

THE HINDU INHERITANCE (REMOVAL OF
DISABILITIES) ACT, 1928

(XII of 1928)

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'THE HINDU INHERITANCE (REMOVAL OF DISABILITIES) ACT,
1928

(XII of 1928)

[29 September 1928]

An
Act

to amend the Hindu Law relating to exclusion from inheritance of certain classes of heirs,
and to remove certain doubts.

WHEREAS it is expedient to amend the Hindu Law relating to exclusion from
inheritance of certain classes of heirs, and to remove certain doubts;

It is hereby enacted as follows:—

1. Short title, extent and application— (1) This Act may be called the Hindu
Inheritance (Removal of Disabilities) Act, 1928.

*[(2) It extends to the whole of '[the Punjab].]

(3) It shall not apply to any person governed by the Dayabhaga School of Hindu
Law.

2. Persons not to be excluded from inheritance or rights in joint-family property—

Notwithstanding any rule of Hindu Law or custom to the contrary, no person governed by the
Hindu Law, other than a person who is and has been from birth a lunatic or idiot, shall be
excluded from inheritance or from any right or share in joint-family property by reason only of
any disease, deformity, or physical or mental defect.

3. Saving and exception.— Nothing contained in this Act shall affect any right which
has accrued or any liability which has been incurred before the commencement thereof, or
shall be deemed to confer upon any person any right in respect of any religious office or
service or of the management of any religious or charitable trust which he would not have
had if this Act had not been passed.

1For the Statement of Objects and Reasons, see, Gazette of India, 1928, Part V, p. 51. This Act received the assent of the Governor General on 20th September, 1928; published in the Gazette of India, Part IV, dated September 29, 1928, p. 29. This Act was originally in the Federal ambit, however, the subject on which this law was enacted devolved to the provinces by virtue of 18th Amendment in the Constitution of the Islamic Republic of Pakistan, hence it was adapted, with amendments, for the province of the Punjab by the Hindu Inheritance (Removal of Disabilities) (Amendment) Act 2012 (XI of 2012).

2Substituted by the Central Laws (Statute Reform) Ordinance, 1960 (XXI of 1960), (w.e.f. 14.10.1955), published in the Gazette of Pakistan (Extraordinary), dated June 9, 1960, pp. 725-845, s. 3 read with Second Schedule; which were earlier substituted by the Federal Laws (Revision and Declaration) Act 1951 (XXVI of 1951), s. 8, which were earlier omitted the words "and the Sonthal Parganas" by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O. No. 4 of 1949), (w.e.f. 28.3.1949), published in the Gazette of Pakistan, pp. 223-283, Articles 3(2) and 4.

3Substituted for the word "Pakistan" by the Hindu Inheritance (Removal of Disabilities) (Amendment) Act 2012 (XI of 2012), published in the Punjab Gazette (Extraordinary), dated February 11, 2012, p. 40139, s. 2.