

**Directorate of Civil Defence
Police Department**

TAMIL NADU HOME GUARDS RULES 1963

In exercise of the powers conferred by section 15 of the Tamil Nadu Home Guards Act, 1963 (Tamil Nadu Act 3 of 1963). The Governor of Tamil Nadu hereby makes the following rules:-

1) **Short Title:-** These rules may be called the Tamil Nadu Home Guard Rules, 1963.

2) **Definitions: -** In these rules, unless there is anything repugnant in the subject or context:-

- i) "Act" Means the Tamil Nadu Home Guard Act, 1963 (Tamil Nadu Act 3 of 1963).
- ii) "Form" means a form appended to these rules.
- iii) "Home Guard" means the Home Guard constituted under section 3.
- iv) "Section" means a section of the Act.

3) **Recruitment and Appointment of Home Guard:**

- i) No person shall be appointed as a member of the Home Guard unless he;
 - a) has completed the age of 20 years and has not completed the age of 45 years
 - b) is of good character and is physically fit.
 - c) Is a resident of the Tamil Nadu State; and
 - d) Is in the opinion of the Commissioner of Police in the City of Madras or the Superintendent of Police in a district, suitable for appointment as a member of the Home Guard;

Provided that the age limit specified in clause (a) may, for reasons to be recorded in writing, be relaxed in individual cases by the Inspector General of Police to facilitate recruitment of candidates who are otherwise qualified.

- ii) Every person desiring to be appointed a member of the Home Guard shall make an application in Form-'A' to the Commissioner of Police in the city of Madras or to the Superintendent of Police in a District.

4) Pledge: Every person shall before appointment as a member of the Home Guard sign a pledge of service in Form 'B' before the Commissioner of Police in the City of Madras or the Superintendent of Police in a District or an officer authorized by them in this behalf for the purpose.

5) Certificate : Every person appointed as member of the Home Guard shall be given a certificate of appointment in Form 'C'.

6) Term of Appointment : Every person appointed a member of Home Guard shall continue as such for a period of three years.

G.O.1325,
Home,
dt.26.4.66

6(A) Re-Appointment and Extension of Appointment: Every person appointed as a member of the Home Guard shall be eligible for re-appointment and the period of appointment may be extended.

G.O.2125,
Home,
dt.3.8.67 &

Provided that the period of re-appointment or the period of extension of appointment shall be not more than three years on each occasion;

G.O.1305,
Home,
dt.25.4.80

Provided further that in case of re-appointment or the extension of appointment a member of Home Guard may continue as such until he attains the age of 58 years.

7) Conditions subject to which power of discharge may be exercised:

A member of the Home Guard may be discharged under Section 5 if the Commissioner of Police in the City of Madras, or the Superintendent of Police in a District is satisfied that the said member is physically unfit to continue as such or the continuance of any member in the Home Guard is detrimental to the good order, welfare or discipline of the Home Guard or is prejudicial to the security of India or any part thereof.

G.O. 2474,
Home,
dt.25.11.83.

Provided that in the case of Assistant Commandant General, the power to discharge him from service shall be vested with the Commandant-General.

8) Resignation : A member of the Home Guard may, by application in writing addressed to the Commissioner of Police in the City of Madras or the Superintendent of Police in a district, resign his office;

Provided that such resignation shall not take effect until it is accepted by the Commissioner of Police or the Superintendent of Police as the case may be.

G.O. 467,
Home,
dt.18.2.66

9) organization: 1) The Inspector General of Police shall be the Ex-Officio Commandant General of the Home guard. The Director of Civil Defence, Tamil Nadu shall be the ex-officio Deputy Commandant General.

G.O. 871,
Home,
dt.24.11.72

2) The Home Guard constituted for the City of Madras or for a district shall consist of :

G.O. 2474,
Home,

(i) One or more Assistant Commandant Generals shall be appointed from among the Area Commanders on the basis of performance in

- dt.25.11.83
- from among the Area Commanders on the basis of performance in the organization, merit and devotion, by the Commandant General, on the recommendation of the Deputy commandant General. They shall be assigned the rank of Deputy commissioner of Police in the City of Madras and the Superintendent of Police in the District. They shall assist ex-officio Commandant General and the ex-officio Deputy Commandant General. Their functions shall be only of advisory nature to the ex-officio Commandant General/ ex-officio Deputy Commandant General. The region wise jurisdiction of the Assistant Commandant Generals shall confine to Madras city and to the Districts in Police Ranges in mofussil.
- G.O. 467,
Home,
dt.18.2.66
G.O. 2474,
Home,
dt.24.11.83
- (i-A) An Area Commander who shall be selected by the Commissioner of Police in the City of Madras or by the Superintendent of Police in a district and assigned the rank of Additional Deputy Commissioner of Police in the City of Madras or the rank of Additional Superintendent of Police in the district.
- G.O. 428,
Home,
dt.28.4.00
G.O.3357
Home,
dt.13.12.71
- (i-B) A Deputy Area Commander (for Women's Wing only) who shall be selected by the Commissioner of Police in the City of Madras or by the Superintendent of Police in the District and assigned the rank of Additional Superintendent of Police of a district in the City madras or the rank of the Deputy Superintendent of Police in the District.
- G.O.Ms.No.
709 Home
(Pol.14)
dept
dt.24.6.94.
- (i-C) Three Dy.Area Commanders in the city of Madras selected by the COP and assigned the rank of Addl.SP of a district.
- G.O.2124,
Home,
dt.3.8.67
- (ii) An Adjutant in the City of Madras and in each of the Mofusil District who shall be a Police Officer not lower in rank than a Deputy Superintendent of Police to assist the Area commander.
- G.O.940,
Home,
dt.30.3.64
&
G.O.3357,
Home,
dt.13.12.71,
G.O.2628,
Home,
dt.28.7.65
- (iii) Divisional Commanders for each group consisting of not more than five companies and not less than three companies in such areas as may be fixed by the Commandant General from time to time; Adjutants of the rank of Company Commanders to assist the Divisional commanders, Company Commanders, Platoon Commanders, Assistant Platoon Commanders, Section Leaders, Assistant Section Leaders and other member of the Home Guard.

G.O.940,
Home,
dt.30.3.64

- 3) (i) The Home Guard shall be organized in section each consisting of nine members. Three sections shall form a Platoon and three Platoons shall form a company. Besides the members of the Home guard in the Sections, there shall be a separate Home Guard Messenger for each Platoon and also for each company.

Provided that one of the companies of which the Divisional Commander will be in charge shall have no Home Guard Messenger.

G.O.940,
Home,
dt.30.3.64

- (ii) The Home Guard shall be attached to such Police Stations as may be specified by the Commissioner of Police in the City of Madras or the Superintendent of Police in a district.

- (4) A separate Women's Wing of the Home guard may be constituted under the administrative control of the Area Commander in such areas as the Government may decide.

10) Training :

- (1) The members of the Home Guard shall on enrolment be required to undergo basic course of training for a period of a month and a half as follow:

- (a) Daily training of not more than an hour for the first fifteen days (exclusive of holidays) – Physical training and foot drill without arms and lectures on Home guard Organization and duties of Home Guards and Police.

G.O. 1196,
Home,
dt.23.3.70

Provided that the Home guards who have already undergone training in National Cadet Corps or Air Wing and the like may be required to undergo training in fire Fighting only for fifteen days. There after they will attend regular parades.

- (b) On completion of the fifteen days training members of the Home Guard shall be required to come on alternate days for training of about an hour and half for fifteen days in First Aid, Fire-Fighting and Rescue work and musketry.

- (c) Thereafter, members of the Home Guard shall be called out at least once a month either for training or for practical work.

- (2) On completion of the basis course of training prescribed in sub-rule (1) an advanced course for a period of about a month and half shall be conducted for members of the Home Guard above the rank of Assistant Section Leaders. The advanced course shall comprise of lectures and practical work on the following subjects:

- 1) Organization and Man – Management
- 2) Civil Defence Measures
- 3) Emergency Relief

4) Map reading, field craft and automatic weapons.

(3) The members of the Home Guard may be called out for training or for duty by any Police Officer not below the rank of a Station House Officer under the Instructions of the Commissioner of Police in the City of Madras or the Superintendent of Police in a district.

G.O.309,
Home,
dt.29.1.71

(10-A) Civilian Rifle training scheme:

- i) The Civilian Rifle Training Scheme to ensure Civilian defence in times of emergency shall be popularized.
- ii) The work of popularizing the Civilian Rifle training scheme shall be entrusted to Area Commanders of Home Guards.
- iii) The Area commanders shall contact voluntary organizations such as Bharat Scouts, Guild of Service etc., in popularizing the Civilian Rifle training scheme.

11) Functions and Duties: the functions and duties of members of the Home Guard shall be :-

G.O.2761,
Home,
dt.30.9.86

- i) Manning traffic points.
- ii) Service of beats and night patrols,
- iii) Service of summons,
- iv) Collection of information and intelligence,
- v) Crowd control,
- vi) To help the Police in the maintenance of internal security,
- vii) To promote communal harmony by rendering assistance to the administration in protecting weaker sections of the society,
- viii) To participate in the socio-economic and welfare activities such as adult education, health and hygiene, development schemes and such other tasks as are deemed useful,
- ix) To allay panic, organize rescue work, provide relief measures during any kind of emergency such as air raid, cyclone, floods, epidemic, earthquake, etc., organize fire fighting, and
- x) To have functional units to provide essential services such as motor transport, pioneer and engineer groups, fire brigades, nursing and first-aid, operation of water and power supply installations, etc.

12) Discipline:

- 1) A member of the Home Guard shall perform such duties and functions as may be assigned to him and shall obey every order of his superior officers,
- 2) If a contingent of Home Guard is acting in conjunction with the police, they shall be subject to the control of the senior police officer present.

3) The Commissioner of Police in the City of Madras or the Superintendent of Police in a district may for good and sufficient reason, impose on any member of the Home Guard any of the following penalties, namely:-

- a) Suspension
- b) Removal

G.O. 2993,
Home,
dt.6.9.66

4) All cases of indiscipline shall be brought before an Orderly Room consisting of the Adjutant, a Divisional Commander and a Company Commander, charges framed and the Home Guard charged shall be given an opportunity to explain the charge against him. The findings of the orderly room and its recommendation shall be forwarded to the Area Commander who shall decide what further action is to be taken in the matter.

13) Uniform Accoutrements etc:- 1) A member of the Home Guard shall while on duty, wear the following uniform:

G.O. 1317,
Home,
dt.3.6.76
G.O.943,
Home,
dt.18.3.65

Men: i) A full sleeved Khaki Cellular Shirt and Khaki Trousers for all members of the Home Guard:

Provided that the dress worn in the Nilgiris District shall be either those prescribed above or the items prescribed hereunder whichever be convenient for the season.

Khaki flannel full sleeved shirt and khaki serge trousers for all members and Great Coat and Water Proof coat and cover for all members of the Home Guard.

G.O.2223,
Home,
dt.12.9.74.

- ii) Khaki beret,
- iii) Brown leather shoes,
- iv) Woolen socks
- v) Whistle with cord-blue for officers of and above the rank of Assistant Platoon commander and whistle with chain for Home Guard

G.O.943,
Home,
dt.18.3.65
And
G.O.2090,
Home,
dt.2.7.63

- vi) Cloth Belt (Khaki) with white metal buckle , and
- vii) Jersey wollen (in the Nilgiris district only) to be worn whenever necessary.

Women: 1)

- i) Grey colour handloom saree with orange colour border,
- ii) Grey handloom blouse
- iii) While canvas shoes
- iv) White socks.

- 2) Members of the Home Guard shall wear the letter "Home Guard" on their shoulder straps and officers shall wear, in addition, badges, of rank a the State Government may by order specify.
- 3) All members of the Home guard shall be supplied with two sets of uniform at Government cost on enrolment.

G.O.4082, Home, dt.16.11.65.	Provided that in the Nilgiris district the two sets shall consist of cotton clothing (one set) and flannel and khaki serge clothing (one set) besides one woolen jersey, one great coat and one set of water proof coat and cover.
G.O.943, Home, dt.18.3.65	Replacement shall be at such intervals as the State Government may by order specify.

14) Allowance: Every Home Guard shall be paid / allowed;

G.O.Ms.No. 1684 Home, (Pol.XIV) Dept. dt.19.11.97.	a) Parade allowance of Rs.14/- per head per parade / training of 2½ hours duration but not less than 1½ hours and Rs.28/- per head per day for more than one parade / training and the duration exceeding 2½ hours.
G.O.Ms.No. 951 Home (Pol.XIV) dept. dt.21.6.07.	b) Training allowance of Rs.12/- per head per day plus free boarding and lodging within a ceiling of Rs.16/- per head per day. c) Duty Allowance at the rate of Rs.45/- per head per day for call outs with effect from 21.6.2007.

Form – 'A'

(See Rule 3(2) of the Tamil Nadu Home Guard Rules, 1963)

Form of Application for Appointment to the Home Guard:

(Each applicant is required to fill this form in duplicate)

Part-1

1. Name in full :
2. Address : (Residence) :
: (Business) :
3. Telephone Number
(Residence) :
(Business) :
4. Date of Birth :

5. Place of Birth :
6. Occupation or profession and monthly income :
7. Educational or special qualification such as knowledge of foreign language or stenography or typing :
8. Particulars of was service or military or naval training or training with any First-Aid or Ambulance Corps :
9. Father's Name :
10. Father's Occupation or profession :
11. If originally a resident of Pakistan, the address in the country and the date of migration to the Indian Union :
12. Particulars of places where you have resided for more than one year during the preceding five years.

Period of residence

From To

(Residential address in full (i.e.) Village, police state and district or house No./ Lane/Street and Road.)

13. Do you held an arms license? If so, give description of the weapon :
14. Have you received any training in the use of fire-arms? :
15. Do you own a motor vehicle ? If so, give the description :
16. Have you ever been convicted by a court of any offence? If the answer is 'Yes" the full particulars of the conviction and sentence

should be given :

I hereby declare that the particulars furnished in the application are to the best of my knowledge and belief, true and correct.

Place :

Date :

Signature of the Applicant

Part-2**Declaration to be signed by the Applicant:**

I declare that I am a citizen of India and that I desire to be enrolled as a member of the Home Guard and have no intension of permanently leaving the limits of the State of Tamil Nadu for at least three years after enrolment and that I am not under any obligation to serve in any other force.

I understand that :-

- 1) In any emergency I shall be liable to be called out on duty at any time and for any period,
- 2) I shall be liable to undergo training and attend parades in accordance with the orders of my superior officers.
- 3) I shall be required to take the following pledge namely:-

"I _____, Son of _____
residing at _____

do solemnly and sincerely declare and affirm that I will well and truly serve the Government of Tamil Nadu as a Member of the Home Guard without favour or affection, malice or ill-will or communal or political bias; and that I will, to the best of my ability cause peace to be kept and preserved and prevent all offences against person and property and that I will, to the best of my skill and knowledge, discharge all the duties as such member, faithfully according to law and will not allow any communal or political bias to interfere with the duties assigned to me by the State Government or my superior officers.

- 4) I shall be required to serve in the Home guard for such period as may be required under Rule.6 of the Tamil Nadu Home Guard Rules, 1963.

Place :

Date :

Signature of the Applicant.

Part-3

Certificates of character signed by tow gentlemen of position who have known you personally for at least three years:

1. Certified that

Date: (Signature of person who gives the certificate)

Designation :
Address :
Telephone No.:

2. Certified that

Date : (Signature of person who gives the certificate)

Designation :
Address :
Telephone No.:

Part-4

Certificate to be signed by the employer or superior officer.

I certify that I shall have no objection to attending / the training on week days and that I shall release him for duty in an emergency at any time, and for such period as may be required under Rule. 6 of the Tamil Nadu Home Guard Rules, 1963.

Signature of employer or Superior Officer.

Full Address: Designation ;
Telephone No. if any : Office :

Notes:

- a) If you are a Government or any employee in a local authority, a fir, or any other office, you should send this form through your superior officer, with his certificate that he has no objection to your attending the training and the training and that he will release your for duty in an emergency at any time and for any period.

- b) After completing the form you should post it / or deliver it to the Commissioner of Police, Madras Superintendent of Police district. You will receive intimation in due course whether your services can be utilized.

Form-B

(See Rule. 4 of the Tamil Nadu Home Guard Rules 1963)

Pledge of Service

I Son of

Residing at do solemnly and sincerely declare and affirm that I will well and truly serve the Government of Tamil Nadu as a member of the Home Guard without favour or affection, malice or ill-will, or communal or political bias; and that I will to the best of my ability, cause peace to be kept and preserved, and prevent all offences against person and property, and that I will to the best of my skill and knowledge discharge all the duties as such member, faithfully, according to law and will not allow any communal or political bias to interfere with the duties assigned to me by the State Government or my superior officer.

Taken in presence of

(signature)

Place :

Date :

Form-C

(See Rule.5 of the Tamil Nadu Home Guard Rules, 1963)

Certificate of appointment as a member of the Home Guard.

No. :

District :

Thiru has been appointed as a member of the Home Guard under section 4 of the Tamil Nadu Home Guard Act, 1963 (Tamil Nadu Act 3 of 1963).

Signature :

Place :

Designation :

Date :

(Seal)

TAMILNADU HOME GUARD ACT 1963

The following Act of Tamil Nadu Legislature received the assent of the President on the 9th March 1963 and is hereby published for general information :-

ACT NO.III OF 1963

An act to provide for the constitution of a Home Guard in the state of Tamilnadu.

Be it enacted by the Legislature of the State of Tamilnadu in the fourteenth year of the Republic of India as follows:-

1.Short title, extent and commencement:

1. This Act may be called the Tamil Nadu Home Guard Act 1963.
2. it extends to the whole of the state of Tamilnadu.
3. It shall come into force at once.

2. Definitions: In this act, unless the context otherwise requires -

- a) "Member of the Home guard" means a person who is appointed as such under section 4 ;
- b) "Government" means the state government.

3. Constitution and control of Home Guard:

1. The government may constitute a volunteer body called the Home Guard, every member of which shall exercise such powers, discharge such duties and perform such functions, in relation to the maintenance of services essential to the life of the community, the protection of persons, the security of property and the preservation of public order, as may be assigned to him by the provisions of this act and the rules made there under:
2. Without prejudice to the generality of the provisions of sub section (1), the government may make rules requiring every member of the Home guard to –
 - a) Serve in aid of the Police Force and generally to help in the maintenance of the security of the state,
 - b) Help the public during any emergency including flood, fire or epidemic,
 - c) Render nursing and first aid, and
 - d) Facilitate the maintenance of transport services and the control of traffic and crowds
3. Subject to the over all control of the Inspector General of Police, the Home guard shall function under the control of the COP in the city of Madras and the Supdt.of Police in a district.

4. Appointment of members of Home Guard:

1. Subject to the provisions of this Act and the rules made there under, any person willing to serve as a member of the Home guard and possessing such qualifications as may be prescribed may be appointed a member of the Home guard in such a manner and by such authority as may be prescribed.
2. Every member of the Home Guard shall receive on his appointment a certificate in the prescribed form, under the seal of the Commissioner of Police in the City of Madras and the Superintendent of Police in a district, by virtue of which the member aforesaid shall be vested with the powers, functions and privileges of a member of the Home Guard.
3. Every member of the Home Guard shall receive such training during such hours and for such period as may be prescribed including training in: -
 - a) police duties like control of traffic and crowds;
 - b) rescue operations, first-aid and fire fighting;
 - c) map reading, field craft, wireless operation and use of firearms.

5. Period of service and discharge:-

1. A member of the Home Guard shall be required to serve the Government for such period as may be prescribed but any such member may be discharge from the Home Guard at any time by such authority on such ground and subject to such conditions as may be prescribed.

Provided that it shall not be necessary for such authority to disclose the ground of discharge if such authority considers such disclosure to be against the public interest.
2. The order of discharge under sub-section (1) shall be final.

6. Calling out of Home Guard:-

The Commissioner of Police, in the City of Madras and the Superintendent of Police in a district may by order at any time call out in the prescribed manner any member of the Home Guard for training or for exercising the powers, discharging the duties and performing the functions assigned to the Home Guard by the provisions of this Act and the rules made there under.

7. Powers, privileges and protection of Home Guard:

1. A member of the Home Guard when called out by an order under section 6 shall have the same powers, privileges and protection as an officer of the Police appointed under the Madras City Police Act, 1888 (Madras Act III of 1888), or the Madras District Police Act, 1859 (Central Act XXIV of 1859), as the case may be.
2. No prosecution shall be instituted against a member of the Home Guard in respect of anything done or purporting to be done by him in the exercise of his powers, or the discharge of his duties, or the performance of his functions as such member except with the previous sanction of the Commissioner of Police in the City of Madras and Superintendent of Police in a district.

8. Control by officers of Police Force:- A member of the Home Guard when called out by an order under section 6 in aid of the Police Force, shall be under the control of officers of the Police Force in such manner and to such extent as may be prescribed.

9. Reinstatement in Civil employ of persons called out under section 6:-

1. It shall be the duty of every employer by whom a person called out by an order under section 6 is employed to grant him such leave as may be necessary and to reinstate him in his employed on the termination of the period during which he has been so called out in an occupation and under conditions not less favourable to him than those which would have been applicable to him had he not been so called out:

Provided that, if the employer refuses to reinstate such person or denies his liability to reinstate such person, or if for any reason the reinstatement of such person is represented by the employer to be impracticable, either party may refer the matter to the prescribed authority and that authority shall after considering all matters which may be put before it and after making such further inquiry into the matter as may be prescribed, pass an order:-

- a) exempting the employer from the provisions of this section, or
 - b) requiring him to re-employ such person on such term as that authority thinks suitable, or
 - c) requiring him to pay to such person by way of compensation for failure or inability to re-employ, a sum not exceeding an amount equal to six months' remuneration at the rate at which his last remuneration was payable to him by the employer.
2. If any employer fails to obey the order of any such authority as is referred to in the provision to sub-section (1) he shall be punishable with fine which may extend to one thousand rupees, and the court by which an employer is convicted under this section shall order him (if he has not already been so required by the said authority) to pay to the person whom he has failed to re-employ a sum equal to six months' remuneration at the rate at which his last remuneration was payable to him by the employer, and any amount so required to be paid either by the said authority or by the court shall be recoverable as if it were a fine imposed by such court.
 3. In any proceeding under this section it shall be a defence for an employer to prove that the person formerly employed did not apply to the employer for reinstatement within a period of two months from the termination of the period during which he was called out by an order under section 6.
 4. The duty imposed by sub-section (1) upon an employer to grant leave to such person as is referred to in that sub-section or to reinstate him in his employment shall attach to an employer who, before such person is actually called out by an order under section 6, terminates his employment in such circumstances as to indicate an intention to evade the duty imposed by that sub-section, and such intention shall be presumed until the

contrary is proved if the termination takes place, after the issue of an order relating to that person under section 6.

10. Preservation of certain rights of person called out under section 6:- When any person called out by an order under section 6 has any rights under any provident fund or superannuation fund or other scheme for the benefit of employee's maintain in connection with the employment he relinquishes, he shall continue during the period for which he has been so called out and if he is reinstated. Until such reinstatement under the provisions of this Act, to have in respect of, such fund or scheme such rights as may be prescribed.

11. Pay and allowances:-

1. Every member of the Home Guard shall, during the period of training or service in the Home Guard receive from the Government such allowances as may be prescribed.
2. Where any such member was in any employment immediately before he is called out for training or service by an order under section 6, the employer shall be liable to pay to him the pay and allowances as if such member had not been so called out.
3. If any employer refuses or rails to pay any such member the pay and allowances as provided in sub-section (2), such pay and allowances may, on application by the member to the prescribed authority be recovered from the employer in such manner as may be prescribed.

12. Surrender of arms, uniform, etc.:

1. Every person who for any section cease to be a member of the Home Guard shall within ten days of so ceasing deliver up his certificate of appointment, arms accoutrements, clothing and other articles supplied to him as a member of the Home Guard to the Commissioner of Police of the City of Madras and the Superintendent of Police in a district in to such person and at such place as such Commissioner or Superintendent of Police may specify.
2. The officer or person receiving under sub-section (1) any certificate of appointment, arms, accoutrements, clothing and other articles shall give a receipt for the same to the person delivering such certificate, arms, accoutrements, clothing and articles.
3. Any Magistrate and, for special reasons recorded in writing, any police officer nor below the rank of a Deputy Commissioner of Police or Assistant or Deputy Superintendent of Police may issue a warrant to search for and seize wherever they may be found the certificate, arms, accoutrements, clothing or other articles not delivered up in accordance with the provisions of sub-section(1). Every warrant so issued shall be executed in accordance with the provisions of the Code of Criminal Procedure, 1898 (Central Act V of 1898), issuing the warrant so direct, by any other person.
4. Nothing in this section shall be deemed to apply to any article, which under the orders of the Commissioner of Police in the City of Madras or the Superintendent of Police in a district has become the property of the person to whom it was supplied in accordance with the rules made under this Act.

13 Suspension or removal:-

1. The Commissioner of Police in the City of Madras and the Superintendent of Police in a district may by order in writing suspends or removes from the Home Guard any member of the Home Guard under his control.
 - a) Who on being called out by an order under section 6 without reasonable cause neglects or refuses:-
 - (i) to obey such order, or
 - (ii) to exercise the powers, discharge the duties and perform the functions as a member of the Home Guard, or
 - (iii) to obey any lawful order or direction given to him for the exercise of the powers, discharge of the Home Guard, or
 - b) Who is guilty to any breach of discipline or of any mis-conduct.
2. No order under sub-section (1) shall be passed unless the member of the Home Guard affected by such order is given an opportunity to be heard in his defence.
3. The Suspension or removal of a member of the Home Guard under this section shall be in addition to any penalty to which such member may be liable under any other law for the time being in force.

14. Appeals:-

1. An appeal against any order of suspension or removal passed under section 13 shall lie to the Inspector General of Police, Tamil Nadu, within thirty days of the date of receipt of such order by the person concerned.
2. The decision of the Inspector General of Police in the appeal shall be final.

15. Power to make rules:-

1. The Government may make rules to carry out all or any of the purposes of this Act.
2. In particular and without prejudice to the generality of the foregoing power, such rules may provide for or regulate the following matters, namely:-
 - a) all matters expressly required or allowed by this Act to be prescribed;
 - b) the organization, qualification, appointment, discipline, training, arms, accoutrements and clothing, conditions of service, powers, duties and functions of the Home Guard;
 - c) the exercise by any police officer or any officer of the Home Guard of the powers conferred by section 6 on the Commissioner of Police in the City of Madras, or the Superintendent of Police concerned in a district ;
 - d) the exercise of control by officers of the Police over the Home guard when acting in aid of the Police Force;
 - e) the exercise by a member of the Home Guard of any of the powers exercisable under sub-section (1) of section 7; and

- f) the constitution of the authority for the purpose of section 9 and the manner in which such authority may conduct any inquiry under this Act.
3. All rules made under this Act shall be published in the Fort St. George Gazette and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.
4. Every rule made under this Act shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session both Houses agree in making any modification in any such rule or both Houses agree that the rule should not be made the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

16. Member of the Home Guard to be public servant:- A member of the Home Guard acting under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

17. Removal of disqualification:- A member of the Home guard shall not be disqualified for being chosen as, or for being a member of the Legislative Assembly or for the Legislative Council by reason only of the fact that he is a member of the Home Guard.

Now with standing anything to the contrary contained in any other law for the time being in force, a member of the Home Guard shall not be disqualified for being chosen as, or for being a member of any local authority by reason only of the fact that he is a member of the Home Guard.

18. Repeals:- The Tamil Nadu Home Guards Act, 1948 (Tamil Nadu Act I of 1948), and the Tamil Nadu Home Guard Ordinance, 1963 (Tamil Nadu Ordinance 2 of 1963) are hereby repealed.

(By order of the Governor)

K.RAJASEKHARAN,
Secretary to Government, Law Department,
