

# The National Guard Act, 1950

( ACT NO. LXIII OF 1950 )

**An Act to provide for the constitution and discipline of a National Guard for Bangladesh. <sup>1</sup>♣**

WHEREAS it is necessary to provide for the constitution and discipline of a National Guard for Bangladesh;

It is hereby enacted as follows:-

<b>Short title, extent and commencement</b>	<p>1. (1) This Act may be called the National Guard Act, 1950.</p> <p>(2) It extends to the whole of Bangladesh and applies to all persons enrolled in the Bangladesh National Guard wherever they may be.</p> <p>(3) It shall come into force at once.</p>
<b>Definitions</b>	<p>2. In this Act, unless there is anything repugnant in the subject or context,-</p> <p>(a) “district” means a revenue district <sup>2</sup>[* * *];</p> <p>(b) “enrolled” means enrolled in the Bangladesh National Guard under this Act;</p> <p>(c) “non-commissioned officer” means a person holding a non-commissioned rank in the Bangladesh National Guard, and includes an acting non-commissioned officer;</p> <p>(d) “officer” means an officer of either of the two classes specified in section 5; and</p> <p>(e) “prescribed” means prescribed by rules made under this Act.</p>
<b>Constitution of the Bangladesh</b>	<p>3. There <sup>3</sup>[may be raised] and maintained in the manner hereinafter provided a force to be designated the Bangladesh National Guard.</p>

## **National Guard**

### **Constitution and disbandment of units**

<sup>4</sup>[4. The Chief of Army Staff may, subject to the control of the Government, constitute for any district one or more units of the Bangladesh National Guard to be recruited from persons residing in such district and may disband or reconstitute any unit so constituted:

Provided that where, in his opinion, it is not for any reason practicable to recruit a unit from the district for which it has been constituted, he may, by order in writing, authorise its recruitment from persons residing in any other district.]

### **Personnel of the Bangladesh National Guard**

5. (1) There shall be the following classes of officers in the Bangladesh National Guard, namely:-

(i) Senior officers holding commissions in the Bangladesh National Guard granted by the President with designation of rank corresponding to those of officers of the Bangladesh Army, and

(ii) junior officers holding commissions in the Bangladesh National Guard granted by the President with designation of rank corresponding to those of junior commissioned officers of the Bangladesh Army.

(2) An officer shall be deemed to be enrolled in the Bangladesh National Guard for so long as he holds a commission therein.

### **Conditions of enrolment**

6. (1) <sup>5</sup>[Any citizen of Bangladesh] may offer himself for enrolment in the Bangladesh National Guard and any such person who satisfies the prescribed conditions may be enrolled for the prescribed period and in the prescribed manner.

<sup>6</sup>[(2) Any person residing in a district may apply to be enrolled for service in any unit constituted for that district.]

(3) Where, in pursuance of the proviso to section 4, the <sup>7</sup>[Chief of Army Staff of Bangladesh Army] authorises the recruitment of a unit from persons belonging to a district other than that for which the unit was

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 constituted, an applicant for enrolment may, notwithstanding anything contained in sub-section (2), apply to be enrolled in any unit so recruited.

### **Appointment to a unit**

<sup>8</sup>[7. Every person enrolled and residing in a district shall, without unnecessary delay, be appointed to a unit constituted under section 4 for the district or, if he applied for enrolment for the district, in which he resides, to such other unit.]

### **Transfer and attachment**

8. (1) Any person appointed to a unit constituted under section 4 may be transferred, whether on disbandment of the unit or, otherwise, to another unit of the Bangladesh National Guard in such manner as may be prescribed.

<sup>9</sup>[\* \* \*]

(2) Nothing in sub-section (1) shall be deemed to authorise the transfer without his own consent of any person enrolled any unit other than the unit to which he was appointed under section 7.

(3) Any person enrolled may be attached at his own request to any unit of the Bangladesh National Guard.

### **Change of residence**

9. (1) Any person enrolled who changes his place of residence and thereby leaves the <sup>10</sup>[\* \* \*] district, if the said unit is constituted for that district shall-

(a) if he does not intend to return to <sup>11</sup>[that district] inform the prescribed authority of his new place of residence; or

(b) if, having intended to return, he does not return within a period of three months, inform the prescribed authority as aforesaid immediately on the expiry of that period.

(2) The prescribed authority on being informed of a change of address under sub-section (1) may, subject to the provisions of section 8, transfer the aforesaid person from the unit in which he is serving to another unit.

### **Discharge**

10. (1) Every person enrolled shall be entitled to receive his discharge from the Bangladesh National Guard on the expiration of the period for

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 which he was enrolled and may, before the expiration of that period, be discharged from the force by such authority and subject to such conditions as may be prescribed:

Provided that no person enrolled who is for the time being engaged in military service shall be entitled to receive his discharge before the termination of such service.

(2) Every person enrolled shall on becoming entitled to his discharge be discharged with all convenient speed.

**Liability to  
serve and  
perform  
military  
service**

11. (1) Every person enrolled shall, subject to such conditions as may be prescribed, be bound to serve in any unit, of the Bangladesh National Guard to which he has been appointed or transferred or is for the time being attached, and shall be subject to all rules and regulations that may be made under this Act relating to such unit.

(2) Every person enrolled shall be liable to perform military service-

(a) when called out with any portion of the Bangladesh National Guard by an order of the senior officer of the Bangladesh Army present, either to act in support of the civil power or to provide guards which, in the opinion of such officer, are essential; or

(b) when the unit to which he belongs has been embodied to support or supplement the Bangladesh Army in the event of an emergency by an order directing such embodiment issued by the Government.

(3) No person enrolled shall be required to perform military service beyond the limits of Bangladesh save under a general or special order of the Government <sup>12</sup>[\* \* \*].

**Application  
of the  
Indian Army  
Act, 1911**

12. (1) Every officer of the Bangladesh National Guard when doing duty as such officer shall be subject to the provisions of <sup>13</sup>[\* \* \*] the <sup>14</sup>[\* \* \*] Army Act, 1952, and the rules and regulations made thereunder, in the same manner and to the same extent as if such officer held the same rank in the Bangladesh Army as he holds for the time being in the Bangladesh