

Air Force Act, 1950

Chapter IV - Conditions of Service

Every person subject to this Act shall hold office during the pleasure of the President.

Section 19 - Termination of service by Central Government

Subject to the provisions of this Act and the rules and regulations made thereunder, the Central Government may dismiss, or remove from the service any person subject to this Act.

Section 20 - Dismissal, removal or reduction by Chief of the Air staff and other officers

- (1) [1](#)[The Chief of the Air Staff] may dismiss or remove from the service any person subject to this Act other than an officer.
 - (2) [1](#)[The Chief of the Air Staff] may reduce to a lower grade or rank or the ranks, any warrant officer or any non-commissioned officer.
 - (3) An officer having power not less than an air officer in charge of a command or equivalent commander or any prescribed officer may dismiss or remove from the service any person serving under his command other than an officer or a warrant officer.
 - (4) On active service, an officer commanding the air forces in the field may reduce to a lower rank or to the ranks any warrant officer or non-commissioned officer under his command.
 - (5) [1](#)[The Chief of the Air Staff] or an officer specified in sub-section (3) may reduce to a lower class in the ranks any airman other than a warrant officer or non-commissioned officer.
 - (6) The Commanding Officer or an acting non-commissioned officer may order him to revert to his substantive rank as a non-commissioned officer, or if he had no such substantive rank, to the ranks.
 - (7) The exercise of any powers under this section shall be subject to the other provisions contained in this Act and the rules and regulations made thereunder.
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1.Substituted for the words "the Commander-in-Chief" by the Commanders-in-Chief (Change in Designation) Act,1955 (19 of 1955), Sec. 2, Sch. (7-5-1955).

Section 21 - Power to modify certain Fundamental Rights in their application to persons subject to this Act

Subject to the provisions of any law for the time being in force relating to the Air Force or to any branch thereof, the Central Government may, by notification, make rulesa restricting in such manner and to such extent as may be specified theright of any person subject to this Act--

- (a) to be a member of, or to be associated in any way with, any trade union or labour union, or any class of trade or labour unions or any society, institution or association, or any class of societies, institutions or associations;
- (b) to attend or address any meeting or to take part in any demonstration organised by any body of persons for any political or other purposes;
- (c) to communicate with the press or to publish or cause to be published any book, letter or other document.

Section 22 - Retirement, release or discharge

Any person subject to this Act may be retired, released or discharged from the service by such authority and in such manner as may be prescribed.

Section 23 - Certificate on termination of service

Every warrant officer, or enrolled person who is dismissed, removed, discharged, retired or released from the service shall be furnished by his commanding officer with a certificate, in the language which is the mother-tongue of such person and also in the English language setting forth-

- (a) the authority terminating his service;
- (b) the cause for such termination; and
- (c) the full period of his service in the Air Force.

Section 24 - Discharge or dismissal when out of India

(1) Any person enrolled under this Act who is entitled under the conditions of his enrolment to be discharged, or whose discharge is ordered by competent authority, and who, when he is so entitled or ordered to be discharged, is serving out of India, and requests to be sent to India, shall, before being discharged, be sent to India with all convenient speed.

(2) Any person enrolled under this Act who is dismissed from the service and who, when he is so dismissed, is serving out of India, shall be sent to India with all convenient speed.

(3) Where any such person as is mentioned in sub-section (2) is sentenced to dismissal combined with any other punishment, such other punishment or, in the case of a sentence of transportation, imprisonment or detention, a portion of such sentence may be inflicted before he is sent to India.

(4) for the purposes of this section, the word, "discharge" shall include release, and the word "dismissal" shall include removal.