

Reserve Forces Act, 1888

Section 6 - PUNISHMENT' OF CERTAIN OFFENCES BY PERSONS BELONGING TO RESERVE FORCES

1) If a person belonging to the Indian Reserve Forces- (a) when required by or in pursuance of any rule or order under this Act to attend at any place, fails without reasonable excuse to attend in accordance with such requirement, or (b) fails without reasonable excuse to comply with any such rule or order, or (c) fraudulently obtains any pay or other sum contrary to any such rule or order, he shall be liable- (i) on conviction by a Court-martial, to such punishment other than death, transportation or imprisonment for a term exceeding one year as such Court is by the¹²[Army Act, 1950] empowered to award, or (ii) on conviction by¹³ [a Presidency Magistrate or] a Magistrate of the first class, to imprisonment for a term which may extend, in the case of a first offence under this section, to six months, and, in the case of any subsequent offence thereunder, to one year. (2) Where a person belonging to the Indian Reserve Forces is required by or in pursuance of any rule or order under this Act to attend at any place, a certificate purporting to be signed by an officer appointed by such rule or order in this behalf, and stating that the person so required to attend failed to do so in accordance with such requirement, shall, without proof of the signature or appointment of such officer, be evidence of the matters stated therein. (3) Any person charged with an offence under this section may be taken into and kept in either military or civil custody, or partly into and in one description of custody and partly into and in the other, or be transferred from one description of custody to the other.