

THE CASTE DISABILITIES REMOVAL ACT.

[INDIA ACT XXI, 1850.] (11th April, 1850.)

Preamble. Whereas it is enacted by section 9, Regulation VII, 1832, of the Bengal Code, that "whenever in any civil suit the parties to such suit may be of different persuasions, when one party shall be of the Hindu and the other of the Muhammadan persuasion, or where one or more of the parties to the suit shall not be either of the Muhammadan or Hindu persuasions, the laws of those religions shall not be permitted to operate to deprive such party or parties of any property to which, but for the operation of such laws, they would have been entitled"; and whereas it will be beneficial to extend the principle of that enactment; It is enacted as follows :—

Law or usage which inflicts forfeiture of, or affects, rights on change of religion or loss of caste to cease to be enforced.

1. So much of any law or usage as inflicts on any person forfeiture of rights or property, or may be held in any way to impair or affect any right of inheritance, by reason of his or her renouncing, or having been excluded from the communion of, any religion, or being deprived of caste, shall cease to be enforced as law.

THE HINDU INHERITANCE (REMOVAL OF DISABILITIES) ACT.

[INDIA ACT XII, 1928.] (20th September, 1928.)

Preamble. 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 :—

Application. 1. This Act shall not apply to any person governed by the Dayabhaga School of Hindu Law:

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

2. 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.

Saving and exception. 3. Nothing contained in this Act shall affect any right which has accrued or any liability which has been incurred before the 20th September, 1928,¹ 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.

¹ Date of commencement of this Act.