

## APPENDIX 'B'

[Refer to para 16 of Chapter IV]

**APPLICATION OF THE ACT TO GENERAL RESERVE ENGINEER FORCE**

(a) Ministry of Defence Notification No. SRO 329 dated 23 September 60, as amended by SRO 364 dated 29 November 73

SRO 329—In exercise of the powers conferred by sub-sections (1) and (4) of section 4 of the AA, 1950 (46 of 1950), the Central Government hereby—

- (1) applies to the GREF being a force raised and maintained in India under the authority of the Central Government, all the provisions of the said Act with the exception of those shown in Schedule A, subject to the modifications set forth in Schedule B; and
- (2) directs that the officers mentioned in the first column of Schedule C shall exercise or perform in respect of members of the said Force under their command the jurisdiction, powers and duties incident to the operation of the said Act specified in the second column thereof.

**SCHEDULE A****Exceptions**

Sections 10, 11, 13 to 17, 20, 22 to 24, 43, 44, clauses (d), (e), (f), (g) and (k) of sections 71, 74 to 78, clauses (e), (f) and (j) of section 80 and clause (a) of section 84.

**SCHEDULE B****Modifications**

- (i) In section 3—
  - (a) for clause (v), the following clause shall be substituted, namely—
    - (v) "Commanding Officer" when used in any provision of this Act with reference to any separate portion of the GREF means the person in actual command of that portion and includes a person duly authorised by such person to exercise the powers of a commanding officer in respect of that portion of the Forces;
  - (b) in clause (xii), after the words "or the Territorial Army", the words "or a person belonging to the GREF holding therein a position equivalent to that of a JCO of the regular Army", shall be inserted;
  - (c) in clause (xv), after the words "or the Territorial Army", the words "or a person belonging to the GREF holding therein a position equivalent to that of NCO of the regular Army", shall be inserted;
  - (d) in clause (xviii), after sub-clause (f), the following sub-clause shall be inserted, namely—

1. Also see, Ch. 7, Part II, p. 230, Commentary on Mil. Law, A.C. Mangala, Maj. Gen., 1st Edn., 1992.
2. The word and figures "sections 10 to 17 substituted as sections 10, 11, 13 to 17" vide Gazette Notification No. 37 of Jan. 1985.

- “(g) a person belonging to the GREF holding therein a position equivalent to that of an officer of the regular Army who is for the time being subject to this Act”; and
- (e) in clause (xxiv), after the words “or the Territorial Army”, the words “or a person belonging to the GREF holding therein a position equivalent to that of a WO of the Army” shall be inserted.
- (ii) In section 63, for the words “military discipline” the word “discipline” shall be substituted.
- (iii) In section 73—
- (a) the words “the punishment specified in clause (d) or clause (e) of section 71 and” shall be omitted; and
- (b) for the words, brackets and letters “clauses (f) to (l) of that section” the words, brackets and letters “clause (h), clause (i) and clause (l) of section 71” shall be substituted.
- (iv) In sub-section (4) of section 81, for the words, brackets and letters “clauses (a), (b), (c) and (j)” the words, brackets and letters “clauses (a), (b) and (c)” shall be substituted.
- (v) In section 113, the words “each of whom has held a commission for not less than three whole years and” shall be omitted.
- (vi) In section 114, the words “each of whom has held a commission for not less than two whole years” shall be omitted.
- (vii) In sub-section (1) of section 116, the words “of any corps, department or detachment of the regular Army” shall be omitted.

### SCHEDULE C

#### *Officers*

Director General Border Roads  
 Chief Engineer or Independent Deputy  
 Chief Engineer of the General Reserve  
 Engineer Force

#### *Powers and Duties*

Those of an Officer Commanding an Army  
 Those of an Officer Commanding a Division  
 or Brigade

#### (b) Application of Army Rules to GREF

SRO 330—In exercise of the powers conferred by section 21, sub-section (4) of section 102 and section 191 of the AA, 1950 (46 of 1950) as applied to the GREF by the notification of the Government of India in the Ministry of Defence, No. 329 dated 23 September 1960, the Central Government hereby directs that the Army Rules, 1954, as amended from time to time, shall, with the exception of rules 7 to 18, 168, 172 to 176, 190 and 191 be deemed to be rules made under the said Act as so applied.

(c) Ministry of Defence Notification No. 1001 dated 20th May 61, as amended by Notification Nos. 993 dated 4 May 62, 2941 dated 11 December 62, 1143 dated 10 May 62, 55 dated 4 December 63, 1627 dated 15 July 64, 2 dated 22 December 64, 944 dated 19 March 66, 2434 dated 31 August 66, 588 dated 21 February 67 and 3236 dated 4th December 68.

No. 1001—The following shall be the equivalent ranks in the GREF and the Regular Army for the purpose of the AA, 1950, as applied to the said Force by Ministry of Defence Notification No. SRO 329, dated the 23rd September 1950, namely—