

No. 150/XXXVI(3)/2021/23(1)/2021

Dated Dehradun, May 31, 2021NOTIFICATIONMiscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of 'The Uttarakhand (Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Amendment) Act, 2021' (Act No. 14 of 2021).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 25 May, 2021.

**THE UTTARAKHAND (UTTAR PRADESH ZAMINDARI ABOLITION AND
LAND REFORMS ACT, 1950) AMENDMENT) ACT, 2021**

(Uttarakhand Act No. 14 of 2021)

An

Act

further to amend the Uttarakhand (Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Act no. 01 of 1951) in the context of the State of Uttarakhand;

Be it enacted by Uttarakhand State Legislative Assembly in the Seventy-second year of the Republic of India as follows-

Short Title, Extent and Commencement	1.	<p>(1) This Act may be called the Uttarakhand (Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Amendment) Act, 2021.</p> <p>(2) It shall extend to the whole of State of Uttarakhand.</p> <p>(3) It shall come into force at once.</p>
Amendment of Section 3	2.	<p>After sub-section (30) of Section 3 of the Uttarakhand (Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (hereinafter referred to as the principal act) the following sub section shall be inserted namely:-</p> <p>(31) "Abandoned daughter having no child mean a daughter of a male bhumidhar who has obtained a divorce by law from a competent court or who is living separately under the decree of judicial separation or such daughter whose husband has been missing for more than seven years and has no child."</p>

Insertion of new section 130-A	3.	<p>After Section 130 of the principal Act the following section shall be inserted namely:-</p> <p>130-A "During the lifetime of every male bhumidhar who is a bhumidhar with trasferable rights under section 130, the name of his wife shall be registered as an co-sharer in the share of her husband."</p> <p>Provided that the above provisions of this section shall apply only in the ancestral property of the male bhumidhar with transferable rights.</p> <p>Provided further that upon remarrying after divorce, she shall not remain a co-sharer in the former husband's share.</p>
Amendement of Section 171	4.	<p>(1) In the principal Act for sub-section(2) the following sub-section shall be substituted namely:-</p> <p>(2) The following relatives of the male bhumidhar or asami are heirs subject to the provisions of sub-section (1), namely:-</p> <p>(a) Widow, unmarried daughter, abandoned daughter having no child and the male lineal descendant per strips :</p> <p>Provided that the widow and the son of a predeceased son how low-so-ever per stirps shall inherit the share which would have devolved upon the predeceased son had he been alive;</p> <p>Provided further that if the widow already has the rights in ancestral property of the husband, then she shall not get the rights again.</p> <p>(b) Mother and father;</p> <p>(c) Married daughter.</p> <p>(d) Brother. and unmarried sister being respectively the son and the daughter of the same father as the deceased; and son of a predeceased brother, the predeceased brother having been the son of the same father as the deceased;</p> <p>(e) Son's daughter;</p> <p>(f) Father's mother and father's father;</p> <p>(g) Daughter's son;</p> <p>(h) Married sister;</p> <p>(i) Half- sister, being the daughter of the same father as the deceased;</p>

		<p>(j) Sister's son;</p> <p>(k) Half-sister's son, the sister having been the daughter of the same father as the deceased;</p> <p>(l) Brother's son's son;</p> <p>(m) Mother's mother's son;</p> <p>(n) Father's father's son's son;</p> <p>(ii) After sub-section (2), the following sub-section shall be inserted, namely:-</p> <p>(3) The following relatives of the Woman bhumidhar under section 130-A of the Act are heirs, namely:-</p> <p>(a) Widower</p> <p>(b) unmarried daughter, abandoned daughter having no child and the male lineal descendant per strips of husband;</p> <p>If the husband is deceased in the past, then the following relatives of the husband shall be heirs:-</p> <p>(c) Mother and father;</p> <p>(d) Married daughter.</p> <p>(e) Brother and unmarried sister being respectively the son and the daughter of the same father as the deceased; and son of a predeceased brother, the predeceased brother having been the son of the same father as the deceased;</p> <p>(f) Son's daughter;</p> <p>(g) Father's mother and father's father;</p> <p>(h) Daughter's son;</p> <p>(i) Married sister;</p> <p>(j) Half- sister, being the daughter of the same father as the deceased;</p> <p>(k) Sister's son;</p> <p>(l) Half-sister's son, the sister having been the daughter of the same father as the deceased;</p> <p>(m) Brother's son's son;</p> <p>(n) Mother's mother's son;</p> <p>(o) Father's father's son's son;</p>
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By Order,

HIRA SINGH BONAL,
Principal Secretary.

Statement of objectives and Reasons

Most of the Uttarakhand State being a hilly region has limited industrial activities, due to which most of the male of the State are employed in other States for the purpose of employment in government service/private institutions and most of the women are residing in their own state. Usually due to the right of men on land/property, the participation of women in economic development activities is not ensured, so that, women are unable to take loans from financial institutions for self-employment/enterprise etc. For the purpose of making women self-sufficient, it is inevitable to amend/insert sections 3(31), 130-A and 171 of the Uttarakhand (Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) to give the right of co-sharer in ancestral property.

The proposed bill fulfills the said objectives.

Trivendra Singh Rawat
Chief Minister.