

ACT No. X OF 1928.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 27th March, 1928.)

An Act further to amend the Auxiliary Force Act, 1920, for certain purposes.

XLIX of 1920.

WHEREAS it is expedient further to amend the Auxiliary Force Act, 1920, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Auxiliary Force (Amendment) Act, 1928. Short title and commencement.

(2) It shall come into force on such date, not later than the 1st day of January, 1929, as the Governor General in Council may, by notification in the Gazette of India, appoint.

XLIX of 1920.

2. In section 4 of the Auxiliary Force Act, 1920 (hereinafter referred to as the said Act),— Amendment of section 4, Act XLIX of 1920.

(a) clause (b) shall be omitted;

(b) in clause (c), the word "or" shall be omitted, and the clause shall be re-lettered as clause (b); and

(c) clause (d) shall be omitted.

3. In section 17 of the said Act,—

(a) in sub-section (2), for the word "may" the word "shall" shall be substituted; and Amendment of section 17, Act XLIX of 1920.

(b) the following sub-sections shall be added, namely:—

"(3) Any enrolled person may be discharged by such authority, and subject to such conditions, as may be prescribed.

(4) Notwithstanding anything contained in sub-section (2) or sub-section (3), no enrolled person, who is for the time being engaged in military service under the provisions of this Act, shall be entitled to receive his discharge before the termination of such service."

4. In sub-section (1) of section 21 of the said Act, the words "subject, in the case of an officer, to the terms of his commission and the orders of His Majesty, and, in the case of a non-commissioned" Amendment of section 21, Act XLIX of 1920.

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a non-commissioned officer or man, to the orders of the Governor General " shall be added at the end.

Insertion of
new section 27A
in Act XLIX
of 1920.

Presumption as
to certain docu-
ments.

5. After section 27 of the said Act, the following section shall be inserted, namely:—

" 27A. Where any non-commissioned officer or man of the Auxiliary Force is required, by or in pursuance of any rule, regulation or order made under this Act, to attend at any place, a certificate purporting to be signed by the prescribed officer stating that the person so required to attend failed to do so in accordance with such requirement, shall, without proof of the signature or appointment of such officer, be evidence of the matters stated therein."