

Border Security Force Act, 1968

Section 141 - Power to Make Rules

- (1) The Central Government may, by notification, make rules for the purpose of carrying into effect the provisions of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for,--
- (a) the constitution, governance, command and discipline of the Force;
 - (b) the enrolment of persons to the Force and the recruitment of other members of the Force;
 - (c) the conditions of service (including deduction from pay and allowances) of members of the Force;
 - (d) the rank, precedence, powers of command and authority of the officers, subordinate officers, under-officers and other persons subject to this Act;
 - (e) the removal, retirement, release or discharge from the service of persons subject to this Act;
 - (f) the purposes and other matters required to be prescribed under section 13;
 - (g) the convening, constitution, adjournment, dissolution and sittings of Security Force Courts, the procedure to be observed in trials by such courts, the persons by whom an accused may be defended in such trials and the appearance of such persons thereat;
 - (h) the confirmation, revision and annulment of, and petitions against, the findings and sentences of Security Force Courts;
 - (i) the ¹[forms or orders] to be made under the provisions of this Act relating to Security Force Courts and the awards and infliction of death, imprisonment and detention.
 - (j) the carrying into effect of sentences of Security Force Courts;
 - (k) any matter necessary for the purpose of carrying this Act into execution, as far as it relates to the investigation, arrest, custody, trial and punishment of offences triable or punishable under this Act;
 - (l) the ceremonials to be observed and marks of respect to be paid in the Force;
 - (m) the convening of, the constitution, procedure and practice of, Courts of inquiry, the summoning of witnesses before them and the administration of oaths by such Courts;
 - (n) the recruitment and conditions of service of the Chief Law Officer and the Law Officers.
 - (o) any other matter which is to be, or may be prescribed or in respect of which this Act makes no provision or makes insufficient provision and provision is, in the opinion the Central Government, necessary for the proper implementation of this Act.
- (3) Every rule made under this Act 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 ²

[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 agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule 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 rule.

1. Substituted Act 19 of 1988, section 3 and Second Schedule (w.e.f. 31-3-1988).

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