

PENSIONS AND SUPERANNUATION ALLOWANCES ACT 1849

ACT No. VI. of 1849

(Rep., Act 23 of 1871)

[17<sup>th</sup> March, 1849.]

*Passed by the Hon'ble the President of the Council of India in Council on the 17th March, 1849.*

*For securing Military and Naval Pensions and Superannuation Allowances.*

WHEREAS it is expedient to consolidate and extend the operation of the law, as to the exemption of Military and Naval Pensions, and other Superannuation Allowances, from seizure under process of law, It is enacted as follows:

I. Regulation XII. 1814 of the Bengal Code, and Act XXXI. 1845, are repealed.

II. The reduced pay or pension, however called, of any Invalid Officer, Soldier, Sailor or Retainer of the Army or Navy, in the Military or Naval Service of the East India Company, and also any monthly or yearly pension, or pecuniary allowance to any person, in consideration of past services and present infirmities, or old age, granted by authority of the Governor general in Council, or of the Governor or Governor in Council, or Lieutenant Governor, of any Presidency or Place within the Territories under the Government of the East India Company; and also the pension of any Out-Pensioner of Chelsea or Greenwich Hospital, granted by authority of the Commissioners of Chelsea or Greenwich hospital respectively, and also all money due or to become due on account of any such pension or allowance, shall be exempt from seizure, attachment or sequestration by process of any Court within the said Territories, at the instance of a Creditor, for any demand against the Pensioner, or in satisfaction of a decree or order of any such Court.

III. All assignments, agreements, orders, sales and securities of every kind made by any such pensioner, in respect of any money not payable at or before the making thereof, on account of any such pension, or for giving or assigning any future interest therein, are null and void.

IV. This Act shall not apply to any process of any Court established by Royal Charter, issued out of such Court before the passing of this Act, or to any assignment, agreement, order, sale or security by any such Pensioner, made before the passing of this Act in respect of a Chelsea dency of Madras; or before the 27<sup>th</sup> December 1845, in respect of a pension or allowance granted in the Presidency of Bombay; or before the 27<sup>th</sup> May 1814, in respect of a pension or allowance granted in the Presidency of Bengal.

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