

DELHI ADMINISTRATION: DELHI NOTIFICATION

Dated the 20th July, 1959.
29th Asadh, 1881(S)

No. F.4/59-C.D.-In exercise of the powers conferred by section 8 of the Bombay Home Guards Act 1947, as extended to the Union territory of Delhi, the Chief Commissioner of Delhi is pleased to make the following rules namely-

1. **Short Title** - These rules may be called the Delhi Home Guards Rules, 1959.

2. **Definition** - In these rules unless the context otherwise requires-

(1) "Act" means the Bombay Home Guards Act of 1947 as extended to the Union Territory of Delhi.

(2) "Chief Commissioner" means the Chief Commissioner of Delhi.

(3) "Commandant" means a Commandant of Home Guards appointed under section 2.

(4) "Commandant General" means the Commandant General appointed under section 2.

(5) "Form" means form appended to these rules.

(6) "Home Guards" mean the Home Guards constituted under section 2.

(7) "Member of Home Guards" means a member appointed under section 3.

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

3. **Appointment of member of Home Guards** - No person shall be appointed as a member of the Home Guards unless-

(a) he has attained the age of 20 years.

(b) has not completed the age of 60 years.

(c) he has passed at least the fourth primary examination, and

(d) he has been medically examined in accordance with the directions of the Commandant General and is in the opinion of the Commandant physically fit.

Provided that the Commandant General or the Commandant may relax the conditions regarding the age or educational qualification, prescribed in clause (a), (b) and (c) above in suitable cases.

4. Application for appointment - A person desiring to be appointed as member of the Home Guards shall make an application in form 'A'.

5. Home Guards Advisory Committee-

(1) The Chief Commissioner may appoint a committee to be called the Home Guards Advisory Committee for the areas for which the Home Guards have been constituted under section 2.

(2) The Home Guards Advisory Committee shall consist of such members as may be nominated by the Chief Commissioner.

(3) It shall be the duty of the Home Guards Advisory Committee to review the working of the Home Guards Organization from time to time and to suggest measures regarding the improvement of the Organization.

6. Pledge - Every person before his appointment as a member shall sign a pledge in form 'B' before the Commandant General or an Officer authorized by him for this purpose.

7. Certificate - Every person appointed as member of the Home Guards shall receive a certificate of appointment in form 'C'.

8. Term of Office - The term of office of a member of the Home Guards shall be three years.

Provided that the appointment of any such member may, at any time be terminated by the Commandant General or the Commandant, as the case may be, before the expiry of the term of office -

(a) by giving one month's notice, or

(b) without such notice, if such member is found to be medically unfit to continue as a member of Home Guards.

9. Limit of age for a member of the Home Guards - A member of the Home Guards may continue to be such member until he attains the age of sixty year.

Provided that the Commandant General or the Commandant may relax the age limit in suitable cases.

10. Conditions subject to which power of discharge may be exercised - No member 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 Organization.

11. Resignation - A member of the Home Guards may resign his office by an application in writing addressed to the Commandant General.

Provided that such resignation shall not be take effect unless the Commandant General accepts the same after being satisfied that there are good and sufficient reasons for the same.

12. Organization - In addition to the Commandant General, the Home Guards shall consist of a Commandant and such officers and other ranks as may be considered necessary, by the Commandant General.

13. Powers of the Commandant General and Commandant -

(1) The Commandant General shall exercise general supervision and control over the working of the Home Guards. He shall be directly responsible to the Chief Commissioner of the efficient working, discipline administration, and training of the Organization.

(2) Subject to the supervision and control of the Commandant General, the Commandant shall exercise supervision and control over the working 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 authorized by the Commandant General in this behalf may exercise the powers conferred by section 4 in such circumstances as the Commandant General may specify.

14. Discipline -

(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, in the maintenance of law and order the senior officer of such contingent present shall be under the immediate control and subject to the discretions of the senior officer of such police force present not below the rank of an Inspector.

15. Uniform, accoutrements, etc. - A members of the Home Guards shall while on duty wear the uniform supplied to him. He may also carry rifle or a revolver or any other weapon, sanctioned by the Chief Commissioner from time to time.

16. Training - The members of the Home Guards shall undergo such course of training and at such places as may be determined and fixed by the Commandant General from time to time.

17. Functions and duties -

(1) The functions and duties of members of the Home Guards shall be such as may be assigned by the Chief Commissioner or the Commandant General from time to time.

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

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 Chief Commissioner; provided that such damage is not caused by his own negligence or willful act omission in contravention of any of the provisions of the Act or rules made there under or orders or directions issued by his superior officers.

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