

THE AIR FORCE ACT, 1950

ACT NO. 45 OF 1950¹

1. Short title and beginning.- (1) This Act might be known as the Air Force Act, 1950.

(2) It will come into force on such date² as the Central Government may by notice in the Official Gazette, choose for this sake.

2. People subject to this Act.- The accompanying people will be dependent upon this Act any place they might be, specifically:-

(a) officials and warrant officials of the Air Force;

(b) people enlisted under this Act;

³[(c) people having a place with the Regular Air Force Reserve or the Air Defence Reserve or the Helper Air Force, in the conditions indicated in area 26 of the Reserve and Auxiliary Air Powers Act, 1952 (62 of 1952);]

(d) people not any other way likely to flying corps regulation, who, on dynamic assistance, in camp, on the walk, or on the other hand at any boondocks post determined by the Central Government by notice for this benefit, are utilised by, or are in the assistance of, or are supporters of, or go with any part of the Air Force.

3. End of utilisation of the Act.- Every individual subject to this Act under statements (a) to c of segment 2 will remain so subject until properly resigned, released, delivered, eliminated, excused or cashiered from the help.

4. Definitions.- In this Act, except if the setting in any case requires.-

(i) "dynamic assistance", as applied to an individual subject to this Act, implies the time during which such individual —

(a) is connected to, or frames part of a power which is occupied with activities against an adversary, or then again

(b) is occupied with aviation based armed forces tasks in, or is on the line of walk to, a nation or spot completely or somewhat involved by a foe, or

(c) is appended to, or frames part of, a power which is in military control of any unfamiliar country;

1. The Act has been extended to Goa, Daman and Diu by Regulation 12 of and Schedule, Dadra and Nagar Haveli by Guideline 6 of 1963, s. 2 and the First Schedule Pondicherry by Regulation 7 of 1963, s. 3 and First Schedule.

2. 22nd July, 1950, vide Notification No. S.R.O. 124, dated 22nd July, see Gazette of India, 1950, Part II, sec. 4.

3. Subs. by Act 62 of 1952, s. 35, for statement (c) (w.e.f. 15-8-1955).

(ii) "aeroplane" incorporates planes, inflatables, light inflatables, carriers, lightweight flyers or different machines for flying;

(iii) "aeroplane material" incorporates any motors, fittings, weapons, stuff, instruments or mechanical assembly for use regarding aeroplane, and any of its parts and embellishments and petroleum oil, and some other substance utilised for giving rationale capacity to planes;

(iv) "Aviation based armed forces" signifies officials and pilots who by their bonus, warrant, terms of enrolment or in any case, are obligated to deliver consistently for a term aviation based armed forces administration to the Union in all aspects of the world or any predetermined region of the planet, including people having a place to¹ [any Air Force Reserve or the Auxiliary Air Force], when called out on long-lasting assistance;

(v) "Aviation based armed forces care" signifies the capture or control of an individual as indicated by the uses of the administration and incorporates military or maritime care;

(vi) "Aviation based armed forces regulation" signifies the law sanctioned by this Act and the guidelines made thereunder and incorporates the utilizations of the assistance;

(vii) "Flying corps reward" incorporates any tip or annuity for long help or acceptable conduct, identification pay or annuity, and some other Air Force monetary prize;

(viii) "pilot" signifies any individual subject to this Act other than an official;

(ix) "air official" signifies any official of the Air Force over the position of gathering skipper;

(x) "air signal" signifies any sign expected for the direction of aeroplane, whether given by banner, ground signal, light, wind marker or in any way at all;

(xi) "Boss Legal Adviser" signifies an individual designated as such by² [the Chief of the Air staff] to offer guidance on issues connecting with aviation based armed forces regulation and to perform such different obligations of a lawful person as may emerge in association therewith;

(xii) "common offence" signifies an offence which is offence by a lawbreaker court;

1. Subs by Act 62 of 1952, s. 35, for "the Indian Air Force Volunteer Reserve" (w.e.f. 15-8-1955).

2. Subs by Act 19 of 1955, s. 2 and the Schedule, for "President" (w.e.f. 15-8-1955).

3. Subs by s. 2 and the Schedule, in the same place., for condition (xiv) (w.e.f. 15-8-1955).

4. The words "other than the State of Jammu and Kashmir" excluded by Act 13 of 1975, s. 2 (w.e.f. 25-1-1975).

5. Use of Act to specific powers under the Central Government.- (1) The Central Government may, by warning, apply regardless of alterations, all or any of the arrangements of this Act to any power brought and kept up with up in India and suspend the activity of some other institution for the time being relevant to the said force.

(2) The arrangements of this Act so applied will have impact in regard to people having a place with the said force as they have impact in regard to people subject to this Act holding in the Air Force something similar or comparable position as the previously mentioned people hold for the time being in the said force.

(3) The arrangements of this Act so applied will likewise have impact in regard of people who are utilised by, or are in the assistance of, or are supporters of, or go with any piece of the said force as they have impact in regard of people subject to this Act under provision (d) of area 2.

6. Extraordinary arrangement as to rank in specific cases.- (1) The Central Government may, by warning, direct that any individual or class of people subject to this Act under

provision (d) of area 2, will be so subject as officials, warrant officials or non-dispatched officials, and may approve any official to give a like bearing and to drop such heading.

(2) All people subject to this Act other than officials, warrant officials and non-dispatched officials will, in the event that they are not people in regard of whom a notice or bearing under sub-area (1) is in force, be considered to be of rank substandard compared to that of a non-dispatched official.

7. Boss of individual subject to flying corps regulation under provision - (d) of area 2.-

(1) Each individual subject to this Act, under statement (d) of area 2, will, for the reasons for this Act, be considered to be under the superior of the unit, or separation, if any, to which he is joined, also, on the off chance that he isn't so appended under the order of any official who may for the present be named as his superior by the official telling the power with which such individual may for now be serving, or of some other recommended official, or then again, assuming no such official is named or endorsed, under the order of the said official telling the power.

(2) An official instructing a power will not put an individual subject to this Act under provision (d) of segment 2 under the order of an official of true position sub-par compared to that of such individual assuming there is available where such individual is any official of higher position under whose order he can be put.

8. Official practising powers in specific cases.- (1) Whenever people subject to this Act are serving under an official telling any aviation based armed forces development not in this part explicitly named, and being, in the assessment of the Central Government, at least a group, the said Government might recommend the official by whom the powers which, under this Act, might be practised via air officials responsible for orders, and officials telling gatherings, wings and groups will, as respects such people, be worked out.

(2) The Central Government might present such powers either totally, or dependent upon such limitations, reservations, exemptions and conditions as it might naturally suspect fit.

9. Ability to announce people to be on dynamic assistance.- Notwithstanding anything contained in statement (l) of area 4, the Central Government may, by warning, pronounce that any individual or class of people subject to this Act will, regarding any region in which they might be serving or with reference to any arrangement of this Act or of some other regulation for the time being in force, be considered to be on dynamic help inside the importance of this Act.

10. Commission and arrangement.- The President might concede, to such individuals as he naturally suspects, fit a commission as an official or select any individual as a warrant official of the Air Force.

11. Ineligibility of outsiders for enrolment.- No individual who isn't a resident of India will, besides with the assent of the Central Government meant recorded as a hard copy, be signed up for the Air Force: Given that nothing contained in this part will bar the enrolment of the subjects of Nepal in the Flying corps.

12. Ineligibility of females for enrolment or work.- No female will be qualified for enrolment or work in the Air Force, besides in such corps, division, branch or other body framing part of, or appended to any piece of, the Air Force as the Central Government may, by warning, indicate for this sake:

13. Method prior to enlisting official.- Upon the appearance before the endorsed selecting official of any individual covetous of being enlisted, the selecting official will peruse and make sense of for him, or cause to be perused and cleared up for him, in his presence, the states of the assistance for which he is to be selected; and will put to him the inquiries set out in the recommended type of enrolment, and will, later having forewarned him that assuming he makes a misleading response to any such inquiry he will be at risk to discipline under this Act, record or cause to be recorded his solution to each such inquiry.

14. Method of enrolment.- If, in the wake of agreeing with the arrangements of segment 13, the selecting official is fulfilled that the individual covetous of being enlisted completely comprehends the inquiries put to him and agrees to the states of administration, and on the off chance that such official sees no hindrance, he will sign and will likewise prompt such individual to sign the enrolment paper, and such individual will immediately be considered to be enlisted.

15. Legitimacy of enrolment.- Every individual who has for the space of 90 days been in receipt of pay as an individual enlisted under this Act and been borne on the rolls of any unit will be considered to have been properly enlisted, and will not be qualified for guarantee his release on the ground of any anomaly or lawlessness in his enrolment or on some other ground at all; and if any individual, in receipt of such compensation also, borne on the rolls as previously mentioned, claims his release before the expiry of 90 days from his enrolment, no such abnormality or illicitness or other ground will, until he is released in compatibility of his case, influence his situation as an enlisted individual under this Act or nullify any procedures, act or thing taken or done preceding his release.

17. Method of confirmation.- (1) When an individual who is to be validated is accounted for fit for obligation, or has finished the recommended time of probation, a pledge or attestation will be managed to him in the recommended structure by his superior before his unit or such piece thereof as might be available, or then again by some other endorsed people.

(2) The type of vow or attestation endorsed under this part will contain a guarantee that the individual to be confirmed will bear genuine loyalty to the Constitution of India as by regulation laid out, and that he will serve in the Air Force and go any place he is requested via land, ocean or air, and that he will comply with all orders of any official set over him, even to the hazard of his life.

(3) The reality of an enlisted individual having made the vow or attestation guided by this part to be taken will be placed on his enrolment paper and verified by the mark of the official controlling the pledge or attestation.