

Coast Guard Act, 1978

Chapter 2 - CHAPTER 2: CONSTITUTION OF THE COAST GUARD AND CONDITIONS OF SERVICE OF THE MEMBERS OF THE COAST GUARD:

SECTION 4: Constitution of the Coast Guard:(1) There shall be an armed force of the Union called the Coast Guard for ensuring the security of the maritime zones of India with a view to the protection of maritime and other national interests in such zones.(2) Subject to the provisions of this Act, the Coast Guard shall be constituted in such manner as may be prescribed and the conditions of service of the members of the Coast Guard shall be such as may be prescribed.

SECTION 5: Control, direction, etc:(1) The general superintendence, direction and control of the Coast Guard shall vest in, and be exercised by, the Central Government and subject thereto, and to the provisions of this Act and the rules, the command and supervision of the Coast Guard shall vest in an officer to be appointed by the Central Government as the Director-General of the Coast Guard.(2) The Director-General shall, in the discharge of his duties under this Act, be assisted by such number of Inspector-General, Deputy Inspector-General, Commandant and such other officers as may be appointed by the Central Government.

SECTION 6: Enrolment:(1) The persons to be enrolled to the Coast Guard, the mode of enrolment and the procedure for enrolment shall be such as may be prescribed.(2) Notwithstanding anything contained in this Act and the rules, every person who has, for a continuous period of three months, been in receipt of pay as a person enrolled under this Act and borne on the rolls of the Coast Guard shall be deemed to have been duly enrolled.

SECTION 7: Liability for service outside India:Every member of the Coast Guard shall be liable to serve in any part of India as well as outside India.

SECTION 8: Oath of allegiance:Every member of the Coast Guard shall, as soon as may be, after appointment or enrolment to the Coast Guard, make and subscribe before his Commanding Officer or other prescribed officer, an oath or affirmation in the prescribed form.

SECTION 9: Resignation and withdrawal from the post:No member of the Coast Guard shall be at liberty.- (a) to resign his appointment during the term of his engagement; or-(b) to withdraw himself from all or any of the duties of his appointment except with the previous permission in writing of the prescribed authority.

SECTION 10: Tenure of service under the Act:Every member of the Coast Guard shall hold office during the pleasure of the President.

SECTION 11: Dismissal or removal by Central Government and by other officers:Subject to the provisions of this Act and the rules.- (a) the Central Government may dismiss or remove from service any member of the Coast Guard;(b) the Director-General or any Inspector-General may dismiss or remove from the Coast Guard any person other than an officer;(c) any prescribed officer not below the rank of a Deputy Inspector-General may dismiss or remove from the Coast Guard any person under his command other than an officer or a subordinate officer.

SECTION 12: Certificate of termination of service:An enrolled person who retires, or is discharged, released, removed or dismissed from the Coast Guard or permitted to resign therefrom, shall be furnished by the officer, to whose command he is subject, with a certificate in the language which is the mother tongue of such person and also in Hindi or English language setting forth- (a) the authority terminating his service;(b) the reasons for such termination; and(c) the full period of his service in the Coast Guard.

SECTION 13: Restrictions respecting right to form association, freedom of speech, etc:(1) No member of the Coast Guard shall, without the previous sanction in writing of the Central Government or of the prescribed authority.- (a) be a member of, or be associated in any way with, any trade union, labour union, or political association: or (b) be a member of, or be associated in any way with, any society, institution, association or organisation that is not recognised as part of the Coast Guard or is not of a purely social, recreational or religious nature; or (c) communicate with the press or publish or cause to be published any book, letter or other document except where such communication or publication is in the bona fide discharge of his duties or is of a purely literary, artistic or scientific character or is of a prescribed nature.(2) No member of the Coast Guard shall participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be specified in this behalf by the Central Government.

