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Navy Act, 1957

Section 3 - DEFINITIONS - In this Act, unless the context otherwise requires,

1) "active service" means service or duty- (a) during the period of operation of a Proclamation of Emergency issued under clause (1) of article 352 of the Constitution; or (b) during any period declared by the Central Government by notification in the Official Gazette as a period of active service with reference to any area in which any person or class of persons subject to naval law may be serving; (2) "Chief of the Naval Staff" means the flag officer appointed by the President as Chief of the Naval Staff or in his absence on leave or otherwise an officer appointed by the Central Government to officiate as such or in the absence of such officiating appointment the officer on whom the command devolves in accordance with regulations made under this Act; (3) "civil offence" means an offence triable by a Court of ordinary criminal jurisdiction in India; (4) "civil prison" means any jail or place used for the detention of any criminal prisoner under the Prisons Act, 1894, or under any other law for the time being in force; (5) "commissioned officer" means a person holding a commission from the President in Indian Navy or the Indian Naval Reserve Forces: (6) "Court-martial" means a Court-martial constituted under this Act; (7) "enemy" includes all armed rebels, armed mutineers, armed rioters and pirates and any person in arms against whom it is the duty of any person subject to naval law to act; (8) "flag officer" means an officer of the rank of Admiral of the Fleet, Admiral, Vice-Admiral or Rear-Admiral; (9) "Indian Naval Reserve Forces" means the naval reserve forces raised and maintained by the Central Government; (10) "Indian Navy" means the regular naval forces raised and maintained by the Central Government; (11) "Indian waters," for the purposes of sections 31-,97-and99-, means the seas extending from the shores of India to such limits as may be prescribed; (12) "naval custody" means the arrest or confinement of a person in the prescribed manner or in accordance with the usages of the naval service, and includes military or air force custody; 3[(12A) "naval establishment" means anestablishment belonging to, or under the control of, the Indian Navy whether within or without India;] (13) "naval offence" means any of the offences undersections 34-to76-: (14) "naval service" means the naval organisation of India; (15) "naval tribunal" means a Court-martial constituted undersection 97-and includes a disciplinary Court constituted undersection 96-, a commanding officer or other officer or authority exercising powers of punishment under this Act; (16) "officer" means a commissioned officer and includes a subordinate officer but does not include a petty officer; 4[(17) "petty officer" means a sailor rated as such and includes a chief petty officer and a master chief petty officer;] (18). "prescribed" means prescribed by regulations made under this Act; (19) "provost-marshal" means a person appointed as such undersection 89-and includes any of his deputies or assistants or any other person lawfully exercising authority under him or on his behalf; (20)5["sailor"] means a person in the naval service other than an officer; (21) "ship," except in the expression "on board a ship," includes an establishment of the Indian Navy commissioned as a ship in accordance with the custom of the navy; (22) "subject to naval law" means liable to be arrested and tried under this Act for any offence; (23) "subordinate officer" means a person appointed as an acting sub-lieutenant, a midshipman or a cadet in any branch of the Indian Navy or the Indian Naval Reserve Forces, but does not include a cadet whilst under training in a joint service institution; (24) "superior officer," when used in relation to a person subject to naval law, means any officer or petty officer who is senior to that person under regulations made under this Act and any officer or petty officer, who though not so senior to that person, is entitled under this Act or the regulations made thereunder to give a command to that person, and includes, when such person is serving under prescribed conditions, an officer, junior commissioned officer, warrant officer, non- commissioned officer of the regular Army or the Air Force of higher relative rank to that person or entitled under this Act or the regulations made thereunder to give a command to that person; (25) all words and expressions used but not defined in this Act but defined in the Indian Penal Code, shall have the meanings respectively assigned to them in that Code.

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