions of this Part, with due regard to the considerations set out in sub-section (1) or sub-section (2) of section 132, as the case may be, so far as they are applicable.

Part III-A,
sec. 6(2),
page 13.

(2) The expenses that may be allowed to an unmarried daughter in respect of her marriage shall in no case exceed the value of one-half of what she would have inherited from the deceased, if he had died intestate.

(156)

134. Amount of maintenance may be altered on change of circumstances.—The amount of maintenance, whether fixed by a decree of court or by agreement, either before or after the commencement of this Code, may be altered subsequently, if there is a material change in the circumstances, justifying such alteration.

Part III-A,
sec. 7(2),
page 14.

(157)

135. Debts to have priority.—Subject to the other provisions contained in this Part debts of every description shall have priority over the claims of dependants for maintenance under this Part.

Part III-A,
sec. 8,
page 14.

(158)

136. maintenance when to be a charge.—A dependant's claim for maintenance under the provisions of this Part shall not be a charge on the estate of the deceased or any portion thereof, unless the same has been created by the will of the deceased, by a decree of court, by agreement between the dependant and the owner of the estate or portion, or otherwise.

Part III-A,
sec. 9,
page 14.

(159)

137. Transfer where a third person is entitled to maintenance.—Where a third person has a right to receive maintenance out of an estate and such estate or any part thereof is transferred, the right to receive maintenance may be enforced against the transferee if the transferee has notice of the existence of such right, and in such a case the right can be enforced against the property to the extent to which it would have been liable had this Code not been passed.

(160)

(161)

PART IX.—MISCELLANEOUS

138. Power to make rules.—(1) The State Government may make rules to carry out the objects of this Code.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may prescribe—

(i) the particulars relating to Dharmik marriages which may be entered in the Hindu Dharmik Marriage Register and the manner in which and the circumstances under which such entries shall be made;

(ii) the cases and areas in which particulars of Dharmik marriages shall be compulsorily entered, and the punishment for any contravention thereof;

(iii) the areas for which Marriage Registrars shall be appointed and their duties and functions;

(iv) the manner in which Hindu Dharmik Marriage Register and the Hindu Civil Marriage Notice Books shall be kept and the manner in which notices of marriages under section 12 shall be published;

(v) the manner in which notices of applications under section 21 shall be given;

(vi) the fees payable for the solemnization of any civil marriage or for any other duties to be performed by the Registrar of Marriages;

(vii) the fees payable for the inspection of and for certified copies of extracts from the Hindu Dharmik Marriage Register and the Hindu Civil Marriage Certificate Book;

(viii) the form in which and the intervals within which copies of entries in the Hindu Dharmik Marriage Register and the Hindu Civil Marriage Certificate Book shall be sent to the Registrar Genial of Births, Deaths and Marriages;

(ix) The person by whom, the form in which and the authority to which notice of any marriage under section 24A may be given ;

(x) the particulars to be specified in applications for the recording of adoptions;

(xi) the fees payable for recording adoptions;

(xii) the form in which the Register of Adoptions shall be maintained ; and

(xiii) the manner in which copies of entries in the Register of Adoptions may be certified.

(162)

139. Amendments and repeals.—The enactments mentioned in the third column of the First Schedule shall be amended to the extent specified in the fourth column thereof, and the enactments mentioned in the third column of the Second Schedule shall be repealed to the extent specified in the fourth column thereof.

PART IX.—MISCELLANEOUS

138. Power to make rules.—(1) The Provincial Government may make rules to carry out the objects of this Code.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may prescribe—

(i) the particulars relating to sacramental marriages which may be entered in the Hindu Sacramental Marriage Register and the manner in which and the circumstances under which such entries shall be made;

(ii) the cases and areas in which particulars of Sacramental marriages shall be compulsorily entered, and the punishment for any contravention thereof;

(iii) the areas for which Marriage Registrars shall be appointed and their duties and functions;

(iv) the manner in which Hindu Sacramental Marriage Register and the Hindu Civil Marriage Notice Books shall be kept and the manner in which notices of marriages under section 12 shall be published:

(v) the manner in which notices of applications under section 21 shall be given:

(vi) the fees payable for the solemnization of any civil marriage or for any other duties to be performed by the Registrar of Marriages:

(vii) the fees payable for the inspection of and for certified copies of, extracts from the Hindu Sacramental Marriage Register and the Hindu Civil Marriage Certificate Book:

(viii) the form in which and the intervals within which copies of entries in the Hindu Sacramental Marriage Register and the Hindu Civil Marriage Certificate Book shall be sent to the Registrar Genral of Births, Deaths and Marriages;

(ix) the particulars to be specified in applications for the recording of adoptions

(x) the fees payable for recording adoptions;

(xi) the form in which the Register of Adoptions shall be maintained; and

(xii) the manner in which copies of entries in the Register of Adoptions may be certified.

(161)

139. Amendments and repeals.—The enactment mentioned to the third column of the First Schedule shall be amended to the extent specified in the fourth column thereof, and the enactments mentioned in the third column of the Second Schedule shall be repealed to the extent specified in the fourth column thereof.

(162)

(163)

FIRST SCHEDULE

(See section 139)

AMENDMENTS

Year	No.	Short title	Amendments
1	2	3	4
1872	III	The Special Marriage Act, 1872	<ol style="list-style-type: none"> 1. In the preamble, the words “and for persons who profess the Hindu, Buddhist, Sikh or Jain a religion” shall be omitted, 2. In section 2, the words “or between persons each of whom professes one or other of the following religions, mat is to say, the Hindu, Buddhist, Sikh or Jaina religions” shall be omitted. 3. Sections 23, 24, * * * * 25 and 26 shall stand repealed.

FIRST SCHEDULE

(See section 139)

AMENDMENTS

Year	No.	Short title	Amendments
1	2	3	4
1872	III	The Special Marriage Act, 1872.	<ol style="list-style-type: none"> 1. In the preamble, the words “and for persons who profess the Hindu, Buddhist, Sikh or Jaina religion” shall be omitted. 2. In section 2, the words “or between persons each of whom professes one or other of the following religions, that is to say, the Hindu, Buddhist, Sikh or Jaina religions” shall be omitted. 3. Sections 23,24, except in so far as they effect succession to agricultural land in Governors' Provinces, and the whole of sections 25 and 26 shall stand repealed.

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SECOND SCHEDULE

(See section 139)

REPEALS

Year	No.	Short title	Extent of repeal
1	2	3	4
		<i>Central Acts</i>	
1866	XXI	The Native Converts' Marriage Dissolution Act, 1866.	The whole, in so far as it, in its application to Hindus, is inconsistent with the provisions of this Code.
1923	XII	The Hindu Inheritance (Removal of Disabilities) Act, 1928.	The whole. * * * *
1929	II	The Hindu Law of Inheritance (Amendment) Act, 1929.	Do.
1937	XVIII	The Hindu Women's Right to property Act, 1937.	Do.
1946	XIX	The Hindu Married Women's Right to Separate Residence and Maintenance Act, 1946.	Do.
1946	XXVIII	The Hindu Marriage Disabilities Removal Act, 1946.	Do.
		<i>State Acts</i>	
1933	XXI	The Madras Nambudri Act, 1932	The whole except as provided in Parts V and VII.
1933	XXII	The Madras Marumakkattayam Act, 1932.	Do.
1949	IX	The Madras Aliyasantana Act, 1949.	Do.
(Kollom 1100 1100 1101 1106 1108 1115 1107 1113 1113 1114 1115	year) II III VI III VII VII VIII XXIX XXXIII XVII XVII	The Travancore Nair Act, 1100. The TravancoreEzhava Act, 1100. The Nanjinad Vellala Act, 1101. The Travancore Malayala Brahmin Act, 1106. The Travancore Kshatriya Act, 1108. The Travancore Krishnavaka Marumakkathayee Act, 1115. The Cochin Thiyya Act, 1107. The Cochin Nayar Act, 1113. The Cochin Marumakkathayam Act, 1113. The Cochin Nambudri Act. 1114. The Cochin Makkathayam Thiyya Act, 1115.	Do. Do. Do. The whole except as provided in Part VII. The whole except as provided in Parts V and VII Do. Do. Do. Do. The whole except as provided in Parts VII. The whole.

SECOND SCHEDULE

(See section 139)

REPEALS

Year	No.	Short title	Extent of repeal
1	2	3	4
1866	XXI	The Native Converts' Marriage Dissolution Act, 1866.	The whole, in so far as it, in its application to Hindus, is inconsistent with the provisions of this Code.
1928	XII	The Hindu Inheritance (Removal of Disabilities) Act, 1928.	The whole except in so far as it affects succession to agricultural land in Governors' Provinces.
1929	II	The Hindu Law of Inheritance (Amendment) Act, 1929.	Do.
1937	XVIII	The Hindu Women's Right to property Act, 1937.	The whole
1946	XIX	The Hindu Married Women's Right to Separate Residence and Maintenance Act, 1946.	Do.
1946	XXVIII	The Hindu Marriage Disabilities Removal Act, 1946.	Do.