

**GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT**

**West Bengal Act VII of 1976**

**THE WEST BENGAL NATIONAL VOLUNTEER  
FORCE (AMENDMENT) ACT, 1976.**

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 29th March, 1976.]

[29th March, 1976.]

*An Act to amend the West Bengal National Volunteer Force Act, 1949.*

West Ben.  
Act I of  
1949.

WHEREAS it is expedient to amend the West Bengal National Volunteer Force Act, 1949, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Twenty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the West Bengal National Volunteer Force (Amendment) Act, 1976.

Short title  
and  
commence-  
ment.

(2) This section and sections 3, 4, 5 and 6 shall come into force at once and section 2 shall be deemed to have come into force on the 26th day of January, 1950.

2. In the West Bengal National Volunteer Force Act, 1949 (hereinafter referred to as the said Act), for the words "Provincial Commandant" and "Deputy Provincial Commandant", wherever they occur, the words "State Commandant" and "Deputy State Commandant", respectively, shall be substituted.

Amendment  
of West Ben.  
Act I of  
1949.

3. For clause (g) of section 2 of the said Act, the following clause shall be substituted, namely:—

Amendment  
of section 2.

(g) "volunteer" means a person enrolled as a member of the West Bengal National Volunteer Force or of any unit or corps of the Force established, constituted or formed, as the case may be, under the proviso to section 3 or section 7.

4. After section 13 of the said Act, the following section shall be inserted, namely:—

Insertion of  
new section  
13A.

"Restrictions  
respecting  
right to form  
association,  
freedom of  
speech, etc.

13A. (1) No officer or subordinate other rank referred to in section 6 or volunteer of the Force shall without the express sanction of the State Government or of the authority prescribed in this behalf—

*The West Bengal National Volunteer Force (Amendment)  
Act, 1976.*

[West Ben. Act VII of 1976.]

(Sections 5, 6.)

- (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 other society, institution, association or organisation that is not recognised as part of the West Bengal National Volunteer Force of which he is an officer or a subordinate other rank referred to in section 6 or a volunteer 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 *bonafide* discharge of his duties or is of a purely literary, artistic or scientific character or is of such nature as may be prescribed.

*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), the decision of the State Government thereon shall be final.

(2) No officer or subordinate other rank referred to in section 6 or volunteer 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.

(3) Any person who contravenes the provisions of sub-sections (1) and (2) shall without prejudice to any other action that may be taken against him be punishable with imprisonment for a term which may extend to two years or with fine which may extend to two thousand rupees or with both.”

Amendment  
of section  
16.

5. In sub-section (2) of section 16 of the said Act, after clause (h), the following clause shall be inserted, namely:—

“(h) the authority referred to in sub-section (1), and the other purposes referred to in sub-section (2), of section 13A;”.

Repeal and  
savings.

6. (1) The West Bengal National Volunteer Force (Amendment) Ordinance, 1975, is hereby repealed.

West Ben.  
Ord. XXIII  
of 1975.

(2) Anything done or any action taken under the said Act as amended by the West Bengal National Volunteer Force (Amendment) Ordinance, 1975, shall be deemed to have been validly done or taken under the said Act as amended by this Act as if this Act were in force on the day on which such thing was done or such action was taken.