

## **BOMBAY HOME GUARDS RULES, 1953**

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## **BOMBAY HOME GUARDS RULES, 1953**

In exercise of the powers conferred by Section 8 of the Bombay Home Guards Act, 1947 (Bom. III of 1947), the Government of Bombay is pleased to make the following rules, namely:-

### **1. Short title :-**

These rules may be called the Bombay Home Guards Rules, 1953.

### **1A. . :-**

<sup>1</sup> These rules extend to the whole of the State of Bombay.]

1. Inserted by No.HGS/4956/81429-VI, dt 9/1/1959

### **2. Definitions :-**

In these rules, unless there is anything repugnant in the subject or context,

(1) "Act" means the Bombay Home Guards Act, 1947:

(4) "form" means a form appended to these rules;

(7) "Section" means a section of the Act.

### **3. Appointment of members of Home Guards :-**

Provided that the Commandant General may relax the conditions regarding the age or educational qualifications prescribed in clauses (a) and (b) above in suitable cases: Provided further that the State Government may direct that in respect of any area the educational qualifications for appointment as a member to the Home Guards shall be such as it deems fit.

### **4. Application for appointment :-**

A person desiring to be appointed a member of the Home Guards shall make an application in Form-A.

### **5. Home Guards Advisory Committee :-**

**1**

(1) The State Government may appoint for the whole State a Central Advisory Committee and for each of the areas for which Home Guards have been constituted under Section-2, a District Advisory Committee.

(2) The Central Advisory Committee and the District Advisory Committees shall consist of such number of members as may be nominated by the State Government.

(3) It shall be the duty of the Central Advisory Committee and the District Advisory Committees to review from time to time the working of the Home Guards Organisation and to suggest to the Commandant General ways and means for its efficient functioning. The functions of the Committees shall be of a purely advisory nature and only matters of general nature shall be referred to the Committees, by the Commandant General.

1. Substituted by Inserted by No.HGS/4956/81429-VI, dt 9/1/1959

### **6. Pledge :-**

Every person before his appointment as a member shall sign a pledge in Form-B before the Commandant or an officer authorised by him for the purpose.

### **7. Certificate :-**

Every person appointed as a member of the Home Guards shall

receive a certificate of appointment in Form-C.

### **8. Term of Office :-**

The term of office of member of the Home Guards shall be <sup>1</sup> [3 years]: Provided that if any such member is found to be medically unfit to continue as a member of Home Guards his appointment may be terminated before the expiry of the term of office: Provided further that a person appointed shall be eligible for reappointment: Provided also that the services of a member of the Home Guards may be terminated at any time by the Commandant or the Commandant General, as the case may be after giving one month's notice.

1. Substituted by Inserted by No.HGS/4956/81429-VI, dt 9/1/1959

### **9. Limit of age for a member of Home Guards :-**

A member of the Home Guards may continue to be such member until he attains the age of 55 years: Provided that the Commandant General may relax the age limit in suitable cases.

### **9A. Conditions subject to which powers of discharge may be exercised :-**

No number of the Home Guards shall be discharged under sub-section (1-A) of section 6-B unless the Commandant or the Commandant General, as the case may be, is satisfied that such member has committed an act detrimental to the good order, welfare or discipline of the Home Guards Organisation.

### **10. Resignation :-**

A member of the Home Guards may resign his office by an application in writing addressed to the Commandant: Provided that such resignation shall not take effect unless the Commandant General or the Commandant accept the same after being satisfied that there are good and sufficient reasons for the same.

### **11. Organisation :-**

in addition to the Commandant General, the Home Guards constituted for each area shall consist of a Commandant, a Second-in-Command, an Adjutant, Senior Divisional Commanders, such staff Officers as the Commandant may consider necessary. Divisional Commanders, Company Commanders, Senior Platoon Commanders, Platoon commanders. Sergeant Majors, Quarter Master Sergeants, Platoon Sergeants, Section Leaders, Assistant Section Leaders and Sections consisting of twelve Home Guards. Three sections shall form a Platoon, three Platoons a Company and

three Companies a Division.

## **12. Power of the Commandant General and Commandants :-**

(1) The Commandant-General shall exercise general supervision and control over the working of all Commandants in the State and Coordinate the work of the Home Guards all over the State. He shall be directly responsible to the State Government for the efficient working, discipline, administration and training of the organisation.

(2) Subject to the supervision and control of the Commandant General, each Commandant shall exercise supervision and control over the working of the Home Guards under, his command. He shall be responsible to the Commandant General and the State Government for the efficient working, discipline, administration and training of the Home Guards under his command.

(3) Subject to the supervision and control of the Commandant General and the Commandant, any Officer of the Home Guards authorised by the Commandant in this behalf may exercise the powers conferred by section-4 on the Commandant in such circumstances as the Commandant may specify.

## **13. Disciplines :-**

(1) A member of the Home Guards shall obey every order of his Superior Officer.

(2) For the purpose of administration and discipline the members of the Home Guards shall be under the control of their own officers:

Provided that if a contingent of Home Guards is acting in conjunction with the ordinary Police Force,, the Senior Officer of such contingent shall be under the immediate control and subject to the directions of the Senior Officer of such Police Force present not below the rank of an Inspector in <sup>1</sup> Ahmedabad] and not below the rank of a Sub-Inspector elsewhere.

1. Substituted by No. 2, [8-12-1961].

## **14. Uniforms, accoutrements, etc. :-**

A member of the Home Guards shall, while on duty, wear the uniform supplied to him. He may also carry a riffle or a revolver or any other weapon, sanctioned by the State Government from time to time.

## **15. Training :-**

The member of the Home Guards shall undergo such course of training as may be determined in writing by the Commandant General, from time to time and at such places as may be fixed by the Commandant from time to time.

**16. Functions and Duties :-**

(2) A member of the Home Guards constituted for any area shall liable to serve in any other area in which the Act is in force.

**17. Remuneration :-**

Officers and other members of the Home Guards shall be entitled to receive such allowances and at such rates as the State Government may from time to time determine.

**18. Compensation :-**

If a member of the Home Guards suffers any damage to his person or property while under training or on duty, he shall be paid such compensation as may be determined by the State Government provided that such damage is not caused by his own negligence or willful act or omission In contravention of any of the provisions of the Act or rules made thereunder or orders or directions issued by his superior officers.

**19. Motorised Unit :-**

A motorised unit of the Home Guards may be formed with members owning motor vehicles who desire to place their vehicles at the disposal of the Commandant General or the Commandant, as the case may be, when called out under section 4 of the Act. Only those members-owners who hold a driving licence and whose motor vehicles conform to the required specifications shall be enrolled In this unit. The State Government shall bear the cost of petrol for the use of such motor vehicles. The State Government shall also bear the difference between the riot and ordinary insurance in respect of such vehicles in cases in which the member-owners have taken out riot-insurance policies in respect of such vehicles.

**20. Repeal :-**

<sup>1</sup>.-The Bombay Home Guards Rules, 1949 are hereby repealed: Provided that any thing done under any provision of the said Rules shall be deemed to have done under the corresponding provisions of these Rules. <sup>2</sup> On the commencement of these rules in the Vidarbha region and the Saurashtra area of the State of Bombay the Central Provinces and Berar Home Guards Rules, 1947, in their

application to the Vidarbha area of the State and the Saurashtra Home Guards Rules, 1948, shall stand repealed: Provided that anything done or any action taken under any provision of the rules so repealed shall in so far as it is not inconsistent with the provisions of these rules, be deemed to have been done or taken under the corresponding provision of these rules.

1. Re-numbered by No.HGS/4956/81429-VI, dt 9/1/1959
2. Inserted by No.HGS/4956/81429-VI, dt 9/1/1959