

ACT No. XXXIV OF 1923.

[PASSED BY THE INDIAN LEGISLATURE.]

*(Received the assent of the Governor General on the
31st July, 1923.)*

An Act to amend the Cutchi Memons Act,
1920.

XLVI of
1920.

WHEREAS it is expedient to amend the Cutchi Memons Act, 1920; It is hereby enacted as follows:—

1. This Act may be called the Cutchi Memons Short title.
(Amendment) Act, 1923.

XLVI of
1920.

2. (1) Section 2 of the Cutchi Memons Act, 1920 Amendment
of section 2,
Act XLVI of
1920. shall be re-numbered as sub-section (1) of section 2, and in that sub-section as re-numbered for the words “ Any Cutchi Memon who—

- (a) has attained the age of majority, and
- (b) is resident in British India,”

the following shall be substituted, namely:—

“ Any person who satisfies the prescribed authority—

- (a) that he is a Cutchi Memon and is the person whom he represents himself to be;
- (b) that he is competent to contract within the meaning of section 11 of the Indian Contract Act, 1872; and
- (c) that he is resident in British India,”.

IX of 1872.

(2) To

1

[Price one anna and three pies.]

Cutchi Memons (Amendment). [ACT XXXIV OF 1923.]

(2) To the same section the following sub-section shall be added, namely:—

“(2) Where the prescribed authority refuses to accept a declaration under sub-section (1), the person desiring to make the same may appeal to such officer as the Local Government may, by general or special order, appoint in this behalf, and such officer may, if he is satisfied that the appellant is entitled to make the declaration, order the prescribed authority to accept the same.”

Amendment
of section 3,
Act XLVI of
1920.

3. Sub-section (2) of section 3 of the said Act shall be re-numbered as sub-section (3), and for sub-section (1) of the same section the following sub-sections shall be substituted, namely:—

“(1) The Local Government may make rules to carry into effect the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) for prescribing the authority before whom and the form in which declarations under this Act shall be made;

(b) for prescribing the fees to be paid for the filing of declarations and for the attendance at private residences of any person in the discharge of his duties under this Act; and for prescribing the times at which such fees shall be payable and the manner in which they shall be levied.”