

EAST PUNJAB WAR AWARDS ACT, 1948

1948 : East Pb. Act xxn] WAR AWARDS 209 THE EAST PUNJAB WAR AWARDS ACT, 1948, Sections, 2, 3. 4. 5. 6. 7. 8, 9, TABLE OF CONTENTS, Short title and commencement. Definitions. Creation of war jagirs. Tenure of war jagirs. Power to attach conditions to enjoyment of war jagir. Assessment and collection of assigned land revenue, Exemption of war jagir from attachment. Savings. Certain question to be referred to Government for final decision, '9,gg , East Pba Act XXII.J WAR AWARDS 211 'THE EAST PUNJAB WAR AWARDS ACT, 1948. East Punjab Act No, xxn of 19480 [Received the assent of His Excellency the Governor on the 10th April, 1948, and was first published in the East Punjab Government Gazette (Extraordinary) of Ye'r No. 1948 3 4 Short title Whetfiter repealed or otherwise affected by legislation XXII East Punjab war of Laws Order, 1950 Amen4ed in part by the Adaptation of Laws Chird Amendment) Order, 1951 Amended in part by Punjab Act, No. of 19522 Amended by Punjab Act XXXVIII of 19543 Extended to the territories which immediately before the 1st Novem- ber, 1956, were comprised in the State of Patiala and East Punjab States Union, by Punjab Act No. 23 of 1957' Antended by Punjab Act No. 17 of 19595 Amended by Punjab Act of 1960s Amended by Punjab Act . xm'l Of Amended by Punjab Act Xxn of 19658 Amended by the Punjab Reorganisqtion (Chandigarh) . (Adaptation of laws on State and Concurrent Subjects) Order? 1968. iFor Statement of Objects and Reasons, see East Pwtjah Government Gazette (Extraordinary), dated the 15th March, 1948, page 266 ; for proceedings in the Assembly, see East Punjab Legislative Assembly Debates, Volume r, 1948, page 843—871. 2For Statement of Objects and Reasons, see Puuiab Goyernntent Gazette (Extraordinary), dated the 16th October, 1952, • page 1154 (b) ; for proceedings In the Council, see Punjab Legislative Council Debates, 1952, Volume pages (2)23—(2)29. This Act shall be deemed to have come into force on the 10th day of April, 1948. see Punjab Government Gazette 3For Statement of Objects and Reasons, Extraordinary), 1954, page 838. For Statement of Objects and Reasons, see PIZ/ab Government Gazette (Extraordinary), 1957, page 689. 6For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1959, page 284. 6For Statement of Objects and Reasons, see PuŪab Government -Gazette (Extraordinary), 1960, page 1970. 7For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1964, page 890. 8For Statement of Objects and Rasons, see Punjab ævnment Gazette Extraordinary), 1965, page 1115. 212 (1948 : East Act. xxn An Actto empmvcrthe IIPunjabl Goycrnment to award Jagirs {o parents, threc or or children were enrolled or coinmissi0!ted for scryicc in Wis Majesty's Forces during Ibe yecen(Second World It is hereby enacted as follows I, U) This Act may be called the East Punjab Short title and commencement. Awards Act) 1948. (2) It shall come into force at once, 2[and in its applica- tion to the territories which, immediately before 1st November, 1956 were comprised in the State of Patiala and East Punjab States Unions, it shall be deemed to e into force• on 28th August, 1949.1 hay: Definitions, 2: In this Act, unless .there be anything repugnant in the subject or context,— €•.eligible personl means— (i) a Zcitizen . India ordinarily residing in the 51 Union te ritor of Chandigarh] who is..the father; D!) where the father is dead, the mother, of three or more persons who are serving or have served - in the armed forces .Qf the Union during the emergency declared by the President of India under Article .352 of the Constitution of India on thé 26th •October, 1962, but does not include a person who has for such reason al- ready received : •a land grant or other award from Government ; or a citizen of India ordinarily residifig in the • 51 Union . Terr tory of Chandigarh) iüho• is ••the father, or, where the father is dead, the mother, of the only son se ving.or who hâs served in the armed forces of thr Union during the enlergency declared by the President of India under Article 352 of the iSub)stituted for thé words "East Punjab ' by the Adaptation of Laws (Third Amendment), Order, 1951, Fourteenth Schedule. 2Added at the end of sub-sec:ion (2) •of Secti n t by Punjab Act No. 17 Of 1959. Substituted by Punjab Act No. 36 of 1960. {Substituted for the words "(a) 'eligible person' means a Person whoisnoW a citizen of India and who "by Punjab Act No. 26 of 1964. 5Substi!uted for the svotds "State of Punjab" by the Punjab Reorganisa• tion of Laws on State and Concurrent Subjects) 1928. 61Inserted by Punyab Act NO. 22 of 1965. 1941. e East Ph. Act xxn.] War Awards 213 Constitution of India on the 26th October, 1962, but does not include a person who has for such reason already received a land grant or other award from Government; or] (ii) a person who is now a citizen of India and ho.— (a) immediately before the fifteenth day of August, 19473 ordinarily resided in the undivided Punjab, or (b) immediately

before the 20th August, 1948 ordinarily resided in the territories which on that date formed the State of Patiala and East Punjab States Union, and who is the father, or where the father is dead, the mother of three or more persons who having been at any time enrolled or commissioned in forces then referred to as His Majesty's Naval, Military or Air Forces or in the forces maintained by any of the Indian States comprised in the aforesaid territories and who were liable to serve wherever required and have actually served in any of the said forces during the Second World War, but does not include any person who has for such reason already received a land grant or other award from the Government of the undivided Punjab Or the Government of the territories formed as aforesaid or of any Indian State comprised in such territories or the Government J.J. (b) "Government" means the Government; (c) "War Jagir" means a jagir granted under this Act (d) expressions used but not defined in this Act have the same meanings as in the Punjab Jagirs Act, 1941. Notwithstanding anything contained in any other law for the time being in force, the Government shall have power to grant to every eligible person a war jagir of the value specified hereunder, namely:— (e) for three children of the grantee so serving or so enrolled or commissioned, a grant of one hundred rupees per annum; and (f) substituted for the words "Punjab Government" by the Punjab Reorganisation (Chandigarh) (Adaptations of Laws on State and Concurrent Subjects) Order, 1968: substituted for the words "State Government of Punjab" by ibid. substituted by Punjab Act No. 26 of 1964. 214 War Awards [1948: East Pb. Act (b) for every additional child,— (i) so serving or served, of the eligible referred to in sub-clause (i) of clause (4) of section 2, an additional grant of forty rupees per annum; and (ii) so enrolled or commissioned, of the eligible person referred to in sub-clause (a) of section 2, an additional grant of ten rupees per annum: Provided that for the purposes of determining eligibility of a person to the grant of a war jagir sub-clause (i) of clause (a) of section 2, no child of person, who has already made him eligible to the grant of a War jagir under sub-clause (ii) of that clause, shall be taken into account.] (IA) Notwithstanding anything contained in sub-section (1) or in any other law for the time being in force the Government shall have been the power to grant a jagir of one hundred rupees per annum to every eligible person referred to in sub-clause (ia) of clause (a) of section 2 for only one son of the grantee so serving or served.] (2) A war jagir shall provide for an assignment of the appropriate sum, or for the grant of such sum payable annually, charged on the whole or part of the land revenue arising from a specified area, and subject in either case to such deductions on account of collection, suspension or mission of land revenue as the Government may direct, Ten If of a war jagir shall, unless terminated wholly or partly for breach of any condition imposed under section 5, be tenable for the life-time of the grantee, Government shall have power to terminate or reduce it if the grantee subsequently receives a land grant or other award on the same ground on which the war jagir granted to him. Provided that a war jagir granted to an eligible person being the father, shall, on the death of the father, be tenable for the life-time of the mother. inserted by Punjab Act No. 22 of 1965. substituted by Punjab Act No. 26 of 1964. [1948: East Pb. Act xxn. 215 WARDS The Government may attach such conditions as it may think fit to the enjoyment of any or all war jagirs, and conditions to enjoy— (1) conditions shall be communicated to the grantee at the time when the grant is made to him. 6 Any land revenue assigned under the powers of Assessment and Collection shall be assessed and collected in the manner assigned and provided by the law for the time being in force, for the assessment and collection of land-revenue as if it had not been assigned 7. No war jagir shall be liable to seizure, attachment or sequestration by process of any Court at the instance of a creditor for any demand against the grantee, or in satisfaction of a decree or order of any Court. Nothing in this Act shall be deemed to affect the provisions of the Pensions Act, 1871 (Act XXIII of 1871), or of the [Government] Grants Act, 1895 (Act XV of 1895), so far as they are applicable to war jagirs, 9, If any question arises under this Act— (a) whether or not a person is an eligible person, or (b) whether or not a grantee has committed breach of any condition imposed under section 5, such question shall be referred to the Government whose decision thereon shall be final and conclusive and shall not be liable to be called in question in any Court. by Adaptation of Laws Order, 1950, Schedule I, Certain question to be referred to Government for final decision.