

ACT No. X OF 1933.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the
13th April, 1933.)

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

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

1. This Act may be called the Auxiliary Force (Amendment) Act, 1933. Short title.

2. In section 2 of the Auxiliary Force Act, 1920 (hereinafter referred to as the said Act), for the definition of "competent military authority" the following definition shall be substituted, namely:—

" 'competent military authority' means the authority prescribed as competent to perform or exercise all or any of the duties imposed or powers conferred on the competent military authority by this Act; "

3. In sub-section (2) of section 5 of the said Act, before the words " An applicant for enrolment " the words " Subject to the prescribed conditions," shall be inserted, and the words " located in the prescribed military area within which he for the time being resides " shall be omitted. Amendment of section 5, Act XLIX of 1920.

4. In section 9 of the said Act,—

(a) for the words " has not attained the age of thirty-one years " the words " is included in the Active Class " shall be substituted; Amendment of section 9, Act XLIX of 1920.

(b) for the words " the preliminary training specified in Schedule I " the words " preliminary training of such amount as may be ordered by the competent military authority subject to the limits specified in Schedule I " shall be substituted;

(c) in

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(c) in the first proviso, for the words "competent military authority" the words "Officer Commanding the corps or unit to which such enrolled person belongs" shall be substituted; and

(d) for the second proviso the following proviso shall be substituted, namely:—

"Provided further that any person may be exempted either wholly or in part by the Officer Commanding his corps or unit from the necessity of undergoing preliminary training required by this section, and shall, on the publication in the orders of the corps or unit of such exemption, be deemed to the extent of such exemption to have completed such preliminary training."

Repeal of section 10, Act XLIX of 1920.
Amendment of section 11, Act XLIX of 1920.

5. Section 10 of the said Act shall be omitted.

6. In section 11 of the said Act,—

(a) the words and brackets "(other than a person to whom the provisions of section 10 apply)" shall be omitted, and for the words "as hereinafter provided" the words "by the Officer Commanding the corps or unit to which he is appointed" shall be substituted;

(b) after clause (a) the word "or" shall be inserted, and for clauses (b) and (c) the following shall be substituted, namely:—

"(b) the Reserve Class;"
and

(c) for the words "the periodical training specified in Schedule I" the words "periodical training of such amount as may be ordered by the competent military authority subject to the limits specified in Schedule I" shall be substituted.

Amendment of section 12, Act XLIX of 1920.

7. In section 12 of the said Act,—

(a) in sub-section (2),—

(i) the words "or entitled to rank as officers of His Majesty's Forces" shall be omitted;

(ii) in clause (a), for the word "and" the words "or who being so required" shall be substituted, and
for

for the words " until the end of the training year in which he attains the age of thirty-one years " the words " until he is transferred to the Reserve Class by order of the Officer Commanding the corps or unit " shall be substituted; and

(iii) for clauses (b) and (c) the following clause shall be substituted, namely:—

" (b) every such person who is transferred from the Active Class under the provisions of clause (a) or who on enrolment is assigned to the Reserve Class by order of the Officer Commanding the corps or unit shall be included in the Reserve Class."

(b) in sub-section (3), the words " to be entitled to rank as an officer of His Majesty's Forces or ", the words " section 10 or " and the words " as the case may be " shall be omitted;

(c) in sub-section (4),—

(i) for the words " either Class of the Reserve " the words " the Reserve Class " shall be substituted;

(ii) for the words " for any training year in any other Class for which more periodical training is specified in Schedule I " the words " in the Active Class " shall be substituted; and

(iii) after the word " shall " the words " if the competent military authority grants the application, " shall be inserted; and

(d) sub-section (5) shall be omitted.

8. In section 13 of the said Act,—

(a) for clause (a) of sub-section (1) the following clause shall be substituted, namely:—

" (a) on the recommendation of the Advisory Committee, direct that any enrolled person included in the Active Class shall, for the purposes of periodical training, be included for any stated period in the Reserve Class, or "

and

(b) in sub-section (2), for the words " to each person " the words " in respect of each individual or unit or part thereof " shall be substituted.

Amendment of
section 13, Act
XLIX of 1920.

9. In

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Amendment of
section 14,
Act XLIX of
1920.

9. In section 14 of the said Act, for the words "competent military authority", where they first occur, the words "Officer Commanding the corps or unit to which he belongs" shall be substituted.

Amendment of
section 15, Act
XLIX of 1920.

10. In sub-section (2) of section 15 of the said Act, for the words "specified in Schedule I for" the words "to which he is liable in" shall be substituted.

Amendment of
section 28, Act
XLIX of 1920.

11. In sub-section (1) of section 28 of the said Act, the words "or a military officer appointed by him in this behalf" shall be omitted.

Amendment of
section 30,
Act XLIX of
1920.

12. In sub-section (2) of section 30 of the said Act,—

(a) after clause (a) the following clause shall be inserted, namely:—

"(aa) prescribe the authority which shall be the competent military authority for any purpose under this Act;"

(b) to clause (c) the following words shall be added, namely:—

"and the conditions governing applications to be enrolled in a particular branch, corps or unit";
and

(c) in clause (f), before the word "rates" the words "conditions governing the grant of, and the" shall be inserted.

Amendment of
Schedule I,
Act XLIX of
1920.

13. In Schedule I to the said Act, in item No. 2,—

(a) sub-item (2) shall be omitted; and

(b) sub-item (3) shall be re-numbered as sub-item (2), and in that sub-item, as so re-numbered, in the first column, for the words "Second (B) Class Reserve" the words "Reserve Class" shall be substituted, and in the second column, the words "for this Class" shall be omitted.