

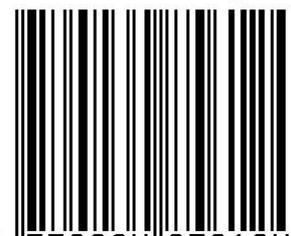


## Study about Hindu Minority and Guardianship Act: Its Applications and Features

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**Introduction:** This article throws a light on the Hindu minority and guardianship act which was established in 1956 under Hindu code bills. An act implemented to amend and codify certain parts of the law relating to minority and guardianship among Hindus. This act specifically serves to define guardianship relationships between adults and minors, as well as between people of all ages and their respective property.

ISSN : 2348-5612 © URR



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**Key words:** Minority, Guardianship, relationships

### Enacted by Parliament as follows

#### 1. Short title and extent

- (1) This Act may be called the Hindu Minority and Guardianship Act, 1956.
- (2) It extends to the whole of India except the State of Jammu Kashmir and applies to Hindus domiciled in the territories to which this Act extends who are outside the said territories.

#### 2. Act to be supplemental to Act 8 of 1890

The provisions of this Act shall be in addition to, and not, save as hereinafter expressly provided, in derogation of, the Guardians and Wards Act, 1890 (8 of 1890).

#### 3. Application of Act

- (1) This Act applies:
  - (a) to any person who is a Hindu by religion in any of its forms or developments, including a Virashaiva, a Lingayat or a follower of the Brahmo, Prarthana or Arya Samaj.
  - (b) to any person who is a Buddhist, Jain or Sikh by religion.
  - (c) to any person domiciled in the territories to which this Act extends who is not a Muslim, Christian, Parsi, or Jew by religion, unless it is proved that any such person would not have been governed by the Hindu law or by any custom or usage as part of that law in respect of any of the matters dealt with herein if this Act had not been passed.

**Explanation.-** The following persons are Hindus, Buddhists, Jains or Sikhs by religion, as the case may be:

- any child, legitimate or illegitimate, both of whose parents are Hindus, Buddhists, Jains or Sikhs by religion
  - any child, legitimate or illegitimate, one of whose parents is a Hindu, Buddhists, Jains or Sikh by religion and who is brought up as a member of the tribe, community, group or family to which such parent belongs or belonged.
  - any person who is convert or re-convert to the Hindu, Buddhist, Jaina or Sikh religion.
- (2) Notwithstanding anything contained in sub-section (1), nothing contained in this Act shall apply to the members of any scheduled Tribe within the meaning of clause (25) of article 366 of the Constitution unless the Central Government, by notification in the Official Gazette, otherwise directs.