

ACT No. XXXI OF 1923.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the
31st July, 1923.)

An Act to amend the Indian Territorial Force Act, 1920, and the Auxiliary Force Act, 1920, for certain purposes.

XLVIII of
1920.
XLIX of
1920.

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

1. This Act may be called the Indian Territorial and Auxiliary Forces (Amendment) Act, 1923. Short title.

XLVIII of
1920.

2. To section 11 of the Indian Territorial Force Act, 1920, the following sub-section shall be added, namely:— Amendment of section 11, Act XLVIII of 1920.

VIII of 1911.

“(3) Where an offence punishable under the Indian Army Act, 1911, or, as the case may be, under that Act as modified under sub-section (2), has been committed by any person whilst subject to that Act under the provisions of this section, such person may be taken into and kept in military custody and tried and punished for such offence under that Act, although he has ceased to be so subject as aforesaid, in like manner as he might have been taken into and kept in military custody, tried or punished, if he had continued to be so subject:—

Provided that no such person shall be kept in military custody after he has ceased to belong to the Indian Territorial Force, unless he has been taken into or kept in military custody on account

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Indian Territorial and Auxiliary Forces (Amendment). [ACT XXXI OF 1923.]

of the offence before the date on which he ceased so to belong, nor shall he be kept in military custody or be tried or punished for the offence after the expiry of two months from that date, unless his trial had already commenced before such expiry."

Amendment
of section
21, Act
XLIX of
1920.

3. Section 21 of the Auxiliary Force Act, 1920, ^{XLIX of 1920.} shall be re-numbered as sub-section (1) of section 21, and to that section as so re-numbered the following sub-section shall be added, namely:—

"(2) Where an offence punishable under the Army Act has been committed by any person whilst ^{44 & 45 Vict., c. 58.} subject to that Act under the provisions of sub-section (1), such person may be taken into and kept in military custody and tried and punished for such offence, although he has ceased to be so subject as aforesaid, in like manner as he might have been taken into and kept in military custody, tried or punished if he had continued to be so subject:

Provided that no such person shall be kept in military custody after he has ceased to belong to the Auxiliary Force, India, unless he has been taken into or kept in military custody on account of the offence before the date on which he ceased so to belong, nor shall he be kept in military custody or be tried or punished for the offence after the expiry of two months from that date, unless his trial had already commenced before such expiry."