

The Administrator-General's (United Provinces) Rules, 1929

UTTAR PRADESH

India

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Rule

THE-ADMINISTRATOR-GENERAL-S-UNITED-PROVINCES-RULES-1929 of 1929

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06.

In exercise of the powers conferred by Section 50 of the Administrator General's Act, 1913 (III of 1913) and the Government of India's Notification No. 1823-C, dated March 13, 1914, and in supersession of the Local Government's notification No. 433/VII-70, dated March 25, 1914 as amended from time to time the Governor of the United Provinces in Council is pleased to make the following rules for the Province of the United Provinces, as constituted by the notification referred to above for carrying into effect the objects of the Act and for regulating the proceeding of the Administrator General of the United Provinces. The following rules will come into force on and from January 1, 1929:

1. Short title.

- These rules may be called the Administrator General's (United Provinces) Rules, 1929.

2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, -(a)"The Act" means the Administrator General's Act, 1913 (III of 1913), as amended by Act No. XXI of 1922, Act No. XXXII, B, 1926 and Act No. X of 1927. (b)"Administrator General" means the Administrator General

of the United Provinces.(c)"Bank" means the Imperial Bank of India.(d)"Government" means the Local Government of the United Provinces.

3. Regard to be had to wishes of relatives and others as to the disposal of assets.

- The Administrator General shall dispose of the assets of an estate either under his direct supervision or through such person or local official as may appear suitable to him, and in doing so he shall, if the estate does not appear to be insolvent, have regard to the wishes of the persons who are entitled to a share of the estate concerning the reservation of such articles as may be desired by such persons, provided that such wishes are made known to him before the disposal of the property, unless he considers that such a course would be prejudicial to the administration of the estate or would conflict with the interest of some other interested person. Unless the estate is insolvent no specific legacy shall be sold without a reference to the person to whom it is bequeathed, but such a reference may be omitted when there are not sufficient funds to pay the statutory charges :Provided that nothing contained in this rule shall prevent the immediate disposal of livestock or other assets subject to speedy or natural decay or articles the storage of which cannot conveniently be arranged for or would involve disproportionate expenditure.

4. Security to be furnished by certain persons.

- The Administrator General may require any person who is entrusted with the receipt or custody of money or property belonging to an estate to furnish such security as the Administrator General may deem expedient with due regard to the responsibility of such person.

5. Limit of cash balance.

(1)The Administrator General shall not retain any amount in his hands except a sum of Rs. 50 as a permanent advance. Any excess beyond that amount shall be credited as soon as practicable after its receipt, to the public account of the provinces.(2)A detailed account of the receipts and payments of the Administrator General shall be maintained at the local treasury in such form as the Accountant-General may prescribe. All receipts of the Administrator General for credit to the public account shall be remitted to the Bank through the local treasury with a chalan in the prescribed form. The chalan shall be presented to the Treasury Officer who shall record on the chalan an order to the Bank to receive the money. The money will then be taken to the Bank for credit into the public account. When the Administrator General requires any money for payment he shall present a cheque for the necessary amount at the local treasury. If the cheque is in order the Treasury Officer shall pass on order to the Bank for payment. The cheque shall then be presented at the Bank for receipt of the money.

6. Safe custody of securities .

(1) All Government securities, coming into the possession of the Administrator-General shall as soon as practicable, be lodged in the Bank for safe custody except in any case in which it may be necessary for him to retain them temporarily for any purpose such as drawing dividends, sale in due course of administration closing the accounts of the estate or the like. All such securities or shares shall as soon as practicable, be endorsed or transferred in the name of the Administrator-General and earmarked to the estate to which they respectively belong. (2) All securities lodged under this rule may be withdrawn on requisition signed by the administrator-General.

7. Safe custody of valuables and documents.

- There shall be maintained in the office of the Administrator-General a room which shall be provided with iron safes for the safe custody till they are sent to the Bank of all cash, currency notes and other securities and other assets, such as jewels, ornaments and articles of a like nature and also title deed and other documents belonging to the estates, and the keys of such room and safe shall be kept in duplicate one set in the possession of the Administrator General and the other set in the Bank. All jewels, ornaments and other articles of a like nature which are of any substantial value shall, as soon after their receipt as practicable be listed in the register of reserved articles and valued by a competent valuer to be selected by the Administrator General and when this is done they shall be lodged immediately in the Bank for safe custody.

7A. Purchase and sale of Government securities.

- For purchasing securities the Administrator General shall be required to furnish the Bank through the local treasury with a cheque for an amount which will roughly cover the cost of such purchases. The amount shall be held by the Bank till such time as a purchase is completed. Any surplus shall be intimated by the Bank to the Administrator General and shall be credited to the Administrator General's account with the local treasury on his furnishing the Bank with necessary chalangis duly prepared by him and passed by the Treasury Officer. The sale proceeds of securities and companies "or Bank shares" and debentures when realized by the Bank shall be similarly advised to the Administrator General and shall be credited in the manner prescribed above.

7B.

- Dividend warrants on shares in the custody of the Administrator General when received by him, shall be sent by him accompanied with treasury chalangis duly prepared by him and passed by the Treasury Officer when they shall be credited to his account with the local treasury.

7C.

- Savings Bank and fixed deposit accounts shall continue to be governed by the Bank's Savings Bank and Fixed Deposit Rules in existence.

8. Accounts, etc.

- The Administrator General shall keep the accounts, statements and records specified in Schedule I of these rules.

9. Receipts.

- Every payment charged in the Administrator General's cash account shall be passed for payment under the initials of the Administrator General's who shall, as far as possible, obtain receipts for such payments.

10. Procedure of payment to creditors.

(1) As soon as the Administrator General is in position to pay the creditors in full, or in insolvent cases when he has realised all the assets, he shall forward a special notice to each creditor whose claim has been admitted together with a receipt for the amount payable to him for his signature, whether such receipt represents the total amount of his claim or a dividend. Such notice shall be sent to the creditor at his last known address. On presentation of the receipt duly signed accompanied by a registry certificate if one has been issued to the creditor unless the non-production of the latter is satisfactorily explained, the amount shall be paid to the creditor. (2) Should the registry certificate be issued and produced, it shall be retained if the payment is made in full; but where only a dividend is paid it shall be returned to the creditor with an endorsement thereon showing the amount of dividend so paid. (3) A notice similar to the one mentioned in clause (1) shall be forwarded to every creditor of an estate whose claim has been admitted but has not been paid in full whenever further assets in such estates have been realized and the Administrator General is in position to pay a further dividend on the admitted claim. (4) When any creditor to whom a notice under clause (1) or (3) has been sent has not within three months from the date of notice shall be requested payment of the amount payable on his claim, a notice shall be forwarded to him by registered post informing him that the amount payable is at his disposal and that if not claimed within three years such amount or such portion thereof as can conveniently be invested will be invested in securities or shares at his risk as to any depreciation in the value of such securities or shares.

11. Payments to persons in to United Kingdom.

- All payments made to persons resident in the United Kingdom shall be made by the bank on behalf of the Administrator General provided that orders for such payments shall be accompanied by cheques.

12. Investments.

- The Administrator General may invest or retain invested money belonging to any estate in any investment authorized by the testamentary instruments or unless expressly forbidden by such

instruments, in any securities specified in Section 20 of the Indian Trusts Act, 1882 (II of 1882), or with the previous sanction of Government in such other securities, shares, debentures or fixed deposits as may be considered safe and beneficial to the estate.

13. Investment

of cash balance. - (1) Whenever any assets cannot be paid or delivered to a person entitled thereto because such person has not claimed payment or delivery after receipt of notice or because address of such person is not known such assets shall be transferred to the register of unclaimed assets. If not claimed within three years of the date of transfer, moveable property shall be sold and its sale proceeds placed at the credit of the account. Monies at the credit of the register of unclaimed assets to if they amount to or exceed Rs. 500, shall be invested in such securities as are expressly authorized by the instrument under which the Administrator General holds the estate, or in any other securities specified in rule 12.(2)The cash, balance standing to the credit of separate account which represents the income of any properly and which is payable by way of annuity to the person or persons entitled thereto shall not be invested unless it can properly be treated as dead assets and exceeds Rs. 500 in amount.(3)An amount of property payable to a legatee by way of an annuity or to a person who by virtue of his being a minor or lunatic or otherwise is incapable of receiving payment may be transferred to the accounts of the Official Trustee, who shall deal with it according to law.An official not shall be considered an instrument in writing for the purpose of such transfer.

14. Petty receipts of closed estates account.

- The Administrator General may transfer to a separate account, which shall be styled Miscellaneous Ledger all small balances which, when the accounts of an estate are, closed are owing to the smallness of the amounts, indivisible amongst the beneficiaries or creditors of the estate entitled thereto and also any sum received as and by any of further assets of an estate after it has been closed, and which owing to the smallness of the amount is equally indivisible. Should any further assets be received to the credit of an estate in which such a transfer Has been made, and such further assets together with the amount or amounts if more than one, so transferred to this account be in the aggregate capable of division amongst the beneficiaries or creditor entitled thereto the amount or amounts so transferred to this account shall be re-transferred to the credit of the general account of the estate concerned which shall be re-opened and a further distribution of such assets then made.

15. Management of zamindaris.

- In order to secure efficient and economical management of zamindaries belonging to estates under the charge of the Administrator General the costs of the management of which are debitable to the estates under the provisions of Section 43 of the Act, it shall be open to the Administrator General to employ a General Manager and such assistants as may be necessary for the management thereof instead of employing separate managers and assistants in the case of each estate. The salaries of the manager and assistants and other expenditure of the zamindari department which is not incurred specifically on account of any particular estate concerned, shall be rateably divided amongst all the

estates concerned in proportion to the amount of the annual collections of the various zamindaris, taking also into account the nature and amount of work involved in the management thereof. Each estate shall, however be debited with any particular expenditure solely and exclusively incurred on its account. The general expenditure shall be so regulated that in no case shall any estate be debited with a larger sum than it would ordinarily cost to manage it if the property belonging to it were placed under the management of its own separate staff.

16. Destruction of papers.

- The Administrator General may, during the course of the administration of any estate in his hands, destroy any papers which he has received and which he considers to be of no value, and on the close of the administration of the estate may destroy the rest of the papers, photographs and other articles of no value which are not claimed by the beneficiaries next-of-kin or any other persons entitled thereto or interested therein.

17. Schedules.

- The Administrator General shall twice in every year as soon after June 30 and December 31 as possible prepare Schedules in the forms set forth in Schedule II to these rules which schedules shall be placed before the auditor for inspection and examination; and on the same being passed by such auditor, the Administrator General shall cause the said schedules to be printed by the Government Press and shall distribute copies as follows : (a) Four copies shall be forwarded to the Secretary of State for India in order that such secretary may, if he thinks fit, order the same to be deposited at the Indian Office for public inspection: (b) Two copies thereof shall be forwarded to the Registrar of the High Court of Judicature at Allahabad. (c) One copy shall be sent to each of Administrator-General in India.

18. Reports.

- The Administrator General shall also twice in every year at times aforesaid submit to the Government a report in the form set forth in Schedule III to these rules.

19. Return under Regimental Debts Act, 1893.

- The Administrator General shall also twice in every years at the times aforesaid, submit to the Secretary, Government of India, Defence Department, a return to estates dealt with under the Regimental Debts Act, 1893 { 56 and 57 Vict C, 5) showing the manner in which they have been disposed of.

20. Cost of schedules and reports.

- The schedules, reports and returns prescribed by rules 17, 18 and 19 shall be prepared by the establishment of the Administrator General and the costs thereof shall be debited to the general

working expenses of the office.

21. Return of fees.

- The Administrator General shall submit to the Government at the close of the financial year, as soon as possible, a statement showing all the fees and other income of the department paid to Government and all the expenses incurred and charges paid by the Government. This statement shall be termed the "Financial statement" and shall be submitted through the Accountant General, Law and Justice department who shall verify the figures. The financial statement of the Administrator General may be combined with that of the Official Trustee of the United Provinces so long as both the offices are amalgamated.

22. Rule under Sections

7. and 8. - When an application is made to the High Court for letters of administration by any person other than the next-of-kin of the deceased, or for letters of administration other than letters pendente lite to any court by a creditor a legatee other than a universal legatee or a friend of the deceased, a citation with a copy of the application and its annexures shall be forwarded to the Administrator General who shall contest the application for letters of administration under Section 7 or 8 of the Act if he considers the adoption of such a course necessary or desirable.

23. Rules under Section 9.

- In discharging the duty imposed by Section 9 of the Act, the Administrator General shall have regard to the following directions : (1) If no steps have been taken in any court of competent jurisdiction to obtain probate or letters of administration within fifteen days of the date of which the Administrator General has had notice of the death, the Administrator General shall proceed to take the necessary steps to obtain administration : Provided that when the name and address of the executor or next-of-kin is known to the Administrator General the Administrator General shall not proceed in the administration until he has communicated with such executor or next-of-kin in order to ascertain whether he proposes to apply for administration and until a reasonable time has elapsed for the receipt of a reply to such communication and where a reply in the affirmative has been received until the expiration of such further time as would admit of an application for administration being made. (2) Notwithstanding anything in clause (1), the Administrator General may take immediate action under Section 9 if in his opinion such a course is necessary to protect the estate.

24. Notices under Section 26.

(1) The notice to be given under Section 26, sub-section (1) of the Act, shall, whenever possible be in the form prescribed in Schedule IV to these rules and shall be advertised in such papers as the Administrator General thinks fit, provided that more than one estate may be included in the same notice. Note - It is not necessary for the Administrator General to advertise separately for the heirs or next-of-kin of the deceased in intestate cases as the wording of the notice is meant to and is not enough to bring within its scope not only the creditor but also the heirs or next-of-kin of the deceased and other persons who may be in any way interested in the distribution of the assets of the estate. (2) Notice of rejection or disallowance of a claim under Section 26, sub-section (3) of the Act, shall be given by a letter addressed to the creditor at the address given by him in his communications or other known address, and shall be served - (a) personally; or (b) on his agent; or (c) by registered post. In no event shall the funds of the estate be distributed if there be any doubt as to the sufficiency thereof until the expiration of one month from the date of the service of notice under Section 26 (3).

25. Application under Section 31 or 32.

- Application for a certificate under Section 31 or 32 shall be made in petition or by affidavit, which shall bear a stamp of the value of one rupee and shall disclose - (a) the full name, place and date of death of deceased; (b) the name and address of the applicant; (c) full particulars of the assets in respect of which a certificate is applied for and the value thereof; (d) full names and addresses of the heirs and next-of-kin to the deceased with relationships; and (e) Whether the deceased has left a will or otherwise; If there be a will, it shall be submitted in original with the affidavit of at least one of the attesting witnesses to prove due execution of the will as required by law, and if the certificate is applied for in intestate cases by anyone other than the executor named in the will, the original renunciation shall also be submitted; (f) particulars of liabilities against the estate of the deceased as far as known to the applicant; (g) statement whether application has been made for probate of the will or for Letters of Administration relating to the estate in any court, and with what result; (h) an undertaking that the applicant will administer the estate according to the law; (i) such other information and particulars, together with such documents as may be required by the Administrator-General in any particular case; and (j) in the case of an application under Section 32 full particulars of the debt and a statement whether any security, and, if so, what, is held for the debt together with full particulars of the claims of other creditors and an undertaking that the applicant will pay all debts as required by law, and that if there should be a surplus after satisfying all claims he will make it over to the legal heir of the deceased, and that failing such an heir he will remit the surplus amount with a statement of account to the Administrator-General.

26. Advertisement of certificate under Section 31 or 32.

- When an application is made to the Administrator-General for a certificate under the provisions of Section 31 or 32 of the Act, he may, if he considers it likely that the will may be contested or that the granting of certificate to the applicant may be objected to have a general citation posted on the notice board of his office, or, if he is requested to do so by the applicant or any other person before

or during the pendency of the proceeding advertise the same in such newspapers as he thinks fit a period of at least fifteen days shall be fixed in the citation and no certificate shall be granted before expiry of the period specified in the citation. Should the circumstances warrant, the period mentioned in the citation may be extended. In cases where a citation is to be advertised in newspapers the cost shall be deposited within a period to be fixed by the Administrator General failing which the proceedings shall abate for default.

27. Rule under Section 32.

- For the purposes of Section 32 of the Act, the area notified is the whole of the United Provinces and Ajmer and Merwara and the territories of the native States as specified in the notification of the Government of India in the Home Department on 202/37 -1, dated November 8, 1939.

28. Fees under Section 42.

- The fees mentioned in Schedule V to these rules [plus a surcharge of 25%] [Added by Notification No. 1222/VII-2-38-19, dated April 1, 1949] shall be the fees prescribed under Section 42 of the Act, provided that they may be reduced, compounded for, or remitted as provided in these rules.

28.

-A. Whenever the Administrator General appears in court on behalf of any estate with a view to obtain letters of administration or probate or to conduct proceedings in connection with the administration of such estate, then in addition to the fees chargeable under Section 42 of the Act and prescribed by rule 28 of these rules, he shall be entitled to a personal fee chargeable to such estate at the following rates which shall not be credited to the public account of the State : (1) For each case fee at 2 per cent of the value of the claim subject to a minimum of Rs. 75: Provided that in a case decided without contest, the fee shall be half subject to a minimum of Rs. 50. (2) For an application moved in court, Rs. 32 if it is not in a pending case mentioned in (1) above : Provided that no fee shall be payable for an application which is merely of a routine nature. (3) For any other matter not covered by this rule, such fee as the Court may allow.

28.

-B. Whenever the Administrator General goes out of station on the work of any estate under his administration, then in addition to the fee chargeable under Section 42 of the Act and prescribed by rule 28 of these rules, he shall be entitled to a personal fee for outstation work at the rate of Rs. 50 per diem chargeable to such estate or if there are several estates, proportionately to all such estates : Provided that such fees shall be chargeable by the Administrator General subject to such conditions and restrictions as may be prescribed by the Governor from time to time.

29. Valuation for calculating fees under Section 42.

- For the purpose of calculating the fees under Section 42 of the Act assets shall be valued as follows :- (1) The value of movable assets (other than cash) shall be - (a) the price realized on sale; (b) if there be no such sale then the value of the property on the date of its transfer to the heir, legatee or creditor: Provided that if in any particular case the Administrator General considers it necessary he may get the property valued by an expert whose charges shall be paid out of the funds of the estate. (2) The value of immovable assets shall be (a) the price realized on sale; (b) if the property is not sold, the value of the property as estimated by the Collector or agreed upon between the Administrator-General and the person to whom it is transferred. (3) Income, where the same is deprived from the carrying on of any trade or business, shall mean the gross receipts of such trade or business. Note. - Collection and management charges shall not be deducted from the gross rent or income for the purpose of assessment of fee under this rule.

30. Time of payment.

- Fees under Section 42 of the Act shall be levied and debited to the account of an estate - (1) if the property is sold on the receipt of the sale proceeds: provided that no fee shall be debited to the account of the estate so as to leave a debit balance; (2) if the property is not sold but transferred or made over to some persons, at the time of closing the account of the estate, or in instalments during the administration of the estate. But in all cases the fee of 25% thereon shall be adjusted before the final winding up of any estate.

31. Manner of calculation and payment.

- Subject to any special arrangement made under rule 36, all fees payable under Section 42 of the Act shall be calculated in the manner laid down in rule 29 and debited to the estate as provided in rule 30.

32. Adjustment of fees in accounts.

- The account of each estate in regard to fees payable shall be adjusted every half year on June 30, and December 31, respectively: Provided that previous to the final winding up of any estate, the Administrator-General shall adjust his account in regard to fees charged or payable in accordance with the rules herein contained.

33. Fees paid for services under Section 11 to be part payment of fees of subsequent administration.

- Whereafter an order has been made under Section 11 of the Act, letters of administration are subsequently granted to the Administrator-General, the fees charged by him under head "(c)" of Schedule V shall be deemed to be a part payment of the fees payable to the Administrator General under head "(a)" of the schedule.

34. Reduction of fees.

- If in any case it appears to the Administrator-General that the circumstances of an estate proposed to be administered by him are or probably will be, such as to render his duties in relation thereto simple or that payment of the fees in full would result in hardship to the heirs, legatees or creditors having regard to circumstances of the case, he may remit any part (not exceeding one half) of any prescribed fees but in every such case the reason for so doing shall be recorded by him and a report of such cases, except where a remission is allowed in charging the prescribed minimum fee, shall be submitted every half year to the Government, provided that no second report shall be made if the reasons for allowing remission have not altered, and provided also that nothing contained in this rule shall affect the order of payment of the administration fee and expenses.

35. Remission of fees in cases under Sections 31 and 32.

- In the case of a certificate granted under Section 31 or 32 of the Act, the Administrator-General may, in cases of great hardship, and where the assets do not exceed Rs. 500, remit all fees (or a part thereof) payable under these rules, and in other cases may remit any part not exceeding one-half of the prescribed fee, but in every such case he shall record his reasons for so doing.

36. Composition of fees.

- Where in the opinion of the Administrator-General the income of any assets appertaining to an estate is not liable to serious fluctuations, he may from time to time agree with the person or persons entitled to such income, to accept, in lieu of the income fee payable in pursuance of Schedule V, a fixed half yearly fee of such amount as shall appear to the Administrator-General approximately equal to the average income fee which, but for such agreement, would be payable in respect of such income. A report of such cases shall be submitted to the Government at the close of the half-year, but it shall not be necessary to report the same case more than once unless the agreement for the composition of fees is varied.

37. Method of payment of fees.

- The Administrator-General may agree to the payment by such instalment as shall seem to him just and reasonable of any fee payable to him under the Act.

38. Audit.

- [(1) (i) The accounts of the Administrator-General shall be audited twice a year by the Accountant-General, Uttar Pradesh, or such member of his staff as he may appoint in this behalf.] [Substituted by Noti. No. 3153/VII-AI-80-67, dated 16th September, 1971, published in U.P. Gazette, dated 25th September, 1971, p. 2938, Part I-A.](ii)The accounts of the Administrator-General in regard to estates under administration shall be balanced every half-year, viz, on June 30, and December 31.(iii)The said accounts shall be examined by the auditors who shall

report thereon as provided by Section 45 of the Act. The auditors shall examine the books specified in Schedule I, Part I, and shall also have access of any other book or books kept by the office which shall be necessary for or facilitate the examination and auditing of the accounts of the Administrator-General. (iv) Any person who is summoned under the Act by an auditor shall be entitled to be paid his travelling and other reasonable expenses, which upon being certified by the auditor shall be paid by the Administrator-General and debited to the estate concerned : Provided that no expenses shall be incurred without first ascertaining them, and provided also that if such expenses are likely to exceed Rs. 50 previous sanction of the Government shall be necessary. Sanction of the Government is also necessary together with an allotment of funds if the expenses under Section 46 of the Act proposed to be incurred are in connexion with the accounts of a closed estate or an insolvent estate or an estate which has no sufficient funds. (2) Cost of audit. - The cost and other expenses in connexion with the audit of the Administrator-General's accounts shall be paid by the various estates under his charge at the rate of 50 NP per cent. on the total value of the estates, which shall be calculated in the same way as under rule 29 for the purpose of Section 42 of the Act. The audit fee shall be paid at the close of the audit on the value of assets realized during the half-year under audit, but no audit fee shall be debited to the accounts of an estate so as to leave a debit balance. At the time of closing the accounts of an estate the audit fee on the estimated value of the property not sold shall be reserved and shall be paid at the close of the following audit: Provided that Government may reduce the percentage or the amount of the audit fee on a particular estate or estates in cases in which the audit has been unusually simple or may reduce or remit the audit fees where they would result in hardship to the heirs, legatees or creditors having regard to the circumstances of the case which may be brought to the notice of the Government by the Administrator-General: Provided further that nothing contained in this rule shall effect the order of payment of administration expenses (which include audit fee) under the provision of law.

39. Audit of accounts of zamindaris and business.

- The Administrator-General shall cause the local accounts of zamindaris in his charge and the accounts of any business which is carried on by him on behalf of and which belongs to any estate in his charge, to be audited from time to time, either by chartered accountants or with the previous approval of Government by the auditors prescribed under Section 44 of the Act as he may consider desirable. The whole of the expenses of such audit which shall be settled beforehand shall be paid by the estate on the completion of the audit. Such auditors shall be selected by the Administrator-General, unless the Government in any such case name the auditors who are to be employed.

40. Fees under Section 49.

(a) No person shall be entitled to inspect the books or accounts of the Administrator-General or make search for information in them or obtain copies of a document without first satisfying the Administrator-General that he is interested in the administration of the estate. Provided that nothing hereinbefore contained shall preclude the Administrator-General from refusing the inspection of or search for or grant of copies of documents and papers of a confidential nature, and the decision of the Administrator-General in this respect shall be final. (b) The following shall be the

prescribed fees for the above purposes :

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| (1) | For inspection of books, accounts and records of an estate. | Rupees 4 per day. |
| (2) | For searches regarding estates which have been wound up or closed. | Rupees 5 per day. |
| (3) | For copies of a document or accounts of an estate or certificate of an auditor. | 25n.P. per 100 words subject to a minimum fee of Rs. 2 per document, account or certificate. |
| (4) | For production of papers book etc., in courts. | Rupees 5 per day plus the traveling expenses of a clerk if the books or papers are required at a court other than the High Court at Allahabad : |

Provided that the Administrator-General may on closing the accounts of an estate grant a copy of the accounts free of charge to an heir, legatee or any other person entitled to share of the estate.

41. Disposal of fees.

- All fees realized by the Administrator-General under rule 40 shall be brought to account in the Commission Account Ledger in Form No. 6 and credited by him in the bank in the manner prescribed by these rules as soon as practicable after their receipt.

42. Credit of funds transferred under Section 52.

- All securities shares, debentures, stock and fixed deposits which are to be transferred under the provisions of Section 52 of the Act, shall be converted into ready money, and these and all other funds transferred under the provisions of that Section shall be paid to the credit of the Government to the Bank and an intimation of such payment with particulars thereof shall be forwarded to the Secretary to Government in the Judicial Department. Where any such assets consist of immovable property the Administrator-General shall make a special report of the matter to the Secretary to the Government in the Judicial Department, and shall await such orders as may be given by Government in respect of such assets. .

43. Prescribed authority under Section 53.

- The Secretary to Government, United Provinces in the Judicial (Civil) Department, shall be the prescribed authority for the purposes of Section 53 of the Act.

44. Certain officer and authorities to report death, etc., to the District Magistrate.

- Every officer or local authority, upon whom or which the duty of registering deaths has been imposed by or under any law, shall, upon receiving information of the death of any person to whom the Administrator-Generals Act applies, report the fact of such death without delay to the District

Magistrate together with the following particulars as far as they may be known to him or it: (a) the amount and nature of the assets left by the deceased ; (b) whether or not the deceased left a will, and, if so, in whose custody it is, and (c) the names and addresses of the surviving next-of-kin of the deceased.

45. Burial or cremation to be reported to District Magistrate.

- Any person who performs the burial ceremony or cremation of a person to whom the Administrator-General's Act applies shall report the burial or cremation without delay to the District Magistrate.

46. District Magistrate to make inquiry and report death etc., to the District Judge.

- Upon receiving any such report, or upon receiving in any other manner information of the death of any person to whom the Administrator General's Act applies, the District Magistrate shall forthwith report the death to the District Judge and shall cause to be made such further inquiry as may be necessary for the purpose of ascertaining the particulars specified in rule 44, and may direct the Superintendent of Police to make any such inquiry. He shall report the results of such enquiry to the District Judge as soon as it is complete.

47. Subject of Foreign States.

- On receipt of notice of the death of any person who was, or who the Administrator-General has reason to suppose may have been, the subject of any Foreign State to which the provisions of Section 57 of the Act apply, the Administrator-General shall forthwith give notice of such death to the Consular Officer of such Foreign State at Calcutta, and shall inform the District Judge, who has reported such death, of his having done so. In any such case the Administrator-General shall take no steps to administer or in any way deal with such estate without the consent of such Consular Officer, or until he has expressed his intention of not moving in the matter.

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(See Rule 8)

Part I – .

(1) Cash book. - This book shall contain full particulars of all daily transactions whether in cash, shares or Government securities and shall be balanced at the close of each day and checked and signed in token of its correctness by the Administrator-General (Form No.1). (2) General estate accounts ledger. - This book shall contain separate and distinct accounts of each estate and shall show in detail every transaction whether in cash, securities or shares relating to each estate (Form

No. 2).(3)Register of unclaimed assets. - This book shall contain details of cash, shares, securities and other movable or immovable property which has not been claimed by the person or persons entitled thereto and as such transferred to this register at the close of the administration. It shall also show how the unclaimed assets have been disposed of (Form No. 3).(4)Investment register. - This book shall contain particulars of all shares and securities of whatsoever nature received or purchased by the Administrator-General on account of each estate and specify where the document is kept. It shall also show the date on which periodical interest or dividend is payable and the amount thereof, together with the amounts and dates of interest or dividends realized during the course of administration and the manner in which the securities or shares have been disposed of (Form No. 4).(5)Miscellaneous ledger. - This ledger shall contain entries of all petty amounts transferred from General Estates Accounts Ledger and other petty amounts received whether on account of postage stamps or other miscellaneous charges and petty payments made therefrom (Form No. 5).(6)Commission account ledger. - This ledger shall contain particulars of all fees and commission realized by the Administrator-General and paid to the Government (Form No. 6).(7)Audit fee register. - This register shall contain the particulars of every audit fee claimed by the Audit Department and the date on which it was paid by deposit into the treasury (Form No. 7).(8)Receipt Book. - This book shall contain in a yearly consecutive series particulars of sums of money received by the Administrator-General in cash or by cheques or drafts or in the form of securities or shares. All entries in this book shall be initialled by the Administrator-General, and in the cases of cheques or drafts, the date of realization and the sum realized shall be filled in due courses (Form No. 8).(9)Advance register. - This register shall contain particulars of all advances made by the Administrator-General and how the same have been adjusted (Form No. 9).(10)Demand and collection register of rents. - For watching the realization of demands on account of rents, a demand and collection register in Form No. 10 shall be maintained.Note. - All ledgers shall be posted up daily and closed half-yearly on June 30 and December 31, and the balance if any carried forward to new accounts.

Part II

(11)Administration register, - This book shall contain the following information: Date and place of death, date of grant, names and addresses of the heirs and legatees, if the deceased left a will, particulars of the publication of notice prescribed under rule 24 and the date on which the time expires and references to the general estates accounts ledger, investment register, register of reserved articles, register of immovable property and assets book. This book shall also indicate the manner in which the accounts of an estate have been wound up (Form No, 11.)(12)(Assets and liabilities register. - This book shall contain particulars of assets and liabilities in the following from:Assets -1 . Serial number.

2. Particulars of assets-3. Date of information.

4. From whom information received.

5. Where the assets are.

6. Estimated amount or value of assets.

7. Date of realization.

8. Amount received.

9. From whom assets received or realized.

10. Whether realized, in full, if not, the balance carried forward to item number.

11. Remarks.

Liabilities -

1. Serial number,

2. Particulars of liabilities.

3. Date of information.

4. From whom information received.

5. To whom amount is due.

6. Estimated amount of liabilities.

7. Date of payment.

8. Amount paid.

9. To whom paid.

10. Whether paid in full or at what rate.

11. Remarks (Form No. 12).

(13) Register of reserved articles. - This book shall contain list of jewellery and a brief description of

other articles received in the office of the Administrator-General and reserved from sale and the valuation of such property, if known. It shall also indicate the manner in which the movables have been disposed of (Form No. 13). (14) Register of immovable. - This register shall contain full particulars, of houses and other immovable property belonging to an estate (Form No. 14). (15) Certificate book. - This book shall be kept in counterfoils and the counterfoil shall be a facsimile of the certificate issued under sections 31 and 32 (Form Nos. 15 and 16). (16) Zamindari accounts. - The account of any zamindari appertaining to any estate and all books and documents in connexion therewith shall be in the forms prescribed for the time being and in use by the Court of Wards. Form No. 1 Cash Book

Dr. Cr.

Date	Receipt No.	Ledger no and folio	Estate Particulars	Cash	Realized by bank or remitted to bank	Shares	Government securities	Date	Ledger No. and folio	Estate Particulars		
1	2	3	4	5	6	7	8	9	10	11	12	13
Form No. 2General Estate Account LegerEstate ..												

Dr. Cr.

Date	Cash folio	Particulars	Shares	Government securities	Amount	Remarks	Date	Cash folio	Particulars	Shares	Government securities	A
1	2	3	4	5	6	7	8	9	10	11	12	13
Form No. 3	Register of Unclaimed Assets	Estate	..									

Cr. Dr.

Date of transfer	Ledger number and folio	To whom payable and on what account	Particulars of assets	Cash	Government securities of shares	Value	Date of disposal	Cash book folio	To whom paid or delivered
1	2	3	4	5	6	7	8	9	10
Form No. 4	Investment Register	Estate	.						

Date	Particulars of shares or securities	Face value	Where kept	Date on which interest or dividend	Falls due	Amount	Date of realization of interest and amount	When and how disposed of	Remarks								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	

3. Date and place of death.

4. Dale of grant and number of Letters of Administration or Probate.

5. Names and addresses of heirs and legatees.

6. Date and brief description of will, if any.

7. Particulars of the publication of notice, if any, for creditors and her etc.

8. Date on which the period of notice expires.

9. Reference to General Estate Account Ledger.

10. Reference to Investment Register.

11. Reference to Register of Reserved Articles.

12. Reference to Register of Immovable Property.

13. Reference to Assets Book.

14. Brief remarks as to how the administration has been wound up.'

Form No. 12 Assets and liabilities Register Estate.....Assets

Serial number	Particular of assets	Date of information	From whom information received	Where the assets are	Estimated value or amount of assets	Date of realization	Amount received	From whom assets received or realized	Whether realized in full, if not the balance carried forward to item No.	Remarks
1	2	3	4	5	6	7	8	9	10	11

Form No. 13 Register of Reserved Articles Estate.....

Date	Description of article	No.	Approximate value, if known	Initials Administrator General	Date of disposal	To whom delivered	Remarks
1	2	3	4	5	6	7	8

Form No. 14 Register of Immovable Property Estate.....

Serial number	Description of property	Where situated	Area	Boundary of house number	Annual rental value	Date of disposal	Manner of disposal	Remarks
1	2	3	4	5	6	7	8	9
Form No. 15No.....of 19.....Office of the Administrator-General of the United ProvincesCertificate under Section 31 of Act III of 1913 as amended by Section 2 of Act XXXII of 1926Fees paid IN THE GOODS OF.....Rs..... LATETHE ADMINISTRATOR-GENERAL OF THE UNITED PROVINCES hereby maketh that on the.....day of.....One thousand nine hundred and....., the last Will and Testament bearing date the.....day of.....One thousand nine hundred and.....of.., date of..deceased, who, as appears from the affidavit filed therein, died at..... on theday of...One thousand nine hundred and(a copy of the said Will is hereto annexed) was proved before him and he hereby grants this certificate under Section 31, Act III of 1913, as amended by Section 2, Act XXXII of 1926, to.....of.....as.....The said.....by virtue hereof is entitled to receive, realize and deal with the assets hereunder mentioned left by the said deceased and the said.....undertakes to administer the estate of the said deceased in accordance with law. The said assets, as appears from the said affidavit filed herein, did not exceed in value, at the date of the death of the said deceased, rupees.....Dated Allahabad, this.....day of.....19Administrator General,United Provinces.Particulars of Assets....Administrator-General,United Provinces.								
Form No. 16No..... of 19.....Office of the Administrator-General of the United ProvincesCertificate under Section 31 of Act III of 1913 as amended by Section 2 of Act XXXII of 1926Fees paidIn the Goods of.....Rs..... Late.....THE ADMINISTRATOR GENERAL OF THE UNITED PROVINCES hereby maketh known that in pursuance of Section 31, Act III of 1913, as amended by Section 2, Act XXXII of 1926, he hereby grants this Certificate in the goods of the deceased abovenamed who, as appears from the affidavit filed herein, died intestate on the.....day of.....One thousand nine hundred and.....toresiding at.....as.....of the deceased abovenamed. The saidby virtue hereof is entitled to receive, realize and deal with the assets hereunder mentioned left by the said deceased and the said.....undertakes to administer the estate of the said deceased in accordance with law. The said assets, as appears from the said affidavit filed herein, did not exceed in value at the date of the death of the said deceased, rupees .Dated Allahabad, this.....day of.....19.Administrator-General,United Provinces.Particulars of Assets....Administrator-General,United Provinces.								

II

(See Rule 17) Form A All administrations whereof the final balances have been paid to the persons entitled to the same, specifying the amounts of such balances and the persons to whom paid, prepared from.....to.....19

Payment				Bank or other stock, as well as bonds other securities not being government securities	Cash	Parties to whom paid
Estates	Date of administration	Date of payment	Government securities			

1 2 3 4 5 6 7
Form BALL of sums of motleys, bonds and other securities received by the Administrator-General on account of estates of persons, not being exempted persons, remaining under his charge, together with payments made thereout and the balances prepared from.....to.....19

Balances on 19	Receipts from to...19.....	Total	Payment from to 19	Balance on 19					
			Bank or other stock, as well as bonds or other securities, notbeing Government securities			Bank or other stock, as well as bonds or other securities, notbeing Government securities			
Estates	Date of administration	Government securities		Cash	Government securities		Cash	Government securities	

To credit To debit

1 2 3 4 5 6 7 8 9
Form CALL sums of moneys, bonds and other securities received by the Administrator-General on account of estates of exempted persons, remaining under his charge, together with payments made thereout and the balances prepared from.....to.....19.

Balances on 19	Receipts from to...19.....	Total	Payment from to 19	Balance on 19					
			Bank or other stock, as well as bonds or other securities, notbeing Government securities			Bank or other stock, as well as bonds or other securities, notbeing Government securities			
Estates	Date of administration	Government securities		Cash	Government securities		Cash	Government securities	

To credit To debit

1 2 3 4 5 6 7 8 9
Form DStatement of balances in the hands of the Administrator-General of the United Provinces on set apart to meet the claims, legacies or shares of persons whose whereabouts are not known or who have not claimed payment in spite of notice against the estates named and which sums, securities, shares or other property have been so set apart to the Register of Unclaimed Assets in those estates within three years from -

Estate	Date of transfer	For whom set apart	Cash	Securities and shares	Movable property	Immovable property
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1 2 3 4 5 6 7
Form EStatement of the cash, securities, shares and immovable property and the aggregate balances in the hands of the Administrator-General of the United Provinces, on the.....standing to the credit of various estates which have been set apart to meet the admitted claims, legacies or shares of persons whose whereabouts are not known or who have not claimed payment in spite of notice and which properties have been so set apart to the Register of Unclaimed Assets for a period of more than three years but less than twelve years.

Cash Securities and shares Immovable property

1 2 3
N.B. - On the lapse of twelve years from the date of transfer to the Register of Unclaimed Assets, the properties will be transferred to Government under Section 52 of the Administrator-General's Act.

Schedule 111

(See Rule 18)Report on estates dealt with during the half-year ending.....19 (excluding estates previously included in reports)

Name of estate	Date of death	Intestate or testate	Date of grant	Date of taking charge under Section 32	Date of certificate, if any.	Approximate amount of assets.	Approximate amount of liabilities.	Amount of commission earned during the half-year under report.	Remarks showing manner of disposal
1	2	3	4	5	6	7	8	9	10

IV

(See Rule 24)Notice to claimantsEstateThe Administrator-General of the United Provinces hereby gives notice that he is administering in his official capacity the estate of.....late of.....who died at.....on.....and that all persons having claims against the said estate as creditors, heirs, next-of-kins, legatees or in any other manner whatever, should prefer their claims to the said Administrator-General on or before the..... after which date he will proceed to make payments to creditors and a distribution of the surplus assets of the said estate among such persons as may be found entitled thereto. He will recognize in making such payments and distribution only such claims as shall have previously been established to his satisfaction and admitted by him.Allahabad :The..... 19.: Administrator-General,United Provinces.

V

(See Rule 28)I. Capital Fees(a)Fees payable in cases where the Administrator-General has obtained Probate or Letters of Administration:A fee of 5 per cent. on the gross value of assets taken possession of or realized.(b)Fees payable in cases where the Administrator-General has taken charge of an estate under Section 25, Section 32, or any other Section of the Act A fee of 5 per cent. on all assets taken possession of or realized with a minimum fee of Rs. 20.(c)Fees payable in cases where

the Administrator-General is in-charge under an order made under Section 11 of the Act -A fee of 2 per cent. on the value of the assets taken possession of, collected, realized or sold with a minimum fee of Rs. 10.(d)Fees payable in cases where the Administrator- General has granted a certificate under Section 31 or 32 of the Act -(1)If the assets do not exceed Rs. 200, a fee of Rs. 9.(2)If the assets exceed Rs. 200 but do not exceed Rs. 400, a fee of Rs. 10.(3)If the assets exceed Rs. 400 but do not exceed Rs. 600, a fee of Rs. 15.(4)If the assets exceed Rs. 600 but do not exceed Rs. 800, a fee of Rs. 20.(5)If the assets exceed Rs. 800 but do not exceed Rs. 1,000, a fee of Rs. 30.(6)If the assets exceed Rs. 1,000 but do not exceed Rs. 1,200, a fee of Rs. 30.(7)If the assets exceed Rs. 1,200 but do not exceed Rs. 1,400, a fee of Rs. 35. -(8)If the assets exceed Rs. 1,400 but do not exceed Rs. 1,600, a fee of Rs. 40.(9)If the assets exceed Rs. 1,600 but do not exceed Rs. 1,800, a fee of Rs.45.(10)If the assets exceed Rs. 1,800 but do not exceed Rs. 2,000, a fee of Rs. 50.(e)Fees payable in cases where the Administrator-General deals with an estate under the Regimental Debts Act, 1893 (vide Sections 15, 16, 17 and 42)-A fee of 3 per cent. on the value of the assets taken possession of or realized as provided by Section 14 (5) of the Regimental Debts Act, 1893.II. Income FeesFees payable in respect of all estates under administration by the Administrator-General.The fees payable and chargeable in respect of income realized and dealt with in due course of administration shall be as follows:.In respect of income, whether arising out of movable or immovable property, a fee of 5 per cent, on all income as and when realized.