

ACT No. IV OF 1926.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 24th
February, 1926.)

An Act further to amend the Guardians and Wards Act, 1890.

WHEREAS it is expedient further to amend the Guardians and Wards Act, 1890, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Guardians and Wards (Amendment) Act, 1926.

2. In section 4 of the Guardians and Wards Act, 1890 (hereinafter referred to as the said Act), for clause (5) the following clause shall be substituted, namely:—

“(5) ‘the Court’ means—

(a) the District Court having jurisdiction to entertain an application under this Act for an order appointing or declaring a person to be a guardian; or

(b) where a guardian has been appointed or declared in pursuance of any such application—

(i) the Court which, or the Court of the officer who, appointed or declared the guardian or is under this Act deemed to have appointed or declared the guardian; or

(ii) in any matter relating to the person of the ward the District Court having jurisdiction in the place where the ward for the time being ordinarily resides; or

(c) in respect of any proceeding transferred under section 4A, the Court of the officer to whom such proceeding has been transferred.

3. After section 4 of the said Act the following section shall be inserted, namely:—

“4A. (1) The High Court may, by general or special order, empower any officer exercising original civil jurisdiction subordinate to a District Court, or authorise the Judge of any District

Short title.

Amendment of section 4, Act VIII of 1890.

Insertion of new section 4A in Act VIII of 1890.

Power to confer jurisdiction on subordinate judicial officers and to transfer proceedings to such officers.

Guardians and Wards (Amendment). [ACT IV OF 1926.]

District Court to empower any such officer subordinate to him, to dispose of any proceedings under this Act transferred to such officer under the provisions of this section.

(2) The Judge of a District Court may, by order in writing, transfer at any stage any proceeding under this Act pending in his Court for disposal to any officer subordinate to him empowered under sub-section (1).

(3) The Judge of a District Court may at any stage transfer to his own Court or to any officer subordinate to him empowered under sub-section (1) any proceeding under this Act pending in the Court of any other such officer.

(4) When any proceedings are transferred under this section in any case in which a guardian has been appointed or declared, the Judge of the District Court may, by order in writing, declare that the Court of the Judge or officer to whom they are transferred shall, for all or any of the purposes of this Act, be deemed to be the Court which appointed or declared the guardian."

Amendment of
section 47, Act
VIII of 1850.

4. In section 47 of the said Act, the word "District" shall be omitted.

Repeals.

5. Clause (b) of sub-section (2) of section 19 of the Central Provinces Courts Act, 1917, clause (b) of sub-section (2) of section 30 of the Punjab Courts Act, 1918, and clause (b) of sub-section (2) of section 31 of the Oudh Courts Act, 1925, are hereby repealed.

C. P. Act
I of 1917.
Pun. Act
VI of 1918.
U. P. Act
IV of 1925.