

THE ARMED FORCES (EMERGENCY DUTIES) ACT, 1947

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title and extend.
2. Emergency duties of Armed Forces.
3. Validation of certain past commands.

THE ARMED FORCES (EMERGENCY DUTIES) ACT, 1947

ACT No. 15 OF 1947¹

[20th March, 1947.]

An Act to enable duties in connection with vital services to be imposed in an emergency on an Armed Forces ²* * *.

WHEREAS it is expedient to enable duties in connection with vital services to be imposed in the emergency on the Armed Forces ²* * *.

It is hereby enacted as follows:—

1. Short title and extend.—³* * * This Act may be called the Armed Forces (Emergency Duties) Act, 1947.

⁴* * * * * * * * *

2. Emergency duties of Armed Forces.—(1) The Central Government may, by notification in the Official Gazette, declare any specified service ⁵[in a State] to be a service of vital importance to the community:

Provided that such notification shall remain in force for one month in the first instance, but may be extended, from time to time, by a like notification.

(2) Upon a declaration being made under sub-section (1) and until it is rescinded, it shall be the duty of every person subject to ⁶[the Army Act, 1950 (46 of 1950) or the Air Force Act, 1950 (45 of 1950)], or ⁷* * * ⁸[the Navy Act, 1957 (62 of 1957)], to obey any command given by any superior officer in relation to employment upon or in connection with the service specified in the declaration; and every such command shall be deemed to be a lawful command within the meaning and for the purposes of the said Acts.

3. Validation of certain past commands.—Every command given, after the 30th day of September, 1946, and before the commencement of this Act, to any person referred to in sub-section (2) of section 2 by any superior officer in relation to employment upon or in connection with any such service as the central Government may, by notification in the Official Gazette, specify in his behalf, shall be deemed to have been a lawful command within the meaning and for the purposes of the Acts referred to in that sub-section, so, however, that no such person shall be punished by reason only of his not having obeyed any such command.

1. The Act was extended to the new Provinces and merged States by the Merged States (Laws) Act, 1949 (59 of 1949), s. 3 and Schedule to the States of Manipur, Tripura and Vindhya Pradesh by the Part C States (Laws) Act, 1950 (30 of 1950), s. 3, in Pondicherry on 1-10-1963 *vide* Reg. 8 of 1965, s. 3 and the Schedule I; to Lakshdeep (w.e.f.1-10-1987); *vide* Reg. 8 of 1965, s. 3 and Schedule, to Goa, Daman and Diu with modifications by Reg. 12 of 1962, s. 3 and the Schedule, and in Dadra and Nagar Haveli (w.e.f. 1-7-1965) by Reg. 6 of 1963, s. 2 and the First Schedule.
2. The words “of the Crown” omitted by the A.O. 1950.
3. The brackets and figure “(1)” omitted by Act 4 of 1948, s. 2.
4. Omitted by s. 2, *ibid*.
5. Subs. by Act 3 of 1951, s. 3 and the Schedule, for “in a Part A State or a Part C State or, if so requested by the Government of a Part B State any specified service in that State”.
6. Subs. by s. 3 and the Schedule, *ibid.*, for “the Indian Army Act, 1911, or the Indian Air Force Act, 1932”.
7. The words “the Naval Discipline Act, in the form in which it is set forth in the First Schedule to” omitted by the A.O. 1950.
8. Subs. by Act 58 of 1960, s. 3 and the Second Schedule, for “the Indian Navy (Discipline) Act, 1934”.