

The Pensions Act, 1871

(ACT NO. XXIII OF 1871)

^{2♣}An Act to consolidate and amend the law relating to Pensions and Grants by Government of money or land-revenue.

Preamble

WHEREAS it is expedient to consolidate and amend the law relating to pensions and grants by Government of money or land-revenue; It is enacted as follows:-

CHAPTER I PRELIMINARY

Short title	1. This Act may be called the Pensions Act, 1871.
Extent of Act	It extends to the whole of Bangladesh.
[Repealed]	2. [Repealed by the Repealing Act, 1938.]
Interpretation-section	3. In this Act, the expression "grant of money or land-revenue" includes anything payable on the part of Government in respect of any right, privilege, perquisite or office.
[Repealed]	3A. [Omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)].

CHAPTER II RIGHTS TO PENSIONS

Bar of suits relating to pensions	4. Except as hereinafter provided, no Civil Court shall entertain any suit relating to any pension or grant of money or land-revenue conferred or made by the Government or any former Government, whatever may have been the consideration for any such pension or grant, and whatever may
--	---

have been the nature of the payment, claim or right for which such pension or grant may have been substituted.

Claims to be made to Collector or other authorized officer

5. Any person having a claim relating to any such pension or grant may prefer such claim to the Collector of the District or Deputy Commissioner or other officer authorized in this behalf by the Government; and such Collector, Deputy Commissioner or other officer shall dispose of such claim in accordance with such rules as the Chief Revenue-authority may, subject to the general control of the Government, from time to time prescribe in this behalf.

Civil Court empowered to take cognizance of such claims

6. A Civil Court, otherwise competent to try the same, shall take cognizance of any such claim upon receiving a certificate from such Collector, Deputy Commissioner or other officer authorized in that behalf that the case may be so tried, but shall not make any order or decree in any suit whatever by which the liability of Government to pay any such pension or grant as aforesaid is affected directly or indirectly.

Pensions for lands held under grants in perpetuity

7. Nothing in sections 4 and 6 applies to-
pensions heretofore granted by Government in the territories subject to the Lieutenant-Governor of Bengal, either wholly or in part as an indemnity for loss sustained by the resumption by a Native Government of lands held under sanads purporting to confer a right in perpetuity. Such pensions shall not be liable to resumption on the death of the recipient, but every such pension shall be capable of alienation and descent, and may be sued for and recovered in the same manner as any other property.

CHAPTER III

MODE OF PAYMENT

Payment to be made by Collector or other authorized officer

8. All pensions or grants by Government of money or land-revenue shall be paid by the Collector or the Deputy Commissioner or other authorized officer, subject to such rules as may, from time to time, be prescribed by the Chief Controlling Revenue-authority.