



The East Punjab War Award Act, 1948

Act 22 of 1948

Keyword(s):

Eligible Person, War Jagir

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THE EAST PUNJAB WAR AWARDS ACT, 1948.

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**'THE EAST PUNJAB WAR AWARDS
ACT, 1948.**

EAST PUNJAB ACT NO. 22 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]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1948	22	The 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. 22 of 1952¹</p> <p>Amended by Punjab Act 38 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 23 of 1957⁴</p> <p>Amended by Punjab Act 17 of 1959⁵</p> <p>Amended by Punjab Act 36 of 1960⁶</p>

1. For Statement of Objects and Reasons, see *East Punjab Government Gazette* (Extraordinary), dated the 15th March, 1948, page 227 ; for proceedings in the Assembly, see *East Punjab Legislative Assembly Debates*, Volume II, 1948, pages 843-871.
2. For 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.
3. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extra.), 1954, page 838.
4. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extra.), 1957, page 689.
5. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extra.), 1959, page 284.
6. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extra.), 1960, page 1960.

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1948	22	The East Punjab War Awards Act, 1948.	Amended by Punjab Act 26 of 1964 ¹ Amended by Punjab Act 22 of 1965 ² Amended by Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968. ³ Amended by Haryana Act 10 of 1969 ⁴ . Amended by Haryana Act 31 of 1969 ⁵ . Amended by Haryana Act 23 of 1970 ⁶ . Amended by Haryana Adaptation of Laws Order, 1968. ⁷ Amended by Haryana Adaptation of Laws Order, 1968. ⁸ Amended by Haryana Act 7 of 1973 ⁹ . Amended by Haryana Act 3 of 1974 ¹⁰ . Amended by Haryana Act 16 of 1979 ¹¹ . Amended by Haryana Act 7 of 1993 ¹² . Amended by Haryana Act 7 of 2002 ¹³ .

1. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extra.), 1964, page 890.
2. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extra.), 1965, page 1116.
3. See Haryana Government Gazette (Extra.), dated 29th October, 1968, pages 531-567.
4. For Statement of Object and Reasons, see *Haryana Government Gazette* (Extra.), 1969, page 120.
5. For Statement of Objects and Reasons, see *Haryana Government Gazette* (Extra.), 1969, page 490.
6. For Statement of Objects and Reasons, see *Haryana Government Gazette* (Extra.), 1970, page 596.
7. Substituted for the word "Punjab" by the Haryana Adaptation of Laws Order, 1968.
8. Substituted by the Haryana Adaptation of Laws Order, 1968 for the words "and in its application to the territories which, immediately before 1st November, 1956 were comprised in the State of Patiala and East Punjab States Union, it shall be deemed to have come into force on the 28th August, 1949".
9. For Statement of Object and Reasons, see *Haryana Government Gazette* (Extraordinary), dated the 2-4-1973, page 732.
10. For Statement of Objects and Reasons, see *Haryana Government Gazette* (Extraordinary), dated the 4-1-1974, page 34.
11. For Statement of Objects and Reasons, see *Haryana Government Gazette* (Extraordinary), dated the 21-9-1979, page 1648.
12. For Statement of Objects and Reasons, see *Haryana Government Gazette* (Extraordinary), dated the 17-12-1992, page 2532.
13. For Statement of Objects and Reasons, see *Haryana Government Gazette* (Extraordinary), dated the 5th March, 2002, page 389.

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

It is hereby enacted as follows :—

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

Short title and commencement.

(2) It shall come into force at once ²[in the principal territories and on the 28th August, 1949, in the transferred territories.]

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

Definitions.

³{(a) 'eligible person' means-

(i) a citizen of India ordinarily residing in the State of ⁴[Haryana] 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 ⁵ [the 26th October, 1962 or the 3rd December, 1971,] 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 State of ⁴[Haryana] who is the father, or, where the father is dead, the mother,

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1. Substituted for the word "Punjab" by the Haryana Adaptation of Laws Order, 1968.
 2. Substituted by the Haryana Adaptation of Laws Order, 1968 for the words "and in its application to the territories which, immediately before 1st November, 1956 were comprised in the State of Patiala and East Punjab States Union, it shall be deemed to have come into force on the 28th August, 1949".
 3. Substituted for clause (a), which was previously substituted by Punjab Act 36 of 1960, by Punjab Act 26 of 1964.
 4. Substituted for the word "Punjab" by Haryana Adaptation of Laws Order, 1968.
 5. Substituted by Haryana Act 7 of 1973.
 6. Sub-clause (ia) inserted by Punjab Act 22 of 1965.

of the ¹[only son or only unmarried daughter or both serving or who have served] or of ¹[only two sons or only two unmarried daughters] serving or who 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 ²[the 26th October, 1962 or the 3rd December, 1971], 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 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 ³[Haryana] Government;

(b) "Government" means the ⁴[State] Government of ⁴[Haryana] ;

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1. Substituted by Haryana Act 3 of 1974.
 2. Substituted by Haryana Act 7 of 1973.
 3. Substituted for the word " Punjab" by the Haryana Adaptation of Laws Order, 1968.
 4. Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

- (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. ¹[(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—

Creation of war jagirs.

- (a) for three children of the grantee so serving or so enrolled or commissioned, a grant of ²[five thousand rupees] per annum; and
- (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 ³[fifty] rupees per annum ; and
- (ii) so enrolled or commissioned, of the eligible person referred to in sub-clause (ii) 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.]

⁴[(1A) Notwithstanding anything contained in sub-section (1) or in any other law for the time being in force, the Government shall have the power to grant a war jagir of ²[five thousand rupees] per annum to every eligible person referred to in sub-clause (ia) of clause (a) of section 2 ⁵[for the ⁶[only son or only unmarried daughter or both or only two sons or only two unmarried daughters]]of the grantee so serving or served.]

1. Substituted for old section 3 by Punjab Act 26 of 1964.
2. Substituted by Haryana Act 23 of 1970 and further substituted by Haryana Act 16 of 1979 and further substituted by Haryana Act 7 of 1993 and further substituted by Haryana Act 7 of 2002.
3. Substituted for the word by " forty" by Haryana Act 23 of 1970.
4. Sub-section (1A) added by Punjab Act 22 of 1965.
5. Substituted for the words "for only one son" by Haryana Act 10 of 1969.
6. Substituted by Haryana Act 3 of 1974.

¹. [(2) x x x x x]

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.]

Power to attach conditions to enjoyment of war jagir.

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.

6. ¹[* * * * *]

Exemption of war jagirs from attachment.

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.

Savings.

8. Nothing in this Act shall be deemed to affect the provisions of the Pensions Act, 1871 (Act 23 of 1871), or of the ³[Government] Grants Act, 1895 (Act 15 of 1895), so far as they are applicable to war jagirs.

Certain question to be referred to Government for final decision.

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.

1. Omitted by Haryana Act 3 of 1974.

2. Substituted by Punjab Act 26 of 1964.

3. Substituted for the word "Crown" by Adaptation of Laws Order, 1950.