

The Pepsu Court of Wards Rules, 1952

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Rule THE-PEPSU-COURT-OF-WARDS-RULES-1952 of 1952

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The Pepsu Court of Wards Rules, 1952Published vide Pepsu Government Notification No. 67, dated the 18th September, 1952

1. Short title and commencement.

(1)These rules may be called the Pepsu Court of Wards Rules, 1952.(2)They shall come into force at once.

2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, -(a)"Act" means the Pepsu Court of Wards Act, 2008 (No. 1 of 2008);(b)Words and expressions defined in the Act when used in these rules, shall have, the same meaning as is assigned to them to the Act.

3. Scheme of management.

- As soon as practicable, after the issue of notification assuming the superintendence of the person or property of any person under any of the provisions of the Act, the Deputy Commissioner of the district specified in the notification shall draw out a scheme providing for the management of the property, and where necessary, for guardianship and education of the ward or wards.

4. Submission of scheme.

- The scheme shall be submitted to the Financial Commissioner, Revenue (Court of Wards), who shall pass such orders on it as he thinks fit.

5. Appointment of a guardian of the person of the ward.

- In all cases in which the Court of Wards has assumed superintendence of the person of a minor or of a person adjudged by a competent court, to be of unsound mind and incapable of managing his or her affairs, a guardian of the person shall be appointed :Provided that no guardian of the person shall be appointed in the case of a married female.

6. Guardian of female ward.

- When a ward is an adult female of sound mind and is competent to receive and disburse the amount fixed for her maintenance, no guardian of her person need be appointed; the guardian of a female ward shall always be a female.

7. Manager eligible to be appointed guardian.

- The manager of the property, if eligible under the Act and rules for the time being in force, may also be appointed guardian of the person of a ward.

8. Position of guardian.

- When the guardian is not also manager of the property, he shall, unless the Court of Wards otherwise directs, have charge of the premises in which the ward is to reside and of all movable property requisite for his use and the manager shall pay to him the amount fixed for the maintenance of the ward, the members of his family and his personal attendants.

9. Education of Wards.

- All male minor wards, when of an age for instruction, shall receive education in accordance with any general or special instructions which may be issued by the Court of Wards in this behalf.

10. Residence of manager and rules as to leave.

- The manager of the property of a ward shall, unless he be a Government servant managing an estate in addition to his ordinary duties, or in charge of several separate estates, reside, on or near the estate of which he is manager. The leave of Government officers, who are on deputation with the Court of Wards shall be governed strictly by the Pepsu Services Regulations.

11. Application of assets.

- The assets of an estate shall be applied in the following order :-

1st. - Current land revenue, taxes, cesses or other Government revenue.

2nd. - Arrears of land revenue, taxes, cesses or other Government revenue.

3rd. - Maintenance, and (in the case of a minor ward whose person is under the superintendence of the Court of Wards), education of the ward, maintenance, education or remuneration of his dependents expenses of management and expenses incurred in any Government revenue office on account of the estate.

4th. - Payment of debts.

5th. - Investments.

12. Payment of debts and investment of funds.

- No debt shall be paid or investment made except in accordance with the sanctioned scheme of management or of any general or special rules or directions issued by the Court of Wards in this behalf.

13. Sanction to farms required.

- Wards estates shall not be let in farm without the sanction of the Court of Wards.

14. Inventories of all movable property.

- Inventories of all movable property in an estate shall be made when to the Court of Wards first assumes superintendence and revised from time to time, and shall be signed by the manager or other person in charge of the estate on behalf of the court wards.

15. Custody of securities.

- Title deeds, Government securities, certificates guaranteed stock, all deeds or other documents purporting to convey a title or claim to any valuable security and all valuables not required for the immediate use of the ward or his estate, shall be deposited in the District treasury and shall not be deposited in a private bank or placed in other custody without the sanction of the Court of Wards.

16. Institution and defence of suits.

- No suit exceeding five thousand rupees in value, as estimated for court-fee purposes, shall be instituted or defended on behalf of a ward's estate, without the sanction of the Court of Wards.

17. Publication of notice.

- The notice necessary under section 26 of the Act, shall be published in English and Gurmukhi/Hindi in the official Gazette. It shall be posted up in a conspicuous place outside the Deputy Commissioner's court, and in each tehsil office in the district and a copy forwarded to the District Judge, for similar publication. It may further be published in any English or Vernacular newspaper that the issuing officer thinks fit, and may also be posted up in all or any of the villages in which any part of the ward's property is situated. The notice shall be in the following form :-Notice under section 26 of the PEPSU Court of Wards Act, 2008 (No. 1 of 2008).Whereas by Notification No. _____ dated _____ and published in the official Gazette, of the _____, it was notified that the Court of Wards had assumed _____ superintendence of the person and property/property of _____ son of _____ of in the district of _____.Only to be used when a Deputy Commissioner other than Deputy Commissioner specified in the order of assumption is appointed by the Court of Wards under section 26(1).And whereas the undersigned being Deputy Commissioner of the District, has been duly appointed by the Court of Wards under Section 26(1) of the PEPSU Court of Wards Act, 2008 (No. 1 of 2008) in this behalf.Only to be used when the notices given, not by the Deputy Commissioner of the district, specified in the order of assumption, but by a person invested by the Government, under section 34 with the power of a Deputy Commissioner, for the purposes of Chapter VI and has thereafter been appointed by the Court of Wards, under section 26(1).And whereas the undersigned has been invested by the Government, under section 34 of the PEPSU Court of Wards Act, 2008 (No. 1 of 2008), with the powers of a Deputy Commissioner for the purposes of Chapter VI of the said Act and has been appointed by the Court of Wards, in this behalf, under section 26(1) of the said Act.Notice is hereby given under section 26 of the Pepsu Court of Wards Act, 2008 (No. 1 of 2008), that all persons having claims, including decrees against the said or his/her property, are required to notify the same in writing to the undersigned, together, with the particulars required by section 27 of the said Act, within six months, from the date of publication of this notice in the official Gazette.SignedDatedN.B.

- The attention of all persons having claims against the ward or against his/her property is hereby directed to the provisions of Chapter VI of the PEPSU Court of Wards Act, 2008 (No. 1 of 2008).