

CHAPTER XXI.

OF THE MAINTENANCE OF WIVES AND CHILDREN.

316. If any person having sufficient means, neglects or refuses to maintain his wife or any legitimate or illegitimate child unable to maintain himself, it shall be lawful for the Magistrate of the District or other Officer exercising the powers of a Magistrate, upon due proof thereof, to order such person to make a monthly allowance for the maintenance of his wife or such child at such monthly rate, not exceeding Fifty Rupees in the whole, as to the Magistrate or other Officer as aforesaid shall seem reasonable ; and if such person shall wilfully neglect to comply with the order, the Magistrate or other Officer as aforesaid may, for every breach of the order, by warrant, direct the amount due to be levied in the manner provided for levying fines ; or may order such person to be imprisoned with or without hard labor for any term not exceeding one month. Provided that if such person offer to maintain his wife on condition of her living with him, and his wife shall refuse to live with him, it shall be lawful for the Magistrate or other Officer as aforesaid to consider any grounds of refusal stated by such wife ; and he may make the order allowed by this Section notwithstanding such offer, if he shall be satisfied that such person is living in adultery, or that he has habitually treated his wife with cruelty. No wife shall be entitled to receive an allowance from her husband under this Section, if she is living in adultery, or if without any sufficient reason she refuses to live with her husband.

317. Any person ordered to pay a monthly allowance for the maintenance of his wife, or child, or both, under the provisions of the last preceding Section, may apply to the Magistrate from time to time for the reduction of such allow-

Magistrate may make order for maintenance of wives and children.

Enforcement of order.

Proviso.

Application for reduction of allowance.

ance, and on proof of an alteration in the circumstances of such person, his wife, or child, justifying such reduction, such Magistrate may make such reduction in the allowance ordered as he may deem fit.
