

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
RAJYA SABHA
QUESTION NO07.03.2011
ANSWERED ON
SHARE OF WOMEN IN HUSBAND S PROPERTY .

1186

Dr. Prabha Thakur

Will the Minister of COALLAW & JUSTICE be pleased to state :-

- (a) whether spouse gets equal share in the ancestral or all acquired property of husband under the old Portuguese law in force in Goa;
- (b) whether the women in Goa are economically more sound and safe because of this law;
- (c) whether the incidents of domestic violence and harassment against women in Goa are less as compared to other States because of the same;
- (d) whether the government proposes to similarly implement the said law of Goa all over the country in the interests of women, and for their safety, economic and social empowerment; and
- (e) if so, the plan formulated by Government in this direction and if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(DR. M. VEERAPPA MOILY)

- (a) Yes, Sir. The Government of Goa has informed that in Goa wives have equal rights in movable and immovable property of their husbands under articles 1096 to 1165 of the Civil (Marriage) Registration Code which is a part of the Portuguese Civil Code, 1867.
- (b) & (c) The Central Government has not undertaken any comparative study in the matter and hence no such data is available with it.
- (d) & (e) There is no proposal at present to make a Central legislation on the subject matter. However, as the subject matter falls under List III - Concurrent List of the Seventh Schedule to the Constitution of India, every State Legislature is competent, subject to the provisions of clause (2) of article 254 of the Constitution, to make necessary legislation applicable to the respective State.