



Research article

Accessing the Views of General People on Regarding the Rights to Inheritance of a Hindu Daughter: A Study on Girls of Khulna University

Fatima Tahosin Tova* and Pumam Chakrabarty

Law Discipline, Khulna University, Khulna-9208, Bangladesh

ABSTRACT

Women typically do not receive a share of their parents' and spouses' property under the existing Hindu inheritance law, or if they do, it is not to the same degree as male family members in most cases. Our nation forbids Hindu women from inheriting their fathers' property. The government's political barriers or restrictions imposed by religious leaders are just two of the challenges Hindu women striving for their rights may encounter. The essay aims to identify the causes of the prejudice and injustice experienced by Hindu women. In order to prove women's rights to inheritance in Bangladesh, the study will also present the psychological and sociological elements of women. To find out why Hindu women are not allowed to own property, the study's author interviewed several female students at Khulna University.

ARTICLE INFO

Article timeline:

Date of Submission:

22 August, 2024

Date of Acceptance:

16 September, 2025

Article available online:

30 November, 2025

Keywords:

Inheritance Rights

Mitakshara School

Gender Discrimination

Stridhana

Introduction

Dayabhaga and Mitakshara are the two schools of Hindu inheritance law. The Dayabhaga School is the primary Hindu religious school in Bangladesh, Assam, and West Bengal, India. However, non-Bengali societies like those in Mumbai, Madras, Benares, Maharashtra, Punjab, and other locations accept the Mitakshara worldview (Moni & Fahim, 2021, Pp. 574-581). The Hindu Law of Inheritance Act of 1929 only applies to Mitakshara practitioners, even though the majority of Bangladeshis adhere to the Dayabhaga School of Law. Daughters who are childless, widowed, or unable to bear children, however, are not eligible to inherit from their father. In addition to marriage, the People's Republic of Bangladesh, a secular nation established by the Constitution, adheres to consistent standards in all spheres of daily life. In Bangladesh, family law matters are decided by individual state laws, which suggests that religious considerations will be made when deciding how to divide a deceased person's property or how to determine an heir's claims. Despite the fact that most of these religious rules either totally or partially discriminate against women's inheritance rights, there is a lot of room for interpretation (Sourav, 2015, Pp. 5-13). Hindu women who hold leadership roles in the community

often minimize the importance of Hindu women's inheritance rights, claiming that because they are a minority, Hindus are not subject to gender-based discrimination (*Ibid*).

Statement of the Problem

According to the Dayabhaga School of Law, not all Hindu women are entitled to inherit property, and even those who are have restricted rights regarding life interests. Hindu women's inheritance law has certain inequalities (Uddin, 2011, Pp. 1-31). Religious publications claim that women inherit different levels of religiosity due to the vast diversity of religious viewpoints. Since the nation's founding in 1971, the government of Bangladesh has been committed to providing women with equal rights and opportunities through the regulations set forth in the constitution. Unfortunately, women still face obstacles to their inheritance rights in spite of the many laws that have been implemented since independence to ensure their empowerment. Even if regulations are in place to ensure that Muslim and Hindu households divide property correctly, in practice, these restrictions are either too onerous or insufficient to allow women to manage their

*Corresponding author: <fatimatova182819@gmail.com>

proper shares, depriving them of one path to financial independence (Begum, 2018, p. 103). This is the main cause of women's shares typically being significantly smaller than men's based on all of these ratios. As long as males defend them and ensure that they are treated fairly both at home and in the community, women don't care about rules (Huda, 2011). According to a 2012 Law Commission poll, most Hindu women (86%) desire an equal share of their parents' and spouses' income. For fear of retaliation, many people are hesitant to voice their opinions on this matter (Alam, 2004, pp. 15–52).

Objectives

- To discover concerning the privileges inherited by a Hindu daughter, especially from the viewpoint of the Hindu girls at Khulna University
- To find out the existing mechanisms relating to the inheritance rights of a Hindu girl.
- To know whether these mechanisms are effective or not to get inherited property from Hindu girls.
- To identify the reasons and barriers why Hindu girls are depriving themselves of their inherit rights.

Hypothesis

It is possible that the public's misconception regarding Hindu females' inheritance rights is due to their reluctance to own property. The Hindu daughter may be unable to inherit property due to societal norms, her own ignorance, and political disparities between our two countries. It is anticipated that certain Hindus will become incensed by the daughter's equal property rights.

Methodology

This report is based on mixed methodology, and both doctrinal and empirical methods are used. Data has been accumulated from both primary and secondary sources. In this paper, primary data has been collected from existing law and respondents who are girls of Khulna University, and secondary data has been gathered from various books, online journals, articles, newspapers, etc. relating to the right to inherit property of Hindu women.

Literature Review

Kamrun Naher and others in their Article “Hindu Women’s Right to Inheritance: A Case Study on Bogura Bangladesh” narrated that Hindu the violation of certain human rights, like the ability to possess property, disadvantages women in society. Hindu women face several obstacles in their lives because of strongly ingrained cultural norms. Although equal rights for men and women, regardless of religious affiliation, are guaranteed by the Bangladeshi constitution, Hindu women are not given the opportunity to use them. Some claim that because the majority of Hindu women follow stringent inheritance laws, women of other religions are in a better position than Hindu women (Naher et al., 2020, pp. 57-62).

Sona Khan in her Article “Inheritance of Indian Women: a Perspective” stated that the constitution guarantees equal protection under the law to all citizens,

irrespective of their caste, color, ethnicity, or gender. But in actuality, discrimination against Hindu women prevents them from inheriting. She questions why these obvious constitutional rights haven't led to the overturning of some discriminatory inheritance laws. Given that religion and culture have a bigger impact on society than the interpretation and implementation of laws, the Hindu daughter's right to inherit in India is a socioeconomic matter (Khan, 2010, pp.139-154).

Mahua Zahur, in his paper “Hindu Women’s Property Rights: Bangladesh Perspective” described that even though discrimination on the basis of sex or religion is prohibited by Bangladesh's constitution, Hindu women are granted fewer property rights than their male relatives and women of other religions. To date, no new laws have been created to amend these outdated laws (Zahur, 2016).

Shahnaz Huda in her research “Double Trouble”: Hindu Women in Bangladesh – A Comparative study described that Even though discrimination on the basis of sex or religion is prohibited by Bangladesh's constitution, Hindu women are granted fewer property rights than their male relatives and women of other religions. To date, no new laws have been created to amend these outdated laws (Zahur, 2016).

Akhilesh Kumar Khan in his “Right of Inheritance of Hindu Women in Ancient India: Analysis of “Stridhana” in Ancient Hindu Texts he stated that even though discrimination on the basis of sex or religion is prohibited by Bangladesh's constitution, Hindu women are granted fewer property rights than their male relatives and women of other religions. To date, no new laws have been created to amend these outdated laws (Zahur, 2016).

Nilay Das and Tanushri Das in their articles “Perspectives on the property Rights of Hindu Women in Bangladesh: An Analysis” mentioned that in Bangladesh, Hindu women's property rights receive less protection than those of other women and male family members. In Bangladesh, it is unlawful to discriminate against someone based on their gender, religion, or any other factor. Under the current legal system, which has not been altered by legislation, Hindu women have very limited property rights (Das & Das, 2023, pp. 41-48).

Nusrat Hasina, in her paper “Hindu Women’s Rights in Bangladesh: A Need to Introduce a Time Worthy Legal Order” she describes the traditional Hindu law, which continues to adhere to specific customs and practices, hinders women's equality. Hindu personal laws began as a collection of traditions that contradicted the principles of equality and nondiscrimination. Despite numerous attempts, the Act remained unchangeable. The secular republic of Bangladesh has ratified and signed several international conventions and treaties that protect women's rights and ensure gender equality. However, Hindu women still lack equal opportunities to engage in politics and advocate for their rights (Hasina, 2023, p. 1569).

Naima Akhter Lina, in her article “Land Right and its Implementation in Bangladesh for Women” described that we should change the discriminatory Hindu inheritance rules to protect Bangladeshi women's equality and lessen

their reliance on men (father, brother, and husband). They will feel more significant and credible if they work together to advance their families, the country, and themselves. Instead of making them feel like helpless women at the mercy of their male relatives, it will provide them with a feeling of human purpose and self-worth (Lina, 2023, pp. 7-72).

Sirajus Sayafin Saif in his article "Women's Right to Inheritance under Muslim, Hindu and Cristian Laws: A Comparative Legal Study" described that Women have limited freedom to exercise their rights inherit. In particular, negative cultural and traditional attitudes hinder Hindu women's ability to inherit. The patriarchal ideals, inheritance laws, and social customs that now prevail in Bangladeshi society tend to reinforce discriminatory attitudes (Saif, 2022).

Significance of the Study

Lawmakers and Hindu community leaders are adamantly against Hindu women inheriting land. The contentious Hindu Women's Right to Property Act 1937, which was drafted during the British colonial era and expressly forbids Hindu women from inheriting a portion of their fathers' or husbands' property in the event that there are male family members, has never been brought up by Hindu members of parliament in Bangladesh (Jhabvala, 2016). In the absence of a male successor, only widows without children and married daughters with sons have the right to inherit property. Other girls receive nothing. This kind of inheritance restricts ownership and stops the possessor from selling the property. The next male heir of the original inheritor receives the property. This man assumes that there are women whose circumstances prevent them from holding property (Zahur 2016, pp. 27-33). Because they were widowed or, in other cases, sonless, many of these women worked for the rest of their lives without a family or a source of income (Agarwal, 2019). Therefore, all reasonable people must view this law as discriminatory against Hindu women. This essay will help to defend the Hindu daughter's rights.

Limitations

Every piece of art has limitations and constraints. Along the way, the researcher encountered a few obstacles as well. The first is time, which has presented the researcher with several challenges. It would be fantastic if the researcher had more time to supplement her study with other data and resources. Once more, a lack of resources and materials hinders the researcher. The author gathered information from Khulna University's only Hindu female students.

Legal Framework

Gender

The internal gender perception of a person can be categorized as none, masculine, feminine, or a mix of the two. Men, women, and children are distinguished by socially constructed traits known as gender. In addition to the duties, traditions, and hobbies exclusive to each

gender, this also covers the relationships between boys and girls and women and men. Gender is a social construct that is shaped by historical occurrences and cultural conventions (World Health Organization, 2023). Cross-cutting hierarchical imbalances in social and economic inequality stem from gender. Many other types of bias, such as those based on sexual orientation, gender identity, age, location of residence, handicap, and ethnicity, overlap with gender discrimination. One phrase that embodies this concept is "Intersectionality."

Gender Equality

When a person's gender has no bearing on their access to opportunities or rights, gender equality has been attained. Among the groups affected by gender inequity are men, transgender people, and people who identify as gender nonconforming. People of all ages and socioeconomic levels are touched, but families with young children are especially affected (*Ibid*). A person's rights, responsibilities, or opportunities shouldn't be dictated by their biological gender, according to the gender equality principle. This includes transgender people, women, males, and other people who identify as gender nonconforming. It is not always true that men and women require or have equal access to the same resources.

Hindu family law

Hindu family law refers to the set of religious regulations that Hindus adhere to concerning marriage, child custody, inheritance, legacy, wills, maintenance, and other aspects of marital life (Masum 2023).

Stridhana

A Hindu lady's stridhana is the property that her father bestows upon her, either before or during the marriage ceremony, according to Hindu scriptures. Hindu customary law, however, states that stridhana also includes the inheritances that women receive from their father and other family members both before and after marriage. However, the Stridhana does not safeguard inherited property or gifts from strangers, according to the Dayabhaga School (Sourav, 2015, p.5). After marriage, women's rights to non-saudaiyk property were limited, and alienation required the husband's consent. Non-relative gifts are included in this category of property. Nonstridhan property includes gifts or property that a woman receives from a male or female relative. Her ownership of it is limited because she is just allowed to utilize it and is not allowed to take away the property's inheritance (Biswas, 2022, P. 648).

Daughter's inherited right under Hindu law

- If the deceased father had a son, grandson, or great grandson, they would not be entitled to any of his property.
- Only in the event that any of the previously stated people are not present would her married sister(s) receive her unmarried daughters' portion of the property.

- If any property is left to infertile, widowed, or sonless girls, the men in the family will inherit it. These women have restricted rights to the property, and not every man's daughter has the same right to inherit her father's assets. Married daughters with male children and unmarried daughters can partake in the property, however widowed girls without children (barren widowed) or daughters without male children are not allowed to own property (Menski & Rahman , 2018) .

Existing Legislations

The Constitution of People's Republic of Bangladesh, 1972

The Bangladeshi constitution guarantees gender equality, but many women, particularly Hindu women, still lack access to many basic rights. Hinduism negatively impacts the development of Hindu women. "The citizens shall control or own the tools as well as the means of production and supply," according to Article 13 of the 1972 Constitution of the People's Republic of Bangladesh. All people are entitled to equal chances under Article 19 of the Constitution, which mandates that the state take all reasonable steps to ensure equal opportunities for all citizens and implement practical measures to eradicate social and economic discrimination against women (*Ibid*, Art. 19). Any citizen can ask the High Court Division to protect any of the basic rights set out in Part 3 of the Constitution under Clause 1 of Article 102 (*Ibid*, Art. 44 & 102). This is in addition to the rights already mentioned. Articles 27 and 28 of the 1972 Constitution of Bangladesh grant equal rights to women and men in the state. Everyone is equal before the law (*Ibid*, Art. 27-28). Bangladesh's Hindu inheritance rules remain unchanged, despite amendments to the Indian Hindu Inheritance Act of 1956 in 2005 and 2007 to further protect women's rights.

The Hindu Women's Rights to Property Act, 1937

This Act prohibits girls from inheriting any property. However, only children who are still minors after widowhood can inherit the homestead. Hindu literature does not mention daughters sharing inheritance. This method of money distribution is not ideal, even if it's in the Family Law Ordinance. Consequently, The Hindu Women's Right to Property Act of 1937 states that women do not have the right to share in their father's fortune.

The National Law Commission

To ensure that Hindu women in Bangladesh have equitable access to their father's assets, the law commission has suggested amending the Hindu Inheritance Act. As a signatory to numerous international agreements and a member of the global community, Bangladesh must also end all forms of discrimination. Bangladesh is thereby breaking both its international commitment and the non-discrimination clause of the constitution by disregarding the property rights of Hindu women (Huda, 2011).

The proposed Hindu Law Inheritance Act, 2012

In 2012, a new law emphasizing women's equal property rights was supposed to replace the Hindu Inheritance Act. In total, there were nine sections. However, resistance from some Hindu intellectuals prevented the administration from moving forward. Among the nine suggestions is giving women equal property rights. But after it, the administration adopted a different strategy.

The national Alliance Hindu Ain Pronoyoney Nagorik Udyog

The national Hindu Ain Pronoyoney Nagorik Udyog alliance presented the 17-section Hindu Inheritance Act 2020. It is stated in the foreword of the draft document that the Act would be called the "Hindu Succession Act, 2020."The Act covers all manifestations of Hinduism and goes into effect on the day it is published in the official gazette. And yet the Act remains inert.

Convention on the Elimination of All Forms of Discrimination against Women, 1979

In addition, in 1979 the government of Bangladesh ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979). Even after Bangladesh ratified CEDAW in 1984, there were differences on clauses 2, 13(a), 16.1(c), and 16.1(f). All types of discrimination against women with regard to their rights, customs, and level of life must end, according to CEDAW (*Ibid*). Hindu law is out of date and does not address the concerns of modern Hindu women. The CEDAW, or Convention on the Elimination of All Forms of Discrimination Against Women, is now in effect in Bangladesh. Given the limited information available, it appears that the CEDAW reporting system has had little to no effect on Bangladeshi law and executive action, and it lacks an enforcement mechanism. Having unequal rights to property makes Hindu women more susceptible to abuse, deprivation, and other forms of discrimination.

Bangladesh Laws Revision and Declaration Act, 1973

It is incorrect to claim that allowing Hindu women to own real estate will increase the number of forced conversions. The government of Bangladesh claims that the Religious Freedom Act was not included in the 1973 Bangladesh Laws Revision and Declaration Act.

Sustainable Development Goals

The SDGs' primary goals are to "Leave No One Behind," accomplish the goals by 2030, and achieve economic prosperity in Bangladesh by 2041. What prevents Hindu women from enjoying the same legal protections as men in that country? This is the moment when everyone should concentrate on solving this problem.

Theoretical discussion

In Bangladesh, Hindu women experience inequality with relation to their inheritance rights:

The male children are believed to impact the distribution of property. A detailed analysis of Hindu inheritance laws

reveals that females are generally not entitled to a share of their father's property while the sons are still alive. Even though the inheritance distribution scheme does not specifically mention it, this practice has been around for a while (Suborna 2024, pp. 14-25). Because property and inheritance rights were based on religious principles, women were disproportionately affected. Since their rights to family property were revoked, the daughters are more likely to suffer, which finally led to their loss of social status and dignity. A guy inherits the entire property if he is successful, whether from a female or another male, and it passes to his closest heirs after his death. However, a female inheritor only has a limited interest in the property she inherits if she is successful (Ibid).

Religious laws impact women's property rights

The married daughter who has or is anticipated to have a male problem is entitled to her father's property after the unmarried daughters. Infertile daughters, mothers of exclusively female children, and widows without male children do not have the right to inherit. According to the Dayabhaga School, a male can only have five female heirs: the widow, daughter, mother, father's mother, and father's mother. The Hindu Law of Inheritance (Amendment) Act, 1929, adds three more to this list: the sister, the daughter of the daughter, and the son's daughter. They have the right to come after a father's father and before a father's brother in the line of succession, as stated in Section 2 of the Act. Section 3(3) of the Hindu Women's Right to Property Act of 1937 states that a Hindu woman's estate is her husband's property, and she will always have a limited interest in it (Huda, 2011). This restricted interest allows a widow to maintain the property without alienation for the duration of her life. Section 2 of the Hindu Widow's Remarriage Act, 1856, does not apply when a marriage takes place in accordance with the caste's customs.

Right to property as Human Rights

For Bangladeshi nationals, the constitution's chapters two and three outline core human rights as well as official policy directives. Numerous international legal treaties recognize women's rights to property and inheritance. The United Nations Convention on the Rights of the Child, the United Nations Commission on Human Rights resolution 2002/49, the 1995 Fourth World Conference on Women's Platform for Action, the Convention on the Elimination of All Forms of Discrimination Against Women, and the International Covenants on Civil and Political Rights, Economic, Social, and Cultural Rights are a few examples. Furthermore, the social and religious customs of ethnic groups usually take precedence (Soma, 2019). Countries where Hinduism is prevalent may use Hindu law, which establishes communal family property while omitting individual interests. Hindu law also prohibits divorce and denies widows and daughters full inheritance rights since it sees men as the children's natural, legal guardians. It ensures equal legal protection for all citizens by outlawing discrimination based on gender, caste, color, and creed.

Minority Right's Perspective

The Dayabhaga School of law governs the vast majority of Hindus in Bangladesh. Hindu law is a very old set of religious regulations that dated back thousands of years before Hindu literature. Hindu law has remained unchanged over time. Significant change is opposed by the local Hindu population since most Hindus embrace or consider it to be binding because Hinduism is a divine rule (Haque, The Daily Star, 2023). Marriage, guardianship, maintenance, adoption, gifts, wills, inheritance, and other aspects of Hindu personal law have become complicated as a result of years without reform. If we do not promptly resolve these problems, the socioeconomic status of Hindus will not improve. It will particularly hinder women's empowerment and economic independence (Ibid).

Feminist lens as to right to inheritance

From a historical, legal, and feminist point of view, the article also looks at how women have been treated in Hindu family law in Bangladesh since the country became independent, the changes to the law that have made women's rights better in recent decades, and the unfair rules that are still in place (Sulong, 2015, pp. 11–22). The disparity in the share of inheritance given to men and women has long been a problem, particularly for feminists who strongly believe in women's rights. Accordingly, those social issues are the focus of feminism and gender inequality (Chakrabarty, 2018). It says that instead of interpreting or reinterpreting Hindu religious texts based on questionable claims of a "glorious past," Hindu family law needs to be changed more to protect women's equal rights, as long as these changes are made in a way that is consistent with the constitution and international human rights standards.

Comparison with India

The regions of India with a sizable Hindu population are the main emphasis. Here, old customary law was still in effect. Given the substantial modifications made to Hindu law after 1947, some have recently called for modernizing India's customary law. Hindu law underwent major modifications following India's independence. After the 1951 approval of India's constitution, there was significant opposition to the Hindu Code Bill, which sought to reform Hindu law (Noor, 2019). If the deceased son's wife or boys are not present, the property may transfer to the daughter or daughters, with the unmarried daughters having priority. Another thing that keeps a wife or daughter from inheriting the kingdom is virginity. Being a secular republic, Bangladesh guarantees women's equal participation and has acknowledged and ratified a number of international agreements and treaties that safeguard women's rights. However, Hindu women still lack equal opportunities to engage and defend their rights. Simultaneously, our neighbors are making the required efforts to reduce inequality and discrimination against women.

Case Reference

Danamma vs. Amar

In 2018, India responded to the landmark *Danamma v. Amar* case by amending the Hindu Inheritance Act, 1956. The Indian Supreme Court ruled in this case that, under the modified Hindu Succession Act, 2005, a daughter's property rights are equivalent to those of her male counterparts. The Hindu Inheritance Act, which was resurrected in 2005 to give women equal inheritance rights, allows them to inherit family property on the same terms as coparceners. The Indian Supreme Court upheld this earlier ruling (*Danamma vs. Amar*, 2018).

Jyotindranath Mandal vs. Gouri Dasi

The Hindu Women's Rights to Property Act of 1937 made it illegal for women to inherit property. In the 2020 High Court Division decision in *Jyotindranath Mandal vs. Gouri Dasi*, it was decided that Hindu women who had been married for eighty-three years might now inherit their husbands' property. The 1943 Act received this modification. Women had significant privileges throughout the Vedic era, according to Hinduism's historical narrative, but these subsequently declined (*Jyotindranath Mandal vs. Gouri Dasi*, 1996).

Nurun Nabi Mondal and others Vs. Joynal Abedin Khondkar & ors

In *Nurun Nabi Mondal and others vs. Joynal Abedin Khondkar and others*, the court ruled that if a woman remarries within her former husband's caste and there is substantial customary evidence confirming the validity of the marriage, her inheritance may not be forfeited. Women who remarry within their caste feel that this law is fair, even if it provides no remedy to those who marry outside of their caste under any circumstances (*Nurun Nabi Mondal and others vs. Joynal Abedin Khondkar*, 1977).

Saudamini Ray Malakar v. Narendra Chandra Barman and Another

In this case, the court decided that, in line with both Hindu law and the Hindu Widow's Remarriage Act, a widow who remarries forfeits her title to her deceased husband's property, even if she still has an interest in it. Nonetheless, this has no bearing on the other daughters' survivorship rights. Dayabhaga law states that an unchaste daughter does not have the right to inherit her father's property. However, once she receives the inheritance, further infidelity cannot take it away.

Data Analysis

There have been 27 respondents in total since July 27. Hindu girls from Khulna University participated in the study. Hindu women in Bangladesh do not inherit any property. The statute grants equal property rights to Hindu women in neighboring India. Bangladesh should also enforce this law to ensure that Hindu women do not face discrimination. The social structure of Bangladesh, according to certain Hindus, is incompatible with the reform of Hindu laws. This is an obvious example of discrimination against Hindu girls. Most respondents from Khulna University stated that they would like to inherit their father's or husband's property. They don't, however,

aim for the same rights as their sibling. According to them, their brothers are typically in charge of taking care of their parents. They want a piece of their father's entire wealth. The following details the surveys the author set up to gather the opinions of the Hindu girls at Khulna University.

Question no 1: Should a Hindu Daughter inherit Property?

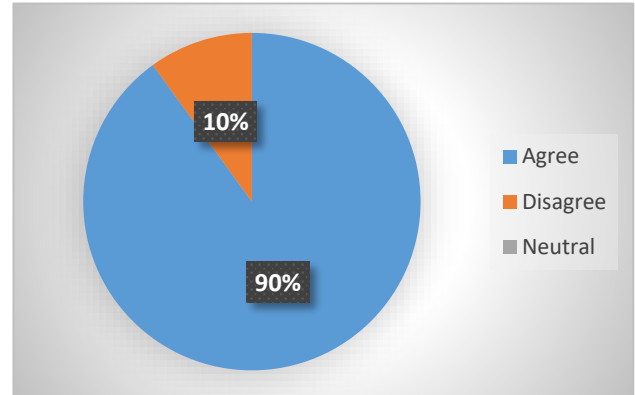


Figure 01: A Hindu daughter should inherit property

Nearly 90% of those surveyed concur that a Hindu daughter ought to inherit property. The brothers receive property from their father but are denied it, so they believe they shall inherit. They assert that their inheritance right serves as a safeguard against future injustices or challenges. Only 10% of respondents dispute the claim that a Hindu daughter shouldn't receive property because her brothers care for her parents. Therefore, only Hindu men should inherit property. The daughter has a minor part of her father's estate. Instead of her heirs inheriting it upon her death, it passes to her father's next heir. In the event that a daughter who had inherited her father's inheritance before marriage goes away, it is divided between her own son and her married sister, who has or is likely to have male children.

Question no 2: Should a Hindu Daughter inherit equal property to son?

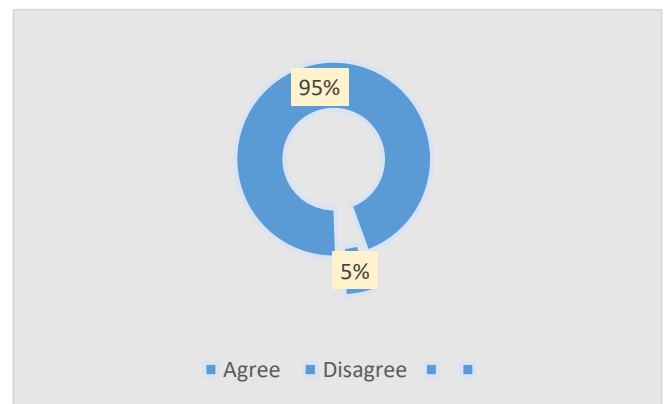


Figure 02: A Hindu Daughter should inherit equal property to son

The preceding figure shows that 95% of respondents dispute the notion that they do not want equal rights for a son. They stated that they just require a share of inherited property because after marriage, a husband retains responsibilities, and many women who work today can support themselves. At the end of the day, a guy is more likely to have to care for his parents and inherit property than a female. Only 5% of the respondents agree that they need equal rights to inherited property for a son.

Question no 3: Distribution of property before Death

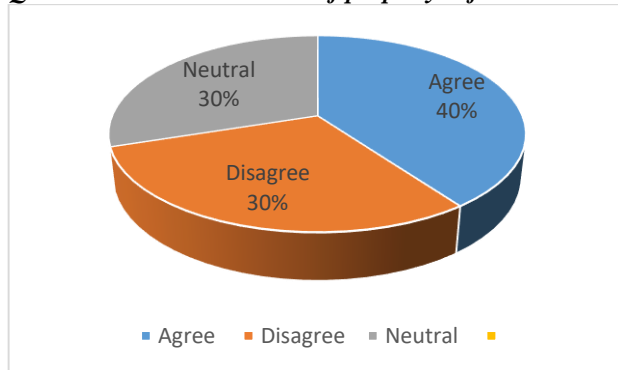


Figure 3: Have desire to distribute property before death

The aforementioned charts show that 40% of respondents believed that dividing the entire property amount should come first the death of their father so that Hindu daughters received a portion, even if it was less than a boy's. Thirty percent of respondents were neutral about the remark, while thirty percent disagreed.

Question no 4: Do you believe that inherited property distribution should be governed by codified law?

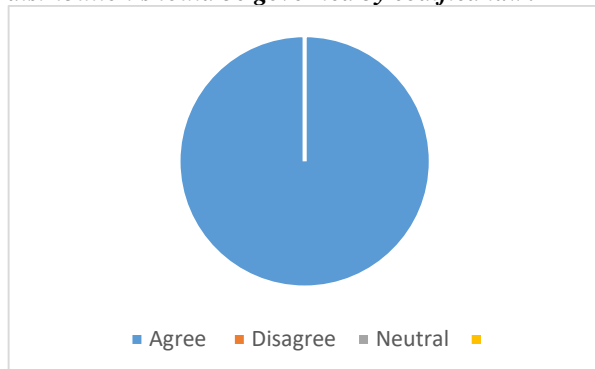


Figure 4: Should enact an Act to distribute inherited Property

Different opinion of some Respondents

The chart illustrates the agreement of all respondents. They concur with the idea of enacting laws to distribute their inherited property. They appear to have a claim on their father's assets for future security. Every respondent agreed with the allegations. In addition, some people have expressed different opinions, claiming that although they do not inherit any property after marriage, they do receive particular presents during the union ceremony. Mass Communication and Journalism Discipline's Pompa De

asserts that while inheritance rights are important, a woman's share shouldn't be equal to a man's. Women are no longer reliant on male family members, according to sociology professor Srabonti Sadhu, and men and women now have equal positions in the economy. She believes that only men should have the right to own property. According to Development Studies Discipline's Sraboni Roy, girls used to get financial support from a male family member, such as their father, brother, or spouse; they were never allowed to go to school, and it was challenging for women to acquire employment. They never claimed any land because of this, which at the time was not a problem. Additionally, she asserted that religious prejudice and norms prevent Hindu women from asking questions about their rights.

How does this article contribute to the Hindu daughter getting inheritance property?

The article will be beneficial for Hindu women who wish to inherit property, as it is not only a human right but also a fundamental right and a constitutional guarantee. The Government of Bangladesh should take initiatives to ensure women's rights by enacting laws and regulations. In these articles, the author has mentioned various laws by which a Hindu daughter can get their legal rights. As they are deprived of inheritance rights, the women need them. Many girls face humiliation in their husbands' homes. Once a girl and her husband divorce, there is no way to reconcile. At that time the girl cannot return not only to their husband's house but also to their father's house. After a divorce, a girl has to face difficulties in their father's house. For this reason, the government has to enact the law for distributing inheritance property as early as possible to mitigate their pain.

Findings

- The majority of the respondents, who are Hindu women attending Khulna University, only hope to receive a small share of their inherited wealth not nearly as much as their brothers. Current inheritance laws and discriminatory social and cultural practices in society are designed to uphold patriarchy. The predominance of traditional beliefs and practices is at odds with recognized civil rights and current legislative legislation.
- This reluctance could be due to psychological and sociological causes, such as a lack of knowledge about the law, fear of family strife, or expectations from society. One major barrier to women's property ownership in Bangladesh is the social attitudes and behaviors that are now prevalent. Khulna University's Hindu daughters want to share in their father's wealth before he passes away. A second sociological factor is that the majority of respondents think their father or a family member covers the wedding expenses and receives the money as property. For this reason, they don't make a distinct claim. Numerous respondents also appear to believe that their brother should inherit

all or a significant piece of the property because he bears the financial burden of their parents.

- Respondents believe it is challenging to claim a particular proportion of property or a particular piece of property. Their belief is that they ought to possess a greater portion of the father's and husband's possessions. According to the answers, if they claim inherited property for their family, there can be disagreements or conflicts with their sibling. To maintain their good connections with their brothers, they do not assert property.
- It is not very helpful because the Dayabhaga law of Hindu schools is not commonly accepted among Hindus.
- Women do not inherit anything from their fathers or spouses. The patriarchal mentality that has shaped and defined this country's legal system, not religious law, is what gave rise to Hindu women's equal property rights.
- A tiny percentage of inheritance property is what only a small number of respondents seek as social security for future upkeep in the event of unforeseen circumstances. Both self-employment and the return of their father's homestead are options available to them after their divorce from their spouse.
- Some leaders limit the property rights of Hindu women. How this religion develops is ultimately up to its leaders.
- To protest the change and allege that NGOs are pushing it on Hindu women, a number of Hindu organizations are launching a massive campaign.
- Women typically lack the strength to defend themselves in front of public officials, especially if they have been abused or are helpless.
- Though many of them have been silent about giving them the right to own property, Hindu women have backed legislative advances. It is not their desire to give their mental permission.

Recommendations

- To uphold the rights of Hindu women, everyone must be safeguarded. In this nation, the constitution and human rights are addressed. Equal rights then need to be established. Whenever the topic of altering Hindu inheritance law is raised, it is always brushed aside because of religious sensitivity. The rift and tensions between the progressive branch of

Hinduism and traditional Hinduism, as well as patriarchal societal ideas, are the root causes of it.

- There must be a national civil law governing inheritance in order to eradicate prejudice against women. The Bangladeshi parliament must pass this proposal in order to achieve democratic and institutional rights, as equal rights are protected by the constitution and are crucial to women's and human rights. On the other hand, everyone should be informed of and comprehend legal matters. This law requires consultation with all parties.
- To address the problem, social influencers, religious leaders, and community leaders may all make a significant contribution to society through media involvement and dialogue. Religious leaders of the Hindu faith should enact the Hindu Inheritance Act on their own initiative. Whether or not women who convert are permitted to own property should be covered under the proposed legislation.
- Men and women in the home would have equal rights under a change to Hindu family law. It must take into account that men, women, and transgender people all have equal rights to inherit property. This can only be achieved by changing the traditions that control the distribution of women for property field inspections.

Conclusion

The personal laws that serve as the foundation for Bangladesh's inheritance laws are incompatible with fundamental constitutional principles that uphold the rights of both men and women in all areas of life and allow people to carry out their religious obligations. The uneven allocation of property prevents women from becoming empowered and self-sufficient. In order to increase women's standing and elevate them, the state machinery must be willing to grant them full control over their property. But equal rights for women are ultimately the only way to create a modern social framework. Hindu scholars and leaders must take the initiative to change Hindu laws in order to guarantee women's equality and social participation.

Conflict of Interest

The authors declare no conflict of interest.

References

- Agarwal, R. K. (2019). *Hindu Law*, (Dhaka, Bangladesh: Central Law Agency, 26th Edition)
- Alam MS (2004) Review of Hindu personal Law in Bangladesh: Search for Reforms, Bangladesh” *Journal of law* 8(2), Pp. 15-52
- Biswas A.K (2022).Minority Deserve Majority Reforms: An in-Depth Study Identifying the Areas of Reforms regarding Hindu Laws in Bangladesh. *Int'l JL Mgmt. & Human.* 5(5), P.648
- Chakrabarty, U (2018). *Gendering Caste through a feminist lens*. SAGE Publication, New Delhi, India
- Das, N & Das T (2023). Perspectives on the property Rights of Hindu Women in Bangladesh: An Analysis *International Journal of Advanced Research & Higher Studies*, Vol. 2, No.1, Pp.41-48
- Haque, T (2023) .Challenging tradition: women's inheritance laws in Bangladesh. (Dhaka, The Daily Star)
- Hasina, N (2023).Hindu Women’s Rights in Bangladesh: A Need to Introduce a Time Worthy Legal Order. *International Journal of Law Management. & Humanities* 6(1), P.1569
- Hindu Widows’ Remarriage Act, 1856. (Act No.XV of 1856).
- Hindu Women’s Right to Property Act, 1937. (Act No .XVIII of 1937).
- Huda S (2011). Combating Gender Injustice: Hindu Law in Bangladesh, *South Asian Institute of Advanced Legal and Human Studies* 5(2), 55-57
- Huda S (2011). Combating Gender Injustices: Hindu Law in Bangladesh” *South Asian Institute of Advanced Legal and Human Rights Studies* 4(10), pp.75-83
- Huda, S.H (2018). “Double Trouble”: Hindu Women in Bangladesh – A Comparative study. *Dhaka Univ.Stud.* 6(9), Pp. 54-63
- International Convention on the Elimination of all Forms of Discrimination against Women(CEDAW) (Adopted by the United Nations General Assembly on 18 December 1979,entered into force on 3 September 1981)
- International Convention on the Elimination of all Forms of Racial Discrimination (Adopted by the United Nations General Assembly Resolution 2106, on 21 December 1965, enter into force on 4 January 1969.
- Jhabvala, N. H. (2016).*Principles of Hindu Law* (Jamandas and Company: Dhaka, Bangladesh, 17th Edition).
- Khan A.K (2021).Right of Inheritance of Hindu Women in Ancient India: Analysis of “Stridhana” in Ancient Hindu Texts. *Turkish Online Journal of Qualitative Inquiry* 12(3), 19-24
- Khan S (2010).Inheritance of Indian Women: a Perspective. *India International Centre Quarterly* vol.27, No.2, Pp.139-154
- Lina, N.A (2023).Land Right and its Implementation in Bangladesh for Women. *American journal of society and Law* 2(1), Pp.7-12
- Masum M (2022).Hindu law in Bangladesh: Nature, sources and Schools (Published: June 23, 2022) Bd law post, Accessed 19 August, 2023
- Menski W.F & Rahman, T (2018).Hindus and the Law in Bangladesh. *South Asia Research* 8(2), <https://doi.org/10.1177/026272808800800202>
- Moni, OH. & Fahim HK (2021).Implementation of Right to Inheritance of Women in Bangladesh: A Study on Current Scenario. *Law Crime Justice*, Volume 4, Issue 9, Pp: 574-581
- Naher K, Khan A, Khan SI. & Sultana, A. (2020).Hindu Women’s Right to Inheritance: A Case Study on Bogura Bangladesh. *Sumerianz Journal of Social Science* 3(6), 57-62
- Noor, T. (2019). Comparative Analysis on Hindu Personal Law between Bangladesh and India, East West University. Available at <http://dspace.ewubd.edu:8080/xmlui/handle/123456789/3125>
- Saif, S.S (2022). Women’s Right to Inheritance under Muslim, Hindu and Cristian Laws: A Comparative Legal Study. Available at, <http://dspace.ewubd.edu:8080/handle/123456789/3623>
- Saxena (2019). Stridhana: Absolute wealth of a Woman Law Sikho. Available at <https://blog.ipleaders.in/stridhana-a-womans-absolute-wealth>, Accessed 19 August 2023
- Shuborna, N. S (2024).Women’s Property and Inheritance Rights: Application of Laws from the Perspective of Two Major Religions in Bangladesh. *Law and Humanities Quarterly Reviews*, 3(4), 14-25.
- Soma, C, D (2019).Inheritance Rights of Women and Sariah Law: The Case of Bangladesh .*Devpolicy Blog*
- Sourav RI (2015).Unjust Land Right of Women in Bangladesh, *Journal of Interdisciplinary Multidisciplinary studies* 1(3), 5-13
- Sulong, J.B (2015). Inheritance law for women: Islamic feminism and social justice *Journal of Islamic Studies and Culture.* 3(11-22)
- The Constitution of peoples Republic of Bangladesh, 1972. (Act No. 1 of 1972).
- The Succession Act, 1925. (Act No.XXXIX of 1925).
- Uddin, M (2011).Land rights of women and Hindus in Bangladesh: Defending the Justice Claim. *The Chittagong University Journal of Law* (16), 1-31
- United Way of the National Capital Area (2023).What is Gender Equality. Available at [Https://www.google.com/url?SA=t&source=web&rct](https://www.google.com/url?SA=t&source=web&rct), Accessed 19 August, 2023.
- World Health Organization (2023).Available at <https://www.google.com/url>, Accessed 19 august, 2023.

Zahur, M (2016). Hindu Women’s Property Rights: Bangladesh Perspective. *BRAC University*, 11 (1), Pp.27-33

Cases

- Nurun Nabi Mondal and others Vs. Joynal Abedin Khondkar & ors 6 CLC (AD) 1977.
- Saudamini Roy Malakar vs. Narendra Chandra Barman 4 DLR 492
- Jyotindranath Mandal vs. Gouri Dasi (1996)
- Danamma vs. Amar Singh SC 24/2004, Judgment (2018)

Appendix 1

Questionnaire about Accessing the Views of General People on Regarding the Rights to Inheritance of a Hindu Daughter: A study on Khulna University Hindu Girls

Introduction: Please fill up the answer of your choice or write the speech provided as the case may be.

Participants: Hindu Daughters

Basic Information:

Name: Age

Gender Education Qualification

Q1.Do you think that a Hindu Daughter should inherit property?

A Qualitative answer is required

Q2.How do you see this?

Q3.Do you think this practice should remain?

- (a) Yes
- (b) No
- (c) Not Sure

Q4.Do you think a Hindu Girl should have equal right to inherit property to son? What’s your opinion about this?

Q5.How Hindu Girls can get inherit property? What do you think about this?

.....

Q6. Do you think in Hinduism should have laws regarding daughter’s inheritance?

- Strongly agree
- (b) Agree
- (c) Disagree