

Karnataka Home Guards (Amendment) Act, 2003

19 of 2003

[09 April 2003]

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An Act further to amend the Karnataka Home Guards Act, 1962. Whereas it is expedient further to amend the Karnataka Home Guards Act, 1962 (Karnataka Act 35 of 1962) for the purposes hereinafter appearing; Be it enacted by the Karnataka State Legislature in the fifty third year of the Republic of India, as follows:-

1. Short Title And Commencement :-

- (1) This Act may be called the Karnataka Home Guards (Amendment) Act, 2003.
- (2) It shall come into force at once.

2. Amendment Of Section 3 :-

In section 3 of the Karnataka Home Guards Act, 1962 (Karnataka Act 35 of 1962) (hereinafter referred to as the principal Act),-

- (i) in sub-section (2), for the words "The State Government may" the words, figure, letter and brackets "The State Government may from the list of eligible persons sent by the Committee under sub-section (2B)" shall be substituted;
- (ii) after sub-section (2), the following sub-sections shall be inserted, namely:-

"(2A) There shall be a Committee consisting of the following members for selecting persons possessing prescribed qualification to be appointed as Commandants under sub-section (2), namely:-

- (a) The Secretary to Government, Home and Transport Department.
- (b) The Commandant General, Home Guards and Civil Defence.
- (c) The Deputy Commandant General, Home Guards and Civil Defence.

(2B) The Committee referred to in sub-section (2A) shall after following such procedure as may be prescribed prepare a list of eligible persons to be appointed as commandants under sub-section (2) and send the list of such eligible persons to the State Government.

(2C) Subject to the pleasure of the State Government, term of office of the Commandants shall ordinarily be for a period of five years and it may be extended for a further period of five years.

(2D) The terms and conditions of appointment of the Commandants shall be such as may be prescribed."

3. Amendment Of Section 8 :-

In section 8 of the principal Act, in sub-section (2), for the words and figures "the Code of Criminal Procedure, 1898" the words and figures "the Code of Criminal Procedure, 1973" shall be substituted.

4. Amendment Of Section 12 :-

In section 12 of the principal Act, in sub-section (2), after clause (a), the following clause shall be inserted, namely:-

"(aa) the qualification and procedure for selection of Commandants under sub-section (2B) of section 3 and the terms and conditions of their appointment."