

DEPOSITS UNDER GUARDIAN AND WARD ACT

Chapter 2- Part A of Vol-II

7--- Form of Bank account for current expenses.

Attention is drawn to rule 13 of the rules framed under the Guardian and Wards Act, 1890, (*vide part B of this Chapter*). With respect to money required for the current expenses of the estate and of the ward's maintenance, which is not to be invested, that rule lays down no restriction as to the form of account, i.e current account, savings account or fixed deposit account in which it may be placed. Such money should be placed in such form of Bank account as will be to the best interests of the minor.

Restrictions regarding withdrawl from bank account.

8. When permitting the opening of an account in a Bank the Court may direct that no withdrawl should be made by the guardian from the account except under the orders of the Court. If such restrictions are imposed on the powers of a guardian, they should be embodied in the guardianship certificate; or if a separate order to this effect is recorded, an attested copy of it should be forwarded to the Bank for registration alongwith an attested copy of the guardianship certificate. The Court should see in particular, that the amounts kept in the Bank are not larger than are sufficient for current expenses and that all surplus money is invested in accordance with rule 13 of the rules framed under the Guardians and Wards Act, 1890 (*vide Part B, of this chapter*).

Cases in which money for current expenses are to be deposited in Treasury.

9. In cases falling under Rule 14, money required for current expenses must be deposited in the treasury and the surplus money invested in Government Promissory Notes as laid down therein.

Pass book, etc, to be kept by guardians.

10. All pass books, Government Promissory Notes and Post Office Cash Certificates relating to Accounts of minors should be kept by their guardians and inspected by the Court at least once a year.

13. Opening of accounts in approved banks in the name of minors for current expenses. Investment of surplus money in Government securities.

Where the Court deems it necessary to direct the guardian to open an account in a bank, the account shall be in the name of the minor through his guardian in the Post Office Savings Bank or in the National Bank of Pakistan, or in any other bank approved by the High Court. If, after payment of the current expenses of the estate and of the ward's maintenance, there should be any balance, such balance should be invested by the guardian in Government Promissory Notes, Post Office Cash Certificates, or in any other securities mentioned in clauses (a), (b), (c) and (d) of section 20 of the Trust Act.

Note 1---- A list of banks approved by the High Court is supplied to subordinate courts and additions and alterations made therein are communicated from time to time.

Note 2----- In order to enable a bank to open an account in the name of a minor through his guardian, an attested copy of the guardianship certificate should be supplied to it for registration.

FORM C

Statement under section 34, showing particulars in regard to immovable and movable property belonging to _____ minor, taken over by _____ appointed as guardian under order of the Court, dated _____

| IMMOVABLE PROPERTY | | | | | | | MOVABLE PROPERTY | | | | | Remarks |
|--------------------|------------------------------|-----------------|------------------|-----------------------------|----------------------------|-----------------------------|---|-------------------------|-----------|------|---|---------|
| S # | Land building or vacant site | Particulars (a) | How occupied (b) | Known or supposed value (c) | Profit or rent realizable. | Period for which realizable | <i>Particulars</i> | | | | | |
| | | | | | | | Household goods or other property Supposed value (a) | Jewels gold and silver. | Value (b) | Cash | In whose custody or with whom deposited | |
| | | | | | | | | | | | | |

Note: Only one such statement be exhibited by the guardian on date after the issuance of Guardianship Certificate

FORM C(CONCLUDED)

B----Statement showing particulars as to the debts due, to or by the estate of whose property and person _____ has been appointed or declared guardian by order of court, dated

| Name, parentage and residence of debtor | DEBTS DUE TO THE ESTATE OF THE MINOR. | | | | | | | DEBTS DUE BY THE ESTATE OF THE MINOR. | | | | | | |
|---|---------------------------------------|--------------------------|--------------------------------|---|---------------------------|----------------------------------|------------------------------|---------------------------------------|----------------------------|-------------------------------|-----------------------------|--------------------------------------|--------------------------------------|-------------------------|
| | Amount of debts originally advanced | Date of original advance | Date by which wholly repayable | Amount of interest or profit realizable | Dates on which realizable | Date by which limitation expires | Proof in support of debt (a) | Name etc of creditor | Amount received originally | Date of incurring of the debt | Interest of profits payable | Date when interest or profit payable | Date fixed for repayment of the debt | Security given for debt |
| | | | | | | | | | | | | | | |

REGISTER NO. XXVI FORM E.

STATEMENT RELATING TO THE PROPERTY OF MINORS OF ANNUAL INCOME AND EXPENDITURE.

PART-I STATEMENT RELATING TO PROPERTY.

| Serial No. (with corresponding No. of Miscellaneous Register (a). | Name and description of minor (b). | Date of birth. | Name and description of the guardian of person with date of appointment | Name and description of the guardian of property with date of appointment. | Date and amount of security bond (if any) taken from guardian. | Date fixed for filing of accounts every year. | BRIEF DESCRIPTION OF THE PROPERTY OF THE MINOR AND ITS ESTIMATED VALUE. | | Estimated income from various sources. | Remarks |
|--|--|----------------------|---|---|--|--|--|---------------------|--|---------|
| | | | | | | | IMMOVABLE PROPERTY | MOVABLE PROPERTY | | |
| | | | | | | | | | (a) Land. (b) House, property. (c) Securities etc, etc. | |
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PART-II STATEMENT OF ACCOUNTS AND ABSTRACT OF IMPORTANT ORDERS.

| ACCOUNTS | | | | ABSTRACT OF OTHER IMPORTANT ORDERS, e.g UNDER SECTIONS 31, 32, 33, 34 AND 43 etc. RELATING TO THE PERSON OR PROPERTY OF THE MINOR. | |
|----------|-------------------------|---|---|---|--------------------|
| Year | Date of filing accounts | Brief statement of income, expenditure and balance. | Remarks of the Judge after examination of the accounts. | Date of order | Abstract of order. |
| | | | | | |