



## Inequality of inheritance in connection with hp tribal women's property rights

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### Abstract

Inequalities between men and women have also been age old issues all over the world. Though the status of women in India is undergoing a significant change after a long history of discrimination and subjugation leaving behind the age-old tradition of domestic confinement, gender inequality still persists in the private sphere. The well-known United Nations quote from 1980 is still relevant, "women constitute half of the world's population and perform nearly two-third of its work hours, but receive one-tenth of the world's income and less than one-hundredth of the world's property. This-statistics itself reveals the injustice meted out by women all over the world despite numerous legislations ensuring equality, prohibiting discrimination on the basis of sex, religion, race, caste and place of birth. Gender injustice is highly glaring in the matter of women's property right all across the globe. This is because their property rights are limited by custom, social norms, legislations which hamper their economic status, opportunities and dignified life in the home. Every society has different norms and values which hinder women to enjoy equality and freedom. Tribal women remain backward due to traditional values, illiteracy, superstitious, social evils and many other cultural factors. Women and their rights regarding property ownership have a crucial and critical role in addressing the gender inequalities that this patriarchal society has long practiced to subjugate women. Women living in the tribal areas of Himachal are deprived of their rights on ancestral property. They are still bound by the old patriarchal laws that allows only men to inherit the property. They cannot inherit property in accordance with the Hindu Succession Act, 1956. There still prevalent 'Wajib-ul-Arz' (village level) and 'Riwaj-i-Am' (district level) customary law, came into existence in 1926. Even in this century, women in the remote and inaccessible terrain of the Himalayan state inherit only trouble instead of assets after the death of their parents and even husband.

**Keywords:** property, constitution, inheritance, women, inequality, tribal

### Introduction

The Constitution of India fundamental law of the land, provides equality of status to all including women. Therefore, legal system of country must provide for equality and equal protection of laws in all walks of life. Several legal reforms have taken place in India after independence, including equal share of property to women. Yet equal status remains illusive. The status of tribal women described in the Encyclopedia Britannica. It is stated that in India subjection was cardinal principle. Manu says that day and night women must be held by their protectors in a state of dependence. The lower status given to women is selected in the words of Manu. The rule of inheritance was agnatic that in descent traced through males to exclusion of females.

"Equality before the law in true democracy is a matter of right. It cannot be a matter of charity or of favour or, of grace or of discretion."

—Justice W.R. Reet Ledge

While India has an extremely progressive Constitution that grants equal rights to all its citizens regardless of race, class, religion, caste or gender, the reality on the ground is very different. Equality and freedom, however, evaded women, as in the chequered history of mankind, one finds that different and disparate cultures, however distant they may be in time and space, have one thing in common and that is contempt for women. This unequal status of women, being offensive to human dignity and human rights, emerged as a fundamental crisis in human development, all over the

World. The full development of personality, and fundamental freedom and equal participation by women in political, social, economic and cultural scenario are concomitants of national development which depend on social and family stability. All forms of discrimination on grounds of gender breed unrest. Women's inferior position throughout the ages not only in family and society but also in the matter of property right has been a subject of deep concern in recent times not merely to feminists but to all shades of opinion, both in public and private life. It appears that women form half of the Indian population. But she has always been discriminated against men and has suffered denial and is suffering it silently. Self-sacrifice and self-denial are their mobility and fortitude and yet have been subjected to all kinds of inequalities, indignities, incongruities and discrimination. She is not treated equally with men. This inequality or discrimination is visible when they are provided minimum education, poorly paid jobs, lower status expectations and very few rewards than men in comparable situation. Women normally exist either as a part of their parents or their husband's home. After the husband's death they live in their son's home and dependent on him. Consequently their freedom and right to equality are dependent on the attitude of the family, which normally treat them as subservient. The question of independence and having a home of their own, where they can express themselves in the manner of their choice, rarely arises. In viewing education as a symbol of transition, the outlook of

women has changed considerably during the last four decades. Much of it is due to expansion of education that has taken place in the recent year. Today's young women are not afraid of either moving out of their homes or as dependent on their parents or husbands like their mothers or grandmothers. Today's women want to be economically independent. The educated women are prepared to fight for their rights and assert their individuality. Intensification of education efforts further coupled with certain changes in the educational system in future may make the educated women of today self-reliant able to develop self-esteem and make her more caring, loving and source of amity and goodwill in the family. Property is the one of the basic institutions that help us to assess the status of a person in a society. The finance plays very important role in each and every kind of society. The women who constitute approximately 50% of the population in India, cannot improve in their social position without making an improvement in their economic position. For the proper development of any country, the improvement in the status of every woman is also essential. Earlier under Hindu Succession Act (HAS, 1956), women were not getting their rights on their ancestral property and since the amendment of HAS in 2005, daughters have equal rights, they are entitled to get their full rights as coparceners. This means daughters who had limited rights on the property of their ancestors are now coparceners along with the sons and have equal or absolute rights over the property along with brothers. But in case of tribal women HAS is not applicable for them. There is no notification till date regarding tribal women. Tribal customs are applicable for them, but tribal customs are not codified so far as a result, tribal women do not get inheritance rights in any manner. There are very rare cases of tribal women getting inheritance right. The present Research paper focuses on Himachal Tribal women's property inheritance rights and their customary laws which neglects women's property rights.

### **What is tribe?**

'Tribe' denotes a group of people living in primitive and ruthless conditions. These tribes are a social group, living in fixed territory, having no such specialization of functions and the people living in these social groups are known as tribes or tribal people. Tribes also have several sub-groups and collectively they are known as 'Tribal Society'. Tribes are the inhabitants of forests since pre-history and even in this modern world this trend is followed by many people. India has the second largest tribal concentration in the world spread across various parts of the country mainly in forest and hilly regions. According to 2011 census tribal population is 104.3 million, which is 8.6% of the total population in India. The tribes have distinct cultures, religions, social practices and dialects leading to different levels of socio-economic development. Tribal have lived mainly in forests, hills and inaccessible terrain for centuries. They have remained isolated from the mainstream population. This century old isolation has led to their backwardness in all socio-economic development. Central and State governments have undertaken a number of steps in the form of schemes, programmes for their upliftment which have improved their socio-economic life and educational attainment to a large extent. However the improvements have not reached to the desired level. There is a wide gender gap particularly in the field of education.

Every society has different norms and values which hinder women to enjoy equality and freedom. Tribal women remain backward due to traditional values, illiteracy, superstitious, social evils and many other cultural factors.

### **Tribes in Himachal Pradesh**

In Himachal Pradesh largest population of tribes resides in Chamba, Kinnaur and in Lahaul Spiti district. In Chamba district Gujjars, Gaddis and Pongwals live in great majority. The second district with major population of the tribals is in Kinnaur. In this district only Kinner tribe resides, wherein Lahaul, the name of the tribe is known as Lahaula tribe and in Spiti, Bhot tribe. Some other minor tribes like Lamba, Khampa and Jads are also found in Himachal Pradesh but not in a great majority and population. Each tribe has its own system of administration and own culture and belief, which they had followed from years and still it's in practice in tribes. The tribal people speak their own dialect and at present use Hindi as the second language. The lifestyle of tribal are found very different from the other communities. This was reflected through their dressing sense, outfit, ornaments, and practices. The people of tribal areas live under very harsh conditions and their economy is based on horticulture, agriculture and animal husbandry. Tribal population comprises of 6% of total population of the state. However, the ST population is quite dominant in Lahaul Spiti, Kinnaur and Chamba rural districts of the state.

### **Women in customary law**

The sources of customary laws may be a comprehended set of traditional rules and norms, considered as intrinsic to the tribal people. Tribal customary law may be seen as a pattern of individuals and groups behaviour, which might be practiced from one generation to the next. Customary laws gain their strength from the habitual obedience of community members (Ghosh, 2007, 130). The traditional theories of justice, along with customs and traditional practices favoured male-centric and patrilineal inheritance interests. This can be considered as a form of violence, because women are at a large disadvantage, as far as land is concerned. The notion of equal validity of sources of law creates some kind of gender discrimination, unable to incorporate women's rights especially inheritance rights. The Indian society carries the settings of patriarchal, patrilocal and patrilineal characters: patriarchy denotes the power of a cultural relationship, with enhanced man's supremacy. The notion of patriarchy is a widely known norm. Such traditional and social structure of ownership in property inheritance ensures the governance of men, limiting a women's right. Most of the Tribal communities of India also follow the patriarchal social structure. Tribal societies share the same experience of inheritance of property rights, where tribal women do not inherit land. Himachal Tribal women have no legal rights on ancestral property due to different customary laws e.g. Wajab-ul-Arz and Rewaz-i-Am.

### **The constitutional protection**

The philosophy of tribal welfare policy incorporated into the Constitution of India is with a view to attain equality, justice and opportunity of self-attainment. The Constitutional safeguard for the tribes are of protection, political and developmental in nature. Indian Constitution has a

substantially elaborate framework to ensure equality amongst its citizens. It not only guarantees equality to all persons, under Article 14 as a fundamental right, but also expands on this in the subsequent Articles, to make room for affirmative action and positive discrimination. Article 15 of the Constitution prohibits discrimination against tribals. Provision under Article 16, provide for equality of opportunity in matters of public employment, protection from the social injustice and all forms of exploitation of Schedule Tribes is contemplated and provisions are made for the administration, control and welfare of Schedule Tribes. There are other Constitutional provisions, which safeguards the rights of tribal women. They are Article 15 which empower the state to make provisions for women and children to help them to achieve the fundamental right of equality as enshrined in Article 14 of the Constitution.

Despite these Constitutional provisions tribal women are still discriminating in many matters. Fight for justice by females or cry for gender equality is not a fight against en. It is a fight against traditions that have chained them, a fight against attitude that is ingrained in the society. It is fight against proverbial Lakshman Rekha which is different for men and different for women. Men must rise on the occasion. They must recognize and accept the fact that women are equal partners in life. They are individual who have their own identity. Today, in the 21st century, we are still unable to boast of a society where there is total gender equality or gender equity. All too often, universal human rights and not extending to economic and social rights, which may be of more importance to women. Civil and political rights and economic and social rights are integral and complementary parts of one coherent system of global human rights. Women's equality cannot be achieved through equal opportunities due to unequal status of women in society, which exist. Human rights are not protected unless there is gender justice. Talk of gender justice remains like pious platitudes that like blunt axes are passed around by all and sharpened by none.

Here it is apt to quote Krishna Iyer, J:

"The fight is not for women's status but for human worth. The claim is not to end inequality of women but to restore universal justice. The bid is not for loaves and fishes for the forsaken gender but for cosmic harmony which never comes till women comes."

The Constitution of India sets out to integrate women into full, democratic citizenship, through specific provisions within the Fundamental Rights Chapter and the Directive Principles

of State Policy towards their equality and empowerment. The benevolence, egalitarianism and protection afforded by the Constitutional framework may be argued to mask the true nature of the state and law in respect of women, as a paternalistic one. Gender justice means that no one can be denied justice or discriminated only because of ones gender(sex). Gender injustice refers also to the obvious or hidden disparities among individuals based on the performance of gender.

### **The experience of gender**

Men enjoy their position because they are men, and we are inferior because we are women. This is our tradition and our culture. No matter how much we work, we will always be in this position once we are married. This is the base reality, no matter how much you may try to analyse otherwise. A

woman can never think of anything as hers alone as long as she has sons and daughters. Women belong to their husband and depend on them...what do my parents have to do with me? As a daughter I am not their responsibility any more. My parents will not give me anything. "There is the expectation that sons will look after the parents in old age. As regards the daughter, it will depend on the marital family and how she relates to them, but the parents can't depend on them." "In the case of a daughter, the parents cannot expect her to support them in difficulty because she belongs to another family after marriage." Even though sons and daughters might be equal so long as they are at home it changes after marriage... Even if the girl were to live in the same village after marriage, it would be the same. Marriage itself means that the girl belongs to another family no matter where she lives. She is no longer part of the family.

"It is because of our tradition... so if I acted according to what I thought my in-laws would not trust me anymore, because they would think I am acting selfishly, and separating myself from the common objectives of the family". "After marriage, there is no choice, we have to work whether we want to or not. It is our duty". As parents, we should treat both sons and daughters equally. But in our society, the way things are understood, we need sons. Women's roles and functions within the family and society provide the base upon which perceptions, values and ideas and identities are forged. How do these norms and values, the alienation of the girl from her natal family, and subsequent need to find security within the marital family, combine with these deeply imbibed ideas of the role of a female to affect the development of her personality, and her interpretation of the society around her? How does she then locate herself within the larger society and its institution such as the law? These are issues that must be probed.

### **Rights of tribal women**

It is also pertinent to mention that as far as property rights of the tribal women are concerned, they continue to be ruled by even more archaic system of customary law under which they totally lack rights of succession or partition. Infact the tribal women do not even have any right in agricultural lands. What is ironical is that reform to making the property rights gender just are being resisted in the name of preservation of tribal culture. There was a public interest petition filed by a leading women's rights activist challenging the customary law operating in the Bihar State and other parts of the country excluding tribal women from inheritance of land or property belonging to father, husband, mother and conferment of right to inheritance to the male heirs or lineal descendants being founded solely on sex is discriminatory. Discrimination based on the customary law of inheritance was challenged as being unconstitutional, unjust, unfair and illegal. In the judgement in this case the Supreme court of India laid down some important principles to uphold the rights of inheritance of the tribal women, basing its verdict on the broad philosophy of the Indian constitution and said:

"The public policy and Constitutional philosophy envisaged under Articles 38, 39, 46 and 15(1) & (3) and 14 is to accord social and economic democracy to women as assured in the preamble of the constitution. They constitute core foundation for economic empowerment and social justice to women for stability of political democracy. In other words, they frown upon gender discrimination and aim at

elimination of obstacles to enjoy social, economic, political and cultural rights on equal footing". Another passage judgement deserve to be quoted, wherein the desirability of flexible and adaptable laws, even customary law, to changing times, was emphasized, is:

"Law is living organism and its utility depends on its vitality and ability to serve as sustaining pillar of society. Contours of law in an evolving society must constantly keep changing as civilization and cultural advances. The customs and mores must undergo change with march of time. Justice to the individual is one of the highest interests of the democratic state. Judiciary cannot protect the interest of the common man unless it would redefine the protections of the constitution and the common law. If the law is to adapt itself to the needs of the changing society, it must be flexible and adaptable. "Accordingly it was held that the tribal women would succeed to the estate of their parent, brother, husband, as heirs by intestate succession and inherit the property with equal share with male heir with absolute rights as per the general principles of Hindu Succession Act, 1956, as amended and interpreted by the court and equally of the Indian Succession Act to tribal Christian.

on June 2015, a landmark judgement by justice Rajiv Sharma, Himachal Pradesh High court, which will bring a new resolution in the tribal's society to grant equal rights to the girls, now daughters of tribal area are entitled to equal share in the family property, and can't be discriminated on the basis of their gender. The 48-page order handed down by Justice Rajiv Sharma ends decades long struggle of the tribal women in districts of Kinnaur, Lahaul Spiti and Chamba – who had been engaged in protracted legal fight and public campaign to reinforce their rights in the ancestor's property, like male siblings. High Court saying they are entitled to inherit property in accordance with the Hindu Succession Act, 1956. In order to protect women against social injustice and exploitation women belonging to the tribal areas of the state will inherit property under the Hindu Succession Act, 1956 and not as per customs and usages. The court, while underlining that gender discrimination amounted to violation of fundamental rights, observed that law must evolve with time if societies are to progress. Women from various parts of Kinnaur have formed the Mahila Kalyan Parishad under the chairpersonship of Ms Rattan Manjari from Ribbato seek equal share in ancestral property. Gender discrimination violates fundamental rights. They had even sought the intervention of the national Commission of Women and the National Tribal Commission in their fight for equal property rights and amendment to the customary laws. Article 15 of the constitution of India prohibits discrimination on the ground of sex. Article 38, 39 and 46 envisage socio-economic justice to the women. Rule of law should establish uniform pattern in the society. So they are entitled to equal share in the property.

Tribal women have always been strong; they have been on the forefront of struggle for betterment of mankind. They have given strength and have been great support to their male counterpart. It is their power of resistance that in spite of the persistent efforts of the male to enmesh them in the web of myth, they have never lost their composure and cool. And as a result of this, today they are bravely facing the challenges of their subjugation. Education is expected to bring in all round personality development in women, with development in her vision and worldview, helping her to be

better adjustment to her needs, as well as the need of her family and the community. In June, 2015 High Court allowed the tribal women to inherit property in accordance with the Hindu Succession Act, 1956 which above mentioned. But this was challenged and matter is pending with the Supreme Court. With the passage of time education spread and tribal women now aware about their rights and the education is the only means that can be used to uplift the tribal women and improve their status and it is a fundamental right that provides opportunities for socio-economic uplift. Tribal women have no legal property right so they face gender base discrimination in every stage of life and later on the face many psychosocial stresses.

### **The response of the judiciary**

In a Judgment on December 9, 2022, the Supreme Court asked the government to re-examine provisions in the Hindu Succession Act which deny a tribal woman the right of succession to her father's property. A bench led by Justice M.R. Shah said that there was no justification to deny a woman belonging to a Schedule Tribe community the "right of survivorship" under the Hindu Succession Act. Court observed "When a daughter belonging to a non-tribal is entitled to the equal share in the property of the father, there is no reason to deny such right to the daughter of a tribal community. Female tribal is entitled to parity with male tribal in intestate succession," court find it jarring that tribal women were still denied an equal share to their father's property 70 years after the constitution came into existence.

As per Section 2(2) of the Hindu Succession Act, the statute, which guarantees equal share for male and female heirs, is not applicable to Schedule Tribe members. The court, while expressing its inability to change the law as it stands now, directed the Centre to examine the provisions of the Hindu Succession Act and, if necessary, amend the statute to extend it to the Schedule Tribes. Further added, "we hope and trust that Central government will look into the matter and take an appropriate decision taking into consideration the right to equality guaranteed under Article 14 and 21 of the Constitution. Another heartening trend is that the Indian courts are increasingly relying on international standards, derived from various international declarations and conventions Specifically CEDAW has been referred to and relied upon by the Supreme Court of India in some judgments. These lines of judgements give a firm basis for the women of India to demand gender justice and equal rights on par with International standard.

### **Conclusion and suggestions**

There is no denial in saying that women have miles to travel for securing their equitable access to land holding rights because with one half of the population in India constantly deprived of the ownership of the property and inheritance rights over property. Gender discrimination in the immovable property like land can be seen all over the world. The patriarchal mind set of society is one of the main reasons behind the pitiable condition of women in India. Right to property was inserted under Article 300A of the Constitution which stated that no person shall be deprived from property rights. Indian society is characterized by pluralism, in which different communities are guided by their own traditional culture and customs so as Himachal tribes customary laws which violates tribal women's rights



of equality. It has been noticed that vulnerability of tribal land is in terms of losing ownership, control over resources, and cultural identity. The State government has special constitutional provisions which empower the making of certain rules and regulations, regarding the prohibition on transfer of land from tribal to non-tribal. Even though due to the enactment of new laws women's property rights are being enhanced but the society is always in a position to suppress women and due to this women are often not aware of their rights to claim equal share in the property. As we are the beings who often find our traces in the societal, in order to bring equality into reality, the society's view towards women has to be changed.

Tribal women have always been strong; they have been on the forefront of struggle for betterment of mankind. They have given strength and have been great support to their male counterpart. It is their power of resistance that in spite of the persistent efforts of the male to enmesh them in the web of myth, they have never lost their composure and cool. And as a result of this, today they are bravely facing the challenges of their subjugation. Education is expected to bring in all round personality development in women, with development in her vision and worldview, helping her to be better adjustment to her needs, as well as the need of her family and the community. We reached the moon 46 years ago and maybe we'll soon land on mars but still our women not obtain their gender equality right. A long struggle going back over a century has brought women the property rights, equality before the law in matters of marriage and employment but some tribal areas of Himachal still fighting for their gender equality. These tribal women's they don't have inheritance property right and they demanding amendment too customary laws that deny tribal women a share in ancestral property. In June, 2015 High Court allowed the tribal women to inherit property in accordance with the Hindu Succession Act, 1956 and the court said The personal laws inconsistent with the Constitutional mandates are void under Article 13 of the Constitution of India. Lordship further added that: "It is seen that if after the Constitution came into force, the right to equality and dignity of person enshrined in the Preamble of the Constitution, Fundamental Rights and Directive Principles which are a trinity intended to remove discrimination on grounds only of social status or gender, removed the pre-existing impediments that stood in the way of female or weaker segments of the society. Now Supreme Court of India also bats for law tweak to give tribal women property rights. Terming denial of share in a schedule tribe father's property to his daughter a violation of right to equality, the court on Dec.2022 strongly advocated amendments to the Hindu Succession Act (HSA), which does not apply to the ST community, to bestow tribal daughters with the same succession rights as the sons in a tribal father's property.

**Property rights of women's belonging to Schedule Tribes**  
 Clause 25 of Art 366 of the Constitution defines the term "schedule tribes" which means such tribes or tribal communities as are deemed under Article 342 to be schedule tribes for the purpose of this Constitution. Art 342 provides that President may by notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this constitution shall be deemed to be schedule tribes with respect to any State or Union territory. In case of State,

President will issue public notification after consultation with the Governor of the State. Parliament may by law include in or exclude any tribe or tribal community or part or group within any tribe from the list of schedule tribes.

Section 2(2) of the Hindu Succession Act, 1956 expressly excludes the schedule tribes from its applicability. It provides that nothing contained in this Act shall apply to the members of any schedule 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. By the necessary implication of these provisions, the women belonging to schedule tribes have been deprived of property rights. Probably this exclusion was inserted to protect the identity, culture and property of the tribes. It is suggested that women specific property laws should also be extended to schedule tribes with reasonable safeguards and without compromising with cultural identity. The direction of the Supreme Court of India should be implemented by the Central govt as soon as possible and amend the provision of the Hindu Succession Act by which the Hindu Succession Act is not applicable to the members of the Schedule Tribes.

## References

1. Women in history-mosaic and Hindu law, Encyclopedia Britannica, 11th edition, 1910. Available at: <http://www.womeninhistory.about.com> (Accessed on 10.10.2022).
2. Aftab Alam. Human Rights in India: Issues and Challenges, 1998, 76.
3. Ramesh." Political Empowerment OF Women in India" in C. A. Gurudath, (ed.), Women, Child, Law and Society, 2006, 119.
4. Anjani Kant, Women and the Law, 2012, 2. <https://en.m.wikipedia.org>
5. Initially. Wajib-ul-arz was the record of right containing statement of custom prevailing in the villages. They were prepared as a village wise custom. Later on, Riway-i-Am were prepared district wise by an officer deputed for the purpose. Kinnaurtribals still follow Wajib-ul-arz as their customary law.
6. Iyer VRK. Law and Life, Vikas Publishing House, New Delhi, 1979, 31.
7. Jyoti Rattan. "Uniform Civil Code in India: A binding obligation under International and Domestic Law", ILL, 2004:46:578.
8. Anne Mary Mooney Cotter, Gender Injustice: An International Comparative analysis of Equality in Employment (Ashgate Publishing House, England, 2004. <http://www.ashagate.com>
9. Madhu Kishwar. others etc. V state of Bihar & others, 1996, 5SCC 125.
10. Kamla Neti v. Special Land Acquisition Officer SCC OnLine SC, 2022, 1694.
11. For instance. Jolly George Verghese Anr. V. State Bank of India AIR 1980SC 470.
12. Vishaka, Anr v. State of Rajasthan & Ors: AIR 1997SC 3011, Gita Hariharan v. Reserve Bank of India: AIR 1999 SC 1149.
13. Bahadurvs Bratiya and Ors <https://hphighcourt/2015/judgement> 23-june-2015pdf. last visited on 08.01.2023.
14. 16. <https://main.sci.gov.in/supremecourt/2022judgement> 09-Dec-2022pdf. last visited on 08-01-2023.

15. Agarwal, R.K., Hindu Law (Codified and Uncodified) as amended by Hindu Succession Act, 2005, 22nd edition Publication Allahabad, Central Law Ag, 2007.
16. Agnes, Flavia, Law and Gender Inequality- The Politics of Women's Rights in India, Oxford University Press, 1998.
17. Anand AS. Justice for Women, 3rd edition, Universal Law Publishing Co, 2008.
18. Bakshi PM. The Constitution of India, 4th edition, Delhi University Law Publication, 2001.
19. Bajpai SC, Lahaul Spiti. - A Forbidden Land in Himalayas, Indus Publishing Co., New Delhi, 1987.
20. Basu, Durga Das, Constitution of India, 3rd edition, Prentice hall of India, New Delhi. Chaudhary, Prem, Understanding Women's Land Rights, Gender Discrimination in, 1983.
21. Ownership. Sage Publication, 2017, 13.
22. Gill, Kulwant, Hindu Women's Right to Property in India, Deep and Deep Publication Pvt. Ltd. New Delhi, 1986.
23. Mishra, Jitendra, Right to Equality and Gender Justice, 91 AIR 485, 2004.
24. Negi TS. Schedule Tribes of Himachal Pradesh: A Profile, Published by Thakur Sen Negi, Raj Printers, Meerut, 1976.
25. Patel, Reena, Hindu Women's Property Rights in Rural India., Law, Labour and Culture in Action, Ashgate Publication, 2007.
26. Singh, Bachittar. Riwaj-i-Am, Himachal Academy of Arts, Culture & Languages, Shimla, 2003.
27. <http://www.ashgate.com>
28. <http://www.britannica.com/topic/propertyrights>
29. [www.legalserviceindia.com>legal](http://www.legalserviceindia.com/legal)
30. [www.shodhganga.inflibnet.ac.in](http://www.shodhganga.inflibnet.ac.in)
31. <http://lawcommissionofindia.nic.in>
32. <http://www.womeninhistory.about.com>
33. [www.preservearticles.com/.../upliftment-ofscheduletribes.html](http://www.preservearticles.com/.../upliftment-ofscheduletribes.html)