

1919

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THE LOCAL AUTHORITIES PENSIONS AND GRATUITIES ACT, 1919.

"ACT No. 1 OF 1919

[26th February, 1919]

An Act to extend the powers of local authorities in regard to the granting of pensions and gratuities.

WHEREAS it is expedient to extend the powers of local authorities in regard to the granting of pensions and gratuities;

It is hereby enacted as follows:-

1. Short title and extent.—(1) This Act may be called the.

?(2) It extends to the whole of Pakistan.]

2. Definition. In this Act “officer” means any person who has undertaken *[service of the State] and who immediately prior to undertaking such service, was paid and employed solely by a local authority and, but for undertaking such service, would in the ordinary course have continued in such employment; “[and the “ appropriate Government “ means, in relation to cantonment authorities and port authorities in major ports, the *[Federal Government], and in relation to other authorities, the Provincial Government].

3. Power to grant extraordinary pensions and gratuities: Notwithstanding anything contained in any enactment or in any rule made thereunder regulating the powers of local authorities, and without prejudice to any powers conferred by or under any such enactment, a local authority may grant a pension or gratuity to any officer thereof who may, since the 4th day of August, 1914, have been wounded or otherwise incapacitated in °[service of the State], and to the widow or child of any such officer who may have died in consequence of injuries received or illness contracted since the 4th day of August, 1914, in the course of such service.

4. Provision as to pensions and gratuities.—(1) Such pension or gratuity may be granted in addition to any pension or gratuity payable to the officer or his wife or child, as the case may be, under any general or special orders of '* * * ®[the °[Federal Government] or any Provincial Government], but shall not, save with the sanction of the [appropriate Government], exceed the amount of the pension or gratuity to which the officer or his wife or child would have been entitled under any such orders if his employment by the local authority had been service for the same time and on the same pay '°[of the State].

'For Statement of Objects and Reasons, see Gazette of India, 1919, Pt. V, p. 18 ; and for Proceedings in 197.

*Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect sub-section (2) as amended by A. O., 1949, Arts. 3 (2) and 4.

>The original words the service of Government” were first subs. by A. O., 1937 and then amended by A. 23rd March, 1956), to read as above.

‘Ins. by A. O., 1937

SSubs. by F.A.O., 1975, Art. 2 and Table for “Central Government”

‘The original words “the service of Government” were first subs. by A. O., 1937 and then amended by A. 23rd March, 1956), to read as above.

'The original words “His Majesty in Council or of” omitted by A. O., 1961, Art. 2 and Sch. (with effect from

SSubs. by A. O., 1937, for “the G G. in C. “.

°Subs. *ibid.*, for “L. G.” which had been subs. by the Devolution Act, 1920 (33 of 1920), s. 2 and Sch. I, for “G G. in C “

Subs. by A. O, 1961, Art. 2 and Sch. (with effect from the 23rd March, 1956), for “under the Crown” which had been Subs by A Government”.

(2) Any pension granted under this Act may be made to take effect from such date subsequent to the 4th day of August, 1914, and subject to such conditions as the local authority may think fit.

5. Procedure. Subject to the provisions of this Act, the decision of a local authority to grant a pension or gratuity thereunder shall be made in such manner and shall be subject to such sanction as may be prescribed by any enactment or rule regulating the grant by such local authority of pensions and gratuities:

Provided that in every case the sanction of the [appropriate Government] shall be necessary.

'Subs. by A. O., 1937, for "L. G.".

*For Statement of Objects and Reasons, see Gazette of India, 1919 Pt. V, p. 22 ; and for Proceedings in This Act has been applied to Phulera in the Excluded Area of Upper Tanawal to the extent the Act is appl modifications ; and extended to the Excluded Area of Upper Tanawal (N: W.F.P.) other than Phulera with modifications as may be notified, see N: W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950

It has also been extended to the Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 Areas of Baluchistan, see Gazette of India, 1937, Pt. 1, p. 1499.