

The Punjab Special Tribunal (Change of Composition) Act, 1950

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Act 10 of 1950

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The Punjab Special Tribunal (Change of Composition) Act, 1950 Punjab Act No. 10 of 1950 Statement of Objects and Reasons. - "The East Punjab Special Tribunals (Change of Composition) Ordinance, 1949, was promulgated under section 88 of the Government of India Act, 1935, on the 1st December, 1949, by the Governor of East Punjab to provide for a change in the composition of the Punjab Special Tribunal from a three member Tribunal to one member Tribunal with a view to expediting the disposal of cases pending before it. This Ordinance would lapse after six weeks from the next session of the Legislature. It would, however, not be possible for the East Punjab Special Tribunal to finish the cases entrusted to it by that time. Hence the Bill. Published vide Punjab Government Gazette Extraordinary, dated the 23rd February, 1950. Received the assent of His Excellency the Governor on the 14th April, 1950 and first published in the Punjab Government Gazette (Extraordinary) of April 15, 1950. An Act to provide for a change in the composition of the East Punjab Special Tribunal. It is hereby enacted as follows :-

1. Short title and commencement.

(1) This Act may be called the Punjab Special Tribunal (Change of Composition) Act, 1950. (2) It shall come into force at once.

2. Definitions.

- In this Act, -(a) "Principal Ordinance" means the Criminal Law Amendment Ordinance, 1943 (Ordinance No. XXIX of 1943) as modified by East Punjab Special Tribunal (Continuance) Act, 1948 (East Punjab Act No. XXIX of 1948); (b) "The Tribunal" means the Tribunal known as the Punjab Special Tribunal by virtue of paragraph (1) of Article 3 of the Indian Independence (Special Tribunals) Order, 1947.

3. Change of Composition of the Tribunal.

(1)As from the 1st of December, 1949, the principal Ordinance shall apply in relation to the Tribunal and to the cases not disposed of by it before that date subject to the modification that for section 4 thereof the following section shall be substituted, namely :-"4. Composition of the Punjab Special Tribunal. - The Punjab Special Tribunal shall consist of one member to be appointed by the State Government, who shall be a person qualified under paragraph (2) of Article 217 of the Constitution of India, for appointment as a judge of a High Court."(2)Notwithstanding the change in the composition of the Tribunal effected by sub-section (1), it shall not be necessary for the Tribunal to recommence any proceedings or to recall and re-hear any witness who has given evidence before such change and it shall be lawful for the Tribunal to act on the evidence already recorded by or produced before it.

4. Repeal of East Punjab Ordinance No. XXIV of 1950.

- The East Punjab Special Tribunal (Change of Composition) Ordinance, 1950 is hereby repealed but not- withstanding such repeal anything done or any action taken in exercise of any powers conferred by or under the said Ordinance shall be deemed to have been done or taken in exercise of powers conferred by or under this Act.