

THE JUNIOR CADET CORPS ACT, 1953

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THE JUNIOR CADET CORPS ACT, 1953

ACT NO. XXXVI OF 1953

[5th November, 1953]

An Act to constitute a Junior Cadet Corps

WHEREAS it is expedient to provide for the constitution and maintenance of a Junior Cadet Corps for Bangladesh and for its administration; ^{*}

It is hereby enacted as follows:-

Short title,
extent and
commencement

1. (1) This Act may be called the ¹[* * *] Junior Cadet Corps Act, 1953.

(2) It applies to the whole of Bangladesh.

(3) It shall come into force at once.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,-

(a) “cadet” means a school boy who is deemed to be enrolled as a cadet under sub-section (1) of section 5;

²[(b) “Chief of Army Staff” means the Chief of Army Staff of the Bangladesh Army;]

(c) “prescribed” means prescribed by rules made under this Act.

Constitution of
Junior Cadet
Corps

3. There ³[may be raised] and maintained in the manner hereinafter provided a force, which shall be designated the Junior Cadet Corps, and shall consist of units constituted under section 4.

^{*} Throughout this Act, the words “Bangladesh”, “Government” and “Chief of Army Staff” were substituted for the words “Pakistan”, “Central Government” and “Commander-in-Chief” respectively by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

¹ The word “Pakistan” was omitted by Article 6 of the Bangladesh (Adaptation of Existing Bangladesh Laws) Order, 1972 (President’s Order No. 48 of 1972).

² Clause (b) was substituted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

³ The words “may be raised” were substituted for the words “shall be raised” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973) as amended by the Bangladesh Laws (Revision and Declaration) (Second Amendment) Act, 2000 (Act No. XL of 2000).

4. (1) Subject to the control of the Government, the Chief of Army Staff may, by order in writing, direct the constitution and maintenance for any boys' school in Bangladesh of two separate companies of the Junior Cadet Corps, each company to consist of the boys of one of each of the two final classes of the school, and may direct the disbandment of the companies so constituted.

Constitution and organisation of units

(2) The companies constituted under sub-section (1) from schools located in the same revenue district shall jointly constitute a battalion to be designated after the name of that district.

5. (1) On the constitution of a company under sub-section (1) of section 4, every student of the class concerned who,-

Certain students to be deemed to be enrolled

- (i) is above thirteen years of age, at the commencement of the academic year, or by the first day of April of that year, and
- (ii) is certified on examination by an officer of the Bangladesh Army Medical Corps to be physically fit to undergo the prescribed military training, shall be deemed to have been enrolled as a cadet in that company.

(2) A student who is deemed to be enrolled as a cadet in a company under sub-section (1) shall not cease to belong to that company, until he passes out of or otherwise leaves, the class for which the company was constituted, or is duly certified by an officer of the Bangladesh Army Medical Corps to have become physically unfit to undergo further military training.

6. (1) The Government, on the recommendation of the Headmaster of the school for which units of the Junior Cadet Corps have been constituted under sub-section (1) of section 4, supported by the ¹[Director General of Public Instruction] and the officer commanding the local military formation being not below the rank of brigadier, may appoint any member of the staff of that school, who is not less than twenty-three and not more than thirty-five years of age, as an officer of the corps.

Officers of the Junior Cadet Corps

¹ The words "Director General of Public Instruction" were substituted for the words "Director of Public Instruction of the Province concerned" by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

¹[(2) A person appointed officer under sub-section (1) shall be granted a commission in accordance with the provision of Article 61 of the Constitution of the People's Republic of Bangladesh.]

Officers to be attached to regular units for training

7. An officer of the Junior Cadet Corps shall be liable, under the orders of the officer commanding the local military formation being not below the rank of brigadier, to be attached to a unit of the regular army for undergoing the military training prescribed for his class.

Officers to be subject to military law

8. An officer of the Junior Cadet Corps shall, when undergoing military training under section 7, be subject to the ²[* * *] ³[* * *] Army Act, 1952, in such manner and to such extent as may be prescribed.

Allowance of officers

9. An officer of the Junior Cadet Corps may be paid such allowance ⁴[as may be determined by the Government]:

Provided that an officer, who is attached to a regular unit for training under section 7, shall receive such additional allowances as may be prescribed.

Termination of officers' commissions

10. (1) The Government may withdraw the commission of an officer at any time and for any cause whatever.

(2) An officer of the Junior Cadet Corps shall cease to hold his commission,-

(i) on ceasing to be a member of the staff of the school from which he received his commission:

¹ Sub-section (2) was substituted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

² The words, comma and figure "Indian Army Act, 1911 or" were omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

³ The word "Pakistan" was omitted by section 4 of the Defence Services Laws (Amendment) Ordinance, 1978 (Ordinance No. XVIII of 1978).

⁴ The words "as may be determined by the Government" were substituted for the words "by the Provincial Government concerned as may have been agreed upon between the Central Government and the Provincial Government" by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

Provided that an officer who is immediately re-employed in another school for which companies of the Junior Cadet Corps have been constituted under sub-section (1) of section 4 may, on the recommendation of the Headmaster of that school, be allowed by the Chief of Army Staff to retain his commission;

(ii) on attaining the age of forty-five years.

11. A cadet shall be liable to undergo the prescribed military training. Military training of cadets

12. (1) The Headmaster of each school shall be Honorary commanding officer of the companies constituted for his school under sub-section (1) of section 4 and the primary responsibility for enforcing discipline in those companies shall rest on him. Discipline of cadets

(2) With the approval of the Chief of Army Staff the Headmaster of each school may frame rules for the punishment of cadets who wilfully and without reasonable cause absent themselves from parades held for imparting the prescribed military training or who are otherwise guilty of conduct to the prejudice of good order and discipline in the Junior Cadet Corps.

(3) In addition to any other punishment, which the Headmaster may specify therein, the rules made under sub-section (2) shall provide for the subjection of the offender to extra drill for twenty minutes.

13. Officers and cadets of the Junior Cadet Corps shall not be liable to perform military service of any kind whatever. Members of Junior Cadet Corps not to be liable to perform service

14. The Chief of Army Staff may, with the approval of the Government, make rules to provide for any matter which may be prescribed under this Act and to carry out the purposes of this Act. Power to make rules
