



The East Punjab War Awards Act, 1948

Act 22 of 1948

Keyword(s):

Eligible Person, Government, War Jagir

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THE EAST PUNJAB WAR AWARDS ACT, 1948
EAST PUNJAB ACT NO. 22 OF 1948

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¹THE 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, dated the 10th April, 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Year	No.	Short title	Whether repealed or otherwise affected by Legislation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	Adapted by— (1) The Adaptation of Laws Order, 1950 (2) The Adaptation of Laws (Third Amendment) Order, 1951. Amended by— (1) Punjab Act 22 of 1952. ² (2) Punjab Act 38 of 1954 ³ . (3) 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 1957. ⁴ (4) Punjab Act 17 of 1959. ⁵ (5) Punjab Act 36 of 1960. ⁶ (6) Punjab Act 26 of 1964. ⁷ (7) Punjab Act 22 of 1965. ⁸ (8) Punjab Act 2 of 1968. ⁹

An Act to empower the ¹⁰[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.

¹For Statement of Objects and Reasons, *see* East Punjab Government Gazette (Extraordinary), 1948, page 266.

²For Statement of Objects and Reasons, *see* Punjab Government Gazette (Extraordinary) 1952, page 1154 (b). This Act shall be deemed to have come into force from 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 1960.

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 1116.

⁹For Statement of Objects and Reasons, *see* Punjab Government Gazette (Extraordinary), (1967) page 909.

¹⁰Substituted by the Adaptation of Laws (Third Amendment) Order, 1951.

THE EAST PUNJAB WAR AWARDS ACT, 1948

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, ¹[and in its application to the territories which, immediately before the 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 28th August, 1949.]

Definitions.

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

²(a) “eligible person” means—

(i) a citizen of India ordinarily residing in the State of Punjab who is the father, or, where the father is dead, the mother, ³of three or more children] 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

⁴[(ia) a citizen of India ordinarily residing in the State of Punjab who is the father, or, where the father is dead, the mother, of the ⁵only son or only child who is 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 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[(ib) a citizen of India ordinarily residing in the State of Punjab who is the father or where the father is dead, the mother, of only two children both of whom 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 reasons already received a land grant or other award from Government, or]

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

²Substituted 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, section 2.

³Substituted for the words “three or more persons” by Punjab Act No. 2 of 1968, Section 2.

⁴Added by Punjab Act No. 22 of 1965, section 2.

⁵Substituted for the words “only son serving or who has served” by Punjab Act No. 2 of 1968, section 2.

⁶Added by Punjab Act No. 2 of 1968, section 2.

(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 ¹[children] 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 Punjab Government.

- (b) "Government" means the State Government of Punjab ;
- (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.

Punjab Act 5 of 1941.

²[3. (1) Notwithstanding anything in any other law for the time in force, the Government shall have the power to grant to a person a War Jagir of the value of—

Creation of war jagir.

- (a) one hundred and fifty rupees per annum if he is an eligible person within the meanings of sub-clauses (i), (ia), or (ib) of clause (a) of section 2 ;
- (b) one hundred rupees per annum, if he is an eligible person within the meaning of sub-clause (ii) of clause (a) of section 2 :

Provided that if the eligible person within the meaning of—

- (i) sub-clause (i) of clause (a) of section 2 has more than three children who have served or are serving in the manner referred to in the said sub-clause, an additional amount of fifty rupees per annum may be granted for every such child exceeding three ;
- (ii) sub-clause (ii) of clause (a) of section 2 has more than three children who were enrolled and commissioned and were liable to serve and have actually served, in the manner referred to in the said sub-clause, an additional amount of ten rupees per annum may be granted for every such child exceeding three ;

Provided further 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.

¹Substituted for the word "persons" by Punjab Act No. 2 of 1968, section 2.

²Section 3 substituted by Punjab Act No. 2 of 1968, section 3.

(2) A War Jagir shall provide for 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 the amount of War Jagir shall, subject to such deductions on account of collection of land revenue as the Government may direct, be payable notwithstanding that the land revenue for the specified area may have been suspended or remitted.]

Tenure of war jagir.

1[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 condition 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.

Assessment and collection of assigned land revenue.

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 has not been so assigned.

Exemption of war jagir 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 ²Government 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 unuer 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.

¹Section 4 substituted by Punjab Act No. 26 of 1964, section 4.

²Substituted by Adaptation of Laws Order, 1950, First Schedule, for "Crown".