

THE EAST PUNJAB WAR AWARDS ACT, 1948.

TABLE OF CONTENTS.

Sections.

1. Short title and commencement.
2. Definitions.
3. Creation of war jagirs.
4. Tenure of war jagirs.
5. Power to attach conditions to enjoyment of war jagir.
6. Assessment and collection of assigned land revenue.
7. Exemption of war jagir from attachment.
8. Savings.
9. Certain question to be referred to Government for final decision.

THE EAST PUNJAB WAR AWARDS ACT, 1948.
East Punjab Act No. XXII of 1948.

[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 April 10, 1948.]

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Year	No.	Short title	Whether repealed or otherwise affected by legislation
1948	XXII	East Punjab War Awards Act, 1948	<p>Amended in part by the Adaptation of Laws Order, 1950</p> <p>Amended in part by the Adaptation of Laws (Third Amendment) Order, 1951</p> <p>Amended in part by Punjab Act, No. XXII of 1952¹</p> <p>Amended by Punjab Act XXXVIII of 1954²</p> <p>Extended to the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union, by Punjab Act No. 23 of 1957³</p> <p>Amended by Punjab Act No. 17 of 1959⁴</p> <p>Amended by Punjab Act XXXVI of 1960⁵</p> <p>Amended by Punjab Act XXVI of 1964⁶</p> <p>Amended by Punjab Act XXII of 1965⁷</p> <p>Amended by the Punjab Reorganisation (Chandigarh) (Adaptation of laws on State and Concurrent Subjects) Order, 1968.</p>

¹For Statement of Objects and Reasons, see *East Punjab Government Gazette* (Extraordinary), dated the 15th March, 1948, page 266; for proceedings in the Assembly, see *East Punjab Legislative Assembly Debates*, Volume II, 1948, page 843—871.

²For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), dated the 16th October, 1952, page 1154 (b); for proceedings in the Council, see *Punjab Legislative Council Debates*, 1952, Volume III, pages (2)23—(2)29. This Act shall be deemed to have come into force on the 10th day of April, 1948.

³For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1954, page 838.

⁴For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1957, page 689.

⁵For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1959, page 284.

⁶For Statement of Objects and Reasons, see *Punjab 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 Reasons, see *Punjab Government Gazette* (Extraordinary), 1965, page 1115.

An Act to empower the ¹[Punjab] Government to award Jagirs to parents, three or more of whose children were enrolled or commissioned for service in His Majesty's Forces during the recent Second World War.

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the East Punjab War Awards Act, 1948.

(2) It shall come into force at once, ²[and in its application 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 have come into force on 28th August, 1949.]

Definitions.

2. In this Act, unless there be anything repugnant in the subject or context,—

³⁴[(a) 'eligible person' means—

(i) a citizen of India ordinarily residing in the ⁵[Union Territory of Chandigarh] who is the father, or, where the father is dead, the mother, of three or more persons who are serving or have served in the armed forces of the Union during the emergency declared by the President of India under Article 352 of the 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

⁶[(ia) a citizen of India ordinarily residing in the ⁵[Union Territory of Chandigarh] who is the father, or, where the father is dead, the mother, of the only son serving or who has served in the armed forces of the Union during the emergency declared by the President of India under Article 352 of the

¹Substituted for the words "East Punjab" by the Adaptation of Laws (Third Amendment), Order, 1951, Fourteenth Schedule.

²Added at the end of sub-section (2) of Section 1 by Punjab Act No. 17 of 1959.

³Substituted by Punjab Act No. 36 of 1960.

⁴Substituted for the words "(a) 'eligible person' means a person who is now a citizen of India and who" by Punjab Act No. 26 of 1964.

⁵Substituted for the words "State of Punjab" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1928.

⁶Inserted by Punjab Act No. 22 of 1965.

- 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 who.—
- (a) immediately before the fifteenth day of August, 1947, 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 ¹[Central Government].
- (b) "Government" means the ²[Central 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.

3. ³[(1) 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:—

- (a) for three children of the grantee so serving or served or so enrolled or commissioned, a grant of one hundred rupees per annum; and

¹Substituted for the words "Punjab Government" by the Punjab Reorganisation (Chandigarh) (Adaptations of Laws on State and Concurrent Subjects) Order, 1968.

²Substituted for the words "State Government of Punjab" by *ibid.*

³Substituted by Punjab Act No. 26 of 1964.

(b) for every additional child,—

(i) so serving or served, of the eligible person referred to in sub-clause (i) of clause (a) of section 2, an additional grant of ten rupees per annum ; and

(ii) so enrolled or commissioned, of the eligible person referred to in sub-clause (i) of clause (a) of section 2, an additional grant of ten rupees per annum:

Provided that for the purposes of determining the eligibility of a person to the grant of a war jagir under sub-clause (i) of clause (a) of section 2, no child of such 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.]

¹[(1A) 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 war jagir of one hundred rupees per annum to every eligible persons 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 remission of land revenue as the Government may direct.

Tenure of war
jagirs

²[(4) A war jagir shall, unless terminated wholly or partially for breach of any condition imposed under section 5, be tenable for the life-time of the grantee, but 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 was 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.]

¹Inserted by Punjab Act No. 22 of 1965.

²Substituted by Punjab Act No. 26 of 1964.

5. The Government may attach such conditions as it may deem fit to the enjoyment of any or all war jagirs, and such conditions shall be communicated to the grantee at the time when the grant is made to him.

Power to attach conditions to enjoyment of war jagirs.

6. Any land revenue assigned under the powers herein conferred shall be assessed and collected in the manner 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.

Assessment and collection of assigned land revenue.

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.

Exemption of war jagirs from attachment.

8. 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.

Savings.

9. If any question arises under this Act—

Certain question to be referred to Government for final decision.

(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.