

Border Security Force Act, 1968

Chapter II - Constitution of the Force and Conditions of Service of the Members of the Force

(1) There shall be an armed force of the Union called the Border Security Force for ensuring the security of the borders of India.

(2) Subject to the provisions of this Act, the Force shall be constituted in such manner as may be prescribed and the conditions of service of the members of the Force shall be such as may be prescribed.

Section 5 - Control, direction, etc.

(1) The general superintendence, direction and control of the Force 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 Force shall vest in an officer to be appointed by the Central Government as the Director-General of the Force.

(2) The Director-General shall, in the discharge of his duties under this Act, be assisted by such number of Inspectors-General, Deputy Inspectors-General, Commandants and other officers as may be prescribed by the Central Government.

Section 6 - Enrolment

(1) The persons to be enrolled to the Force, the mode of enrolment and the procedure for enrolment shall be such as may be prescribed by the Central Government.

(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 Force shall be deemed to have been duly enrolled.

Section 7 - Liability for service outside India

Every member of the Force shall be liable to serve in any part of India as well as outside India.

Section 8 - Resignation and withdrawal from the post

No member of the Force 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 9 - Tenure of service under the Act

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

Section 10 - Termination of service by Central Government

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

Section 11 - Dismissal, removal or reduction by the Director-General and by other officers

(1) The Director-General or any Inspector-General may dismiss or remove from the service or reduce to a lower grade or rank or the ranks any person subject to this Act other than an officer.

(2) An officer not below the rank of Deputy Inspector-General or any prescribed officer may dismiss or remove from the service any person under his command other than an officer or a subordinate officer of such rank or ranks as may be prescribed.

(3) Any such officer as is mentioned in sub-section (2) may reduce to a lower grade or rank or the ranks any person under his command except an officer or a subordinate officer.

(4) The exercise of any power under this section shall be subject to the provisions of this Act and rules.

Section 12 - Certificate of termination of service

A subordinate officer, or an under-officer or other enrolled person who is retired, discharged, released, removed or

dismissed from the service 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 cause for such termination; and
- (c) the full period of his service in the Force.

Section 13 - Restrictions respecting right to form association, freedom of speech, etc.

(1) No person subject to this Act 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, political association or with any class of trade unions, labour unions or political associations; 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 Force 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 bonafide discharge of his duties or is of a purely literary, artistic or scientific character or is of a prescribed nature.

Explanation.--If any question arises as to whether any society, institution, association or organisation is of a purely social, recreational or religious nature under clause (b) of this sub-section, the decision of the Central Government thereon shall be final.

(2) No person subject to this Act 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 prescribed.
