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Daughters have equal rights on properties: Supreme Court

- Recently, the Supreme Court (SC) has ruled that under the Hindu Succession Act (HSA) of 1956, daughters will have equal rights on the properties owned before the enactment of the law.
- The judgment involved a dispute over the property of a man who died in 1949, leaving behind a daughter, who died in 1967.
- Earlier the trial court had held that since the woman had died before the commencement of the Hindu Succession Act, 1956, and the petitioner and her other sisters had not become heirs on the date of her death and therefore, the share in the property was not entitled to partition. Later the High Court also dismissed the appeal against the lower court.

Share of daughters in inheritance:

- The Supreme Court ruled that the property of a person who died without a will and had only one daughter, his daughter would have the overall right to the property and not any other family member.
- Earlier in the year 2020, the Supreme Court, in its decision, has expanded the right of heir and sahadayak (joint legal heir) in ancestral property to Hindu women on the same conditions as male heirs.

Ancient texts and judicial pronouncements:

- The Supreme Court has referred to various ancient texts (Smriti), commentaries of eminent scholars and even judicial pronouncements, which have recognized the rights of wives and daughters, in the form of several female heirs.

- Referring to the sources of customary Hindu law on inheritance, the Supreme Court discussed the 'Mitakshara Law'.
- SC also perused a digest of Hindu law, 'Vivasha Chandrika' by Shyama Charan Sarkar Vidya Bhushan, in which 'Vrihaspati' was quoted as saying that 'wife is declared to be heir to her husband's property and in his absence In the form of a son, the daughter carries on his lineage.
- SC also noted that in the book it is stated by Manu that "a man's son is his heir and daughter is equal to son. Then how can anyone else inherit his property, notwithstanding he is alive" , which is as it is."

Old Law:

- The right of a widow or daughter to inherit the self-acquired property or the share received in the division of the coparcenary property of a Hindu male is well recognized under the old customary Hindu law.
- If the intestate property of a deceased Hindu male is a self-acquired property or a property received in the division of a coparcenary or family property, it shall be transferred by survivorship and not by survivorship, and the daughter of such Hindu male shall be entitled to such He should have priority over others in property.

Property after the death of the woman:

- The Court also held that if a Hindu woman dies without any heir, the property inherited from her father or mother will go to her father's heirs, while the property inherited from her husband will go to the father-in-law's heirs.

Land rights and women in India

- **Related data:** Property in India is largely willing to transfer to male heirs. This in turn denies women financial independence and entrepreneurship.
- **According to the National Family Health Survey-5**, 43% of female respondents reported that they own a house/land, either singly or jointly, but doubts remain about the actual access to property and controllability of women.
- In fact, in a 2020 working paper from the University of Manchester, women in rural landowning households have barely 16% of their own land.
- **Patriarchy:** In deeply patriarchal customs and rural-agricultural systems, the right to property, seen as the primary source of wealth, is largely passed on to male heirs.

State Law:

- There is a conflict between central personal laws and state laws in inheritance laws for agricultural land.

- In this regard, states like Punjab, Haryana, Uttar Pradesh (UP) and even Delhi have regressive succession provisions.
- In fact, Haryana twice tried to snatch away the progressive rights given to women through HSA, 1956, whereas in UP, daughters married since 2016 are not considered primary heirs.
- **Protest at the grassroots level:** There is also a grassroots protest against the registration of land for women in many North Indian states. Thus women empowerment and right to property remains an incomplete project.

Hindu Succession Act, 1956:

- The Mitakshara section of the Hindu law was codified as the Hindu Succession Act, 1956, the inheritance and succession of property was managed under this Act, which recognized only males as legal heirs.
- It applies to all those who are not Muslim, Christian, Parsi or Jew by religion. Buddhists, Sikhs, Jains and Arya Samaj, followers of Brahma Samaj are also considered Hindus under this law.
- In an undivided Hindu family, there may be several joint legal heirs of several generations. The legal heirs jointly look after the property of the family.

Hindu Succession (Amendment) Act, 2005:

- The 1956 Act was amended in September 2005 and from the year 2005, women were recognized as coparceners/coparceners in property division.
- By amending section 6 of the Act, the daughter of a co-coordinator was also treated as co-coparcener by birth as a son.
- Under this amendment, the daughter was also given the same rights and liabilities as the son.
- The law enforces the law of succession in ancestral property and personal property, where the succession is enforced in accordance with law and not through a will.

Laws/Rules relating to Hindu Law

Mitakshara Law

- The term Mitakshara is derived from the name of a commentary on Yajnavalkya Smriti written by Vigyaneshwar.
- Its influence is seen in all parts of India and it is sub-divided into Banaras, Mithila, Maharashtra and Dravidian styles.
- The son has a share in the ancestral property of the joint family from birth itself.
- During the entire lifetime of a father, all the members of the family have the right of coparcenary.
- It does not define the part of the co-operator and cannot be eliminated.

- The wife cannot demand partition but has the right to share in any division between her husband and sons.

Dayabhaga law

- The word Dayabhaga is taken from a book of the same name by Jimutavahana.
- Its effect is seen in Bengal and Assam.
- The son does not have any ownership/right over the property by birth, but he automatically acquires this right after the death of his father.
- During the lifetime of the father, the son does not get the right of co-owner.
- The portion of each co-operator is defined and can be eliminated.
- Equal rights do not exist for women here because the son cannot demand partition and here the father is the absolute owner.

Netaji Subhash Chandra Bose

- Recently the government has decided to commemorate the **125th birth anniversary of Netaji Subhas Chandra Bose and install a grand statue of him at the India Gate as part of the year-long celebrations.**
- 'Subhash Chandra Bose Aapda Prabandhan Puraskar' for the year 2019, year 2020, year 2021 and year 2022 will also be given during the decoration ceremony.

Subhas Chandra Bose Aapda Prabandhan Award

- The annual 'Subhash Chandra Bose Aapda Prabandhan Puraskar' has been established to recognize and honor the invaluable contribution and selfless service rendered by individuals and organizations in the field of disaster management.
- The award is announced on 23 January every year.
- In this, a cash prize and certificate of Rs.51 lakh in case of an organization and Rs.5 lakh in case of an individual and certificate is given.

Birth:

- Subhas Chandra Bose was born on January 23, 1897 in Cuttack city of Orissa. His mother's name was Prabhavati Dutt Bose and father's name was Janakinath Bose.
- His birth anniversary is celebrated as 'Parakram Diwas' on 23rd January.

Education and early life:

- In the year 1919, he passed the Indian Civil Service (ICS) examination. However, Bose later resigned.
- He was highly influenced by the teachings of Vivekananda and considered him as his spiritual master.
- His political mentor was Chittaranjan Das.
- In the year 1921, Bose took over the editing of the newspaper 'Forward' published by the Swaraj Party of Chittaranjan Das.

Relations with Congress:

- He supported Unqualified Swaraj i.e. independence and opposed the Motilal Nehru Report in which Dominion status for India was talked about.
- He actively participated in the Salt Satyagraha of 1930 and opposed the suspension of the Civil Disobedience Movement and the signing of the Gandhi-Irwin Pact in the year 1931.
- In the year 1930s, he became the leader of Jawaharlal Nehru and M.N. Along with Roy, he was involved in the left politics of the Congress.
- Bose was elected President of Congress in Haripura in the year 1938.
- In the year 1939, in Tripuri, he again won the election of the President against Gandhi's candidate Pattabhi Sitaramayya.
- He founded a new party 'Forward Bloc'. Its aim was to strengthen the political left and major support base in its home state of Bengal.

Indian National Army:

- He reached Japan-controlled Singapore from Germany in July 1943, from there he issued his famous slogan 'Delhi Chalo' and on October 21, 1943 announced the formation of the Azad Hind Government and the Indian National Army.
- The Indian National Army was formed for the first time under the leadership of Mohan Singh and Japanese Major Iwaichi Fujiwara and consisted of British-Indian Army prisoners of war captured by Japan in Singapore during the Malayan (present-day Malaysia) campaign.
- Also included Indian prisoners in Singapore jail and Indian citizens of South-East Asia. Its military strength had increased to 50,000.
- The INA fought the Allied forces within India's borders in Imphal and Burma in the year 1944.
- Soon after the INA members were prosecuted by the British government in November 1945, there were widespread demonstrations across the country.
- He died in a plane crash in Taiwan in 1945. Although still many secrets are hidden regarding his death.

Amar Jawan Jyoti merged with National War Memorial

- In a historic move, the National War Memorial Flame of Amar Jawan Jyoti has been merged with the National War Memorial Flame.

Amar Jawan Jyoti:



- It was established in the year 1972 to mark India's victory over Pakistan in the 1971 war, which resulted in the creation of Bangladesh.
- It was inaugurated in the year 1972 on Republic Day by the then Prime Minister Indira Gandhi after India defeated Pakistan in December 1971.
- The eternal flame at the Amar Jawan Jyoti below the India Gate in central Delhi was an iconic symbol of the nation's tribute to the soldiers who died for the country in various wars and conflicts since independence.
- The India Gate Memorial was built by the British Government in the memory of the soldiers of the British Indian Army who lost their lives between the years 1914-1921.

Reasons for Moving:

- The names inscribed on the India Gate are only of a few martyrs who fought for the British in the First World War and the Anglo-Afghan War and thus are a symbol of our colonial past.

- The names of all Indian martyrs of all wars including the wars before and after 1971 are inscribed in the National War Memorial.

National War Memorial:



- It was inaugurated in the year 2019, it is located at a distance of about 400 meters from India Gate.

It mainly consists of four concentric circles, namely:

- 'Amar Chakra' or the wheel of immortality,
 - 'Veerta Chakra' or wheel of gallantry,
 - 'Tyag chakra' or cycle of sacrifice and
 - 'Rakshak Chakra' or the circle of protection.
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- The National War Memorial was first proposed in the 1960s.
 - This memorial is dedicated to the soldiers who fought for the defense of the country during the Indo-China war in 1962, Indo-Pak wars in 1947, 1965 and 1971, and Indian peacekeeping operations in Sri Lanka and Kargil conflict in 1999. He had sacrificed his life for it.
 - The National War Memorial also commemorates the soldiers who made the supreme sacrifice and participated in UN Peacekeeping Missions, Humanitarian Assistance Disaster Relief (HADR) Operations, Counter-Terrorism Operations and Low Intensity Conflict Operations (LICO).

Manipur, Meghalaya, Tripura Foundation Day

- On the foundation day of Manipur, Meghalaya and Tripura (January 21), the traditions and culture of the three northeastern states were praised by the Prime Minister and other leaders.
- On January 21, 1972, under the North Eastern Region (Reorganization) Act, 1971, all the three states were given full statehood.

Merger of Manipur with India:

- Before August 15, 1947, through peaceful negotiations, almost all such states, whose borders with the Indian Union, were united for merger.
- The rulers of most of the states signed a document called 'Instrument of Accession', which meant that their state agreed to be a part of the Union of India.
- Shortly before independence, Maharaja Bodhchandra Singh of Manipur had signed the Instrument of Accession to maintain the internal autonomy of Manipur.
- Under pressure from public opinion, the Maharaja held elections in Manipur in June 1948 and the state became a constitutional monarchy. Thus Manipur was the first part of India to hold elections.
- There were huge differences in the Legislative Assembly of Manipur regarding the merger with India. The Government of India had succeeded in getting a Instrument of Accession signed in September 1949 without consulting the Legislative Assembly of Manipur.

Merger of Tripura with India:

- Tripura was a princely state until its merger with the Indian Union on November 15, 1949.
- Maharani Kanchanprabha (wife of Maharaja Bir Bikram) assumed the representation of Tripura state after the death of Bir Bikram Singh, the last Maharaja of Tripura, on May 17, 1947.
- He played a supporting role in the merger of Tripura State with the Indian Union.

Meghalaya merged with India:

- In the year 1947, the rulers of Garo and Khasi region entered the Indian Union.
- Meghalaya, a small mountainous state located in the north-eastern region of India, came into existence as an autonomous state within the state of Assam on April 2, 1970.

Major changes in the year 1972:

- In the year 1972, there was a major change in the political map of Northeast India.
- In this way two union territories of Manipur and Tripura and sub-state Meghalaya got statehood.

Swadeep Kumar

Yojna IAS