

ACT No. V OF 1909.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 22nd March 1909.)

An Act to amend certain enactments relating to the Army.

WHEREAS it is expedient to amend certain enactments relating to the Army in manner hereinafter appearing; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Amending (Army) Act, 1909.

Amendment of enactments in Schedule.

2. The enactments specified in the Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

THE SCHEDULE.

1	2	3	4
Year.	No.	Short title.	Amendments.

Acts of the Governor General in Council.

1869	XX	The Indian Volunteers Act, 1869.	After section 7 insert the following:— “7-A. (1) The Commanding Officer of a Volunteer Corps may strike off the rolls any volunteer, not being an officer of the Corps under his command, who has been absent without leave for not less than six months, or has quitted the Corps otherwise than in accordance with section 13, or has been classed as non-efficient for two consecutive years.
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THE SCHEDULE—*contd.*

1	2	3	4
Year.	No.	Short title.	Amendments.

Acts of the Governor General in Council—contd.

1869	XX— <i>contd.</i>		<p>(2) Every volunteer so struck off the rolls shall be deemed to have been removed from the Corps."</p> <p>In section 15, insert the words "removal or" before the words "dismissal therefrom".</p>
1877	XI	The Military Lunatics Act, 1877.	<p>For section 3 substitute the following:—</p> <p>"3. Whenever a European officer, ^{warrant} officer, non-soldier declared lunatic, ^{commissio} n e d officer, soldier or other person subject to the provisions of the Army Act has been declared a lunatic in accordance with the provisions of the military regulations in force for the time being, and it appears to any administrative medical officer that it is inexpedient that he should be removed to England or that he should be detained in military custody until he can be conveniently sent to England, such administrative medical officer may, if he thinks fit, make an order under his hand for the reception of the said lunatic into any lunatic asylum which has been duly authorized for the purpose by the Governor General in Council:</p> <p>and the officer in charge of such asylum shall receive the lunatic into the asylum, and detain him therein until he is discharged therefrom, in accordance with the military regulations in force for the time being or until such administrative medical officer applies for his transfer to the military authorities in view to his removal to England."</p>

THE SCHEDULE—contd.

1	2	3	4
Year.	No.	Short title.	Amendments.

Acts of the Governor General in Council—contd.

1877	XI— <i>contd.</i>		In section 7, for the words "general officer commanding the district or force" substitute the words "general or other officer commanding the division, district, brigade or force," and omit the word "other" before the word "officer authorized".
1889	XIII	The Cantonments Act, 1889.	In section 13, for the words "European soldier, or to or for the use of any European or Eurasian being a follower or a soldier's wife" substitute the words "soldier, or follower, or soldier's wife". In section 15, sub-section (1), after the words "police-officer" insert the words "or excise-officer".
1902	II	The Cantonments (House Accommodation) Act, 1902.	In section 2, sub-section (1),— for clauses (b) and (c) substitute the following:— " (b) 'Division' means one of the Divisions into which the Army in India is, for the time being, divided, and includes the Bannu, Derajat and Kohat Independent Brigades ; (c) 'Officer Commanding the Division' means the Officer Commanding a Division, and includes the Officers Commanding the Bannu, Derajat and Kohat Brigades" ; in clause (e), for the words "General Officer of the Command" substitute the words "Officer Commanding the Division".

THE SCHEDULE—contd.

1	2	3	4
Year.	No.	Short title.	Amendments.

Acts of the Governor General in Council—contd.

1902	II—contd.		<p>In section 10, sub-section (1), for the words "General Officer of the Command" substitute the words "Officer Commanding the Division".</p> <p>In section 11, clause (d), for the words "General Officer of the Command" substitute the words "Officer Commanding the Division".</p> <p>In section 15, sub-section (1), for the word "District" substitute the word "Division".</p> <p>In section 35, sub-section (1), for the words "General Officer of the Command" substitute the words "Officer Commanding the Division".</p> <p>In section 36, sub-sections (2) and (3), for the words "General Officer of the Command", wherever they occur, substitute the words "Officer Commanding the Division".</p> <p>In section 37, for the words "General Officer of the Command" substitute the words "Officer Commanding the Division".</p> <p>In section 39, sub-sections (2), (3) and (4), for the word "District" substitute the word "Division".</p>
1903	VII	The Indian Works of Defence Act, 1903.	<p>In section 2, for clauses (c) and (d) substitute the following :—</p> <p>"(c) the expression 'Division' means one of the Divisions into which the Army in India is, for the time being, divided, and includes the Bannu, Derajat and Kohat Independent Brigades:</p>

THE SCHEDULE—*concl'd.*

1	2	3	4
Year	No.	Short title.	Amendments.

Acts of the Governor General in Council—concl'd.

1903	VII— <i>concl'd.</i>		<p>(d) the expression 'General Officer Commanding the Division' means the General Officer Commanding a Division, and includes the General Officers Commanding the Bannu, Dera-jat and Kohat Brigades."</p> <p>In section 7—</p> <p>(1) in clause (a), sub-clauses (i) and (iv), and clause (b), sub-clauses (i) and (ii), for the words "General Officer of the Command" substitute the words "General Officer Commanding the Division".</p> <p>(2) in clause (a), sub-clause (ii), and clause (b), sub-clause (i), for the word "District" substitute the words "Division, District or Brigade".</p>
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