

ORISSA ACT XV OF 1946

THE MADRAS COURT OF WARDS (ORISSA
AMENDMENT) ACT, 1946

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AN ACT TO AMEND THE MADRAS COURT OF WARDS ACT, 1902,
IN ITS APPLICATION TO THE PROVINCE OF ORISSA

WHEREAS it is expedient to amend the Madras Court of
Wards Act, 1902, in its application to the Province of Madras Act
Orissa for the purposes hereinafter appearing ; I of 1902.

It is hereby enacted as follows :—

Short title
and com-
mencement.

1. (1) This Act may be called the Madras Court of
Wards (Orissa Amendment) Act, 1946.

(2) It shall come into force at once.

Amendment
of section 1,
Madras Act
I of 1902.

2. In section 1 of the Madras Court of Wards Act, 1902
(hereinafter referred to as the said Act), the words "exclusive Madras Act
of the scheduled districts" shall be omitted. I of 1902.

Amendment
of section 9,
Madras Act
I of 1902.

3. In section 9 of the said Act, after clause (d) the
following clauses shall be inserted, namely :—

"(e) Proprietors declared by the Provincial Government
to be incapable of managing their property owing to their
having been convicted of a non-bailable offence and being
unfitted by vice or bad character."

"(f) Proprietors declared by the Provincial Government
to be incapable of managing or unfitted to manage their
own property owing to—

(i) their having entered upon a course of wasteful
extravagance likely to dissipate their property ; or

(ii) their failure without sufficient reason to discharge
the debts and liabilities due by them :

Provided that no such declaration shall be made unless
the Provincial Government is satisfied—

(a) that the aggregate annual interest payable at the
contractual rate on the debts and liabilities due by such
proprietors exceeds one-third of the average annual profits
of the precedings five years ; and

(b) that such extravagance or such failure to discharge
the said debts and liabilities is likely to lead to the
dissipation of property."

Amend-
ments of
sections 13,
15 and 54,
Madras
Act I of
1902.

4. In sub-section (1) of section 13, section 15 and
clause (c) of section 54 of the said Act, after the words,
brackets and letters "clause (b) or (d)", wherever they occur,
the words, brackets and letters "or (e) or (f)" shall be
inserted.