

## **Border Security Force Act, 1968**

### **Section 139 - Powers and Duties Conferable and Imposable on Members of the Force**

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(1) The Central Government may, by general or special order published in the Official Gazette direct that, subject to such conditions and limitations, and within the local limits of such area adjoining the borders of India, as may be specified in the order, any member of the Force may,--

(i) for the purpose of prevention of any offence punishable under the Passport (Entry into India) Act, 1920 (34 of 1920), the Registration of Foreigners Act, 1939 (16 of 1939) the Central Excises and Salt Act, 1944 (1 of 1944), the Foreigners Act, 1946 (31 of 1946), the Foreign Exchange Regulation Act, 1947 (7 of 1947), the Customs Act, 1962 (52 of 1962), or the Passports Act, 1967 (15 of 1967), or of any cognizable offence punishable under any other Central Act; or punishable under any other Central Act; or

(ii) for the purpose of apprehending any person who has committed any offence referred to in clause (i),

exercise or discharged such of the powers or duties under that Act or any other Central Act as may be specified in the said order, being the powers and duties which, in the opinion of the Central Government, an officer of the corresponding or lower rank is by that or such other Act Empowered to exercise or discharge for the said purposes.

(2) The Central Government may, by general or special order published in the Official Gazette, confer or impose, with the concurrence of the State Government concerned, any of the powers on duties which may be exercised or discharged under a State Act by a police officer upon a member of the Force who, in the opinion of the Central Government, holds a corresponding or higher rank.

(3) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or<sup>1</sup> [in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid] both Houses agreed in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

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1. Substituted by Act 4 of 1986, section 2 and Schedule (w.e.f. 15-5-1986).

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