

Navy Act, 1957

Chapter IV - Commissions, Appointments and Enrolments

(1) No person who is not a citizen of India shall be eligible for appointment or enrolment in the Indian Navy or the Indian Naval Reserve Forces except with the consent of the Central Government Provided that nothing in this section shall render a person ineligible for appointment or enrolment in the Indian Navy or the Indian Naval Reserve Forces on the ground that he is a subject of Nepal.

(2) No woman shall be eligible for appointment or enrolment in the Indian Navy or the Indian Naval Reserve Forces except in such department, branch or other body forming part thereof or attached thereto and subject to such conditions as the Central Government may by notification in the Official Gazette, specify in this behalf.

Section 10 - Commissions and appointments

(1) Officers other than subordinate officers shall be appointed by commission granted by the President.

(2) The grant of the commission shall be notified in the Official Gazette and such notification shall be conclusive proof of the grant of such commission.

(3) Subordinate officers shall be appointed in such manner and shall hold such rank as may be prescribed.

Section 11 - Enrolment

(1) Save as otherwise provided in this Act, the terms and conditions of service of [1](#)[sailors], the person authorised to enrol for service as [1](#)[sailors] and the manner and procedure of such enrolment shall be such as may be prescribed.

(2) No person shall be enrolled as [a1](#)[sailor] in the Indian Navy for a period exceeding [2](#)[twenty years] in the first instance;

Provided that in the case of a minor the said period of [2](#)[twenty years] shall be reckoned from the date on which he attains the age of seventeen.

(3) Notwithstanding anything contained in any other law for the time being in force-

(a) the enrolment of any person under this Act shall be binding on him both during his minority and after he attains majority;

(b) neither the parent or guardian of a minor duly enrolled under this Act nor any other person shall be entitled to claim custody of the said minor as against the Central Government or any of its officers or other persons set over him.

1. Substituted for the word "seamen" and "seaman" by the Navy (Amdt.) Act, 1974 (53 of 1974), Section 2 (16-12-1974).

2. Substituted for the words "fifteen years" by Navy (Amdt.) Act (34 of 1987), Section. 2 (9-9-87).

Section 12 - Validity of enrolment

Where a person after his enrolment has for a period of three months from the date of such enrolment been in receipt of pay as a 1[sailor], he shall be deemed to have been duly enrolled and shall not thereafter be entitled to claim his discharge on the ground of any irregularity or illegality in his engagement or any other ground whatsoever; and if within the said three months such person claims his discharge no such irregularity or illegality or other ground shall, until such person is discharged in pursuance of his claim, affect his position as a 1[sailor] in the naval service or invalidate any proceedings, act or thing taken or done prior to his discharge.

1. Substituted for the word "seamen" and "seaman" by the Navy (Amdt.) Act, 1974 (53 of 1974), Section 2 (16-12-1974).

Section 13 - Oath of allegiance

Every officer and every 1 [sailor] shall, as soon as may be, after appointment or enrolment make and subscribe before the commanding officer of the ship to which he belongs, or the prescribed officer an oath or affirmation in the following form, that is to say :-

swear in the name of God"

I.....do _____

solemnly affirm

that I will bear true faith and allegiance to the Constitution of India as by law established and that I will, as in duty bound, honestly and faithfully serve in the naval service and go wherever ordered by sea, land or air, and that I will observe and obey all commands of the President and the commands of any superior officer set over me, even to the peril of my life".

1. Substituted for the word "seamen" and "seaman" by the Navy (Amdt.) Act, 1974 (53 of 1974), Section 2 (16-12-1974).
