

Provision of section 24 to apply in respect of all appeals.

15. The provisions of sub-section (1) of section 24 of the principal Act, as substituted by section 7 of this Act, shall apply to all appeals instituted after the commencement of this Act.

Repeal and saving.

16. (1) The Administration of Evacuee Property (Amendment) 6 of 1956. Ordinance, 1956, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any powers conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the date on which such thing was done or action was taken.

Rep. by Act 58 of 1960, s. 2 + Sch I (w.r.) - 26.12.60

## THE TERRITORIAL ARMY (AMENDMENT) ACT, 1956

ACT NO. 92 OF 1956

An Act further to amend the Territorial Army Act, 1948.

[28th December, 1956]

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Territorial Army (Amendment) Act, 1956.

Amendment of section 2.

2. In section 2 of the Territorial Army Act, 1948 (hereinafter referred to as the principal Act), after clause (d), the following clause shall be inserted, namely:—

“(dd) “public utility service” means any undertaking which supplies power, light, gas or water to the public, or carries on a public transport, or maintains any system of public conservancy or sanitation and which is declared, by notification in the Official Gazette, by the Central Government to be a public utility service to which this Act applies:

Provided that no such notification shall be issued unless the Central Government is satisfied that, having regard to the needs of the Territorial Army, the persons employed in any such public utility service should, in the public interest, be made compulsorily liable for service in that Army under this Act.”

3. After section 6 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 6A.

"6A. (1) Without prejudice to the provision contained in section 6, every person employed under the Government or in a public utility service who has attained the age of twenty years but has not completed the age of forty years shall, subject to the other provisions contained in this section and subject to such rules as may be made in this behalf, be liable, when so required to do, to perform service in the Territorial Army.

Liability of certain persons for compulsory service in the Territorial Army.

(2) Where it appears to the prescribed authority that, having regard to the strength of the Territorial Army or of any unit thereof in any area or place or, having regard to the exigencies of service in the Territorial Army, it is necessary that persons compulsorily liable to perform service in the Territorial Army under sub-section (1) should be called upon for such service, the prescribed authority may call upon such number of persons as he thinks fit for the purpose of performing service in the Territorial Army.

(3) In requisitioning the services of any persons under sub-section (2), the prescribed authority shall have regard to the age, physical fitness, qualifications and experience of the persons to be called upon for service and the nature of the work previously performed by them while employed under the Government or in the public utility service, and the work to be performed by them in the Territorial Army.

(4) Every person liable to perform service under sub-section (1) shall, if so required by the prescribed authority, be bound to fill up such forms as may be prescribed and sign and lodge them with the prescribed authority within such time as may be specified in the requisition.

(5) The prescribed authority may require any person in-charge of the management of a public utility service to furnish within such time as may be specified in the requisition such particulars as may be prescribed with respect to persons employed under him, who may be liable to perform service under sub-section (1).

(6) Any person whose services are requisitioned under this section may be required to join the Territorial Army as an officer or as an enrolled person according to the rules made in this behalf by the Central Government, and where any person has so joined the Territorial Army, he shall be entitled to the same rights and privileges and be subject to the same liabilities as an officer or enrolled person under the provisions of this Act.

*Explanation.*—For the purposes of this section, the expression “person employed under the Government or in a public utility service” shall not include—

- (a) a woman;
- (b) a member of the regular Army, the Navy or the Air Force or a member of any Reserve Force;
- (c) a person who is not a citizen of India;
- (d) a person employed under the Government in any country or place outside India for so long as he is so employed; and
- (e) any other persons as may be exempted from the operation of this Act by the Central Government, by notification in the Official Gazette, on the ground that, having regard to the nature of the service performed by such persons or to the exigencies of the service in which they are employed, it is, in the opinion of the Central Government, expedient in the public interest, that they should not be liable to perform service under this Act.”

Insertion of new section 10A.

Punishment for failure to lodge forms duly filled up, etc.

4. After section 10 of the principal Act, the following section shall be inserted, namely:—

“10A. If any person fails without sufficient cause—

(a) to comply with any requisition under sub-section (4) or sub-section (5) of section 6A, or

(b) to report himself for service when so required to do by the prescribed authority under sub-section (2) of that section, or

(c) to submit himself to medical or other examination when so called upon to do by the prescribed authority under rules made under this Act,

he shall be punishable with imprisonment which may extend to three months, or with fine which may extend to two hundred rupees, or with both.”

Amendment of section 14.

5. In sub-section (2) of section 14 of the principal Act—

(a) clause (a) shall be re-lettered as clause (aaa) and in that clause as so re-lettered the words “or may be required to perform compulsory service in the Territorial Army;” shall be added at the end; and

(b) before that clause as so re-lettered, the following clauses shall be inserted, namely:—

“(a) prescribe the form under sub-section (4) of section 6A, the particulars that should be furnished therein and

the authority with which, and the period within which, the form should be lodged;

(aa) prescribe the procedure for requiring persons liable for compulsory service in the Territorial Army to be medically or otherwise examined with a view to determining whether they satisfy the conditions imposed under this Act;".

THE YOUNG PERSONS (HARMFUL PUBLICATIONS)  
ACT, 1956

*See India Code  
Vol. III B*

ACT No. 93 OF 1956

An Act to prevent the dissemination of certain publications harmful to young persons.

[28th December, 1956]

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Young Persons (Harmful Publications) Act, 1956.

Short title, extent and commencement.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date<sup>1</sup> as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act,—

Definitions.

(a) "harmful publication" means any book, magazine, Pamphlet, leaflet, newspaper or other like publication which consists of stories told with the aid of pictures or without the aid of pictures or wholly in pictures, being stories portraying wholly or mainly—

- (i) the commission of offences; or
- (ii) acts of violence or cruelty; or
- (iii) incidents of a repulsive or horrible nature;

in such a way that the publication as a whole would tend to corrupt a young person into whose hands it might fall, whether by inciting or encouraging him to commit offences or acts of violence or cruelty or in any other manner whatsoever;

(b) "State Government" in relation to a Union territory, means the administrator thereof;

<sup>1</sup> 1st February, 1957, vide Notification No. S.R.O. 334, dated 25-1-57, see Gazette of India Extraordinary, 1957, Pt. II, Sec. 3, p. 331.