

THE JAMMU AND KASHMIR HOME GUARDS RULES, 1962

Home Department ¹*Notification SRO-387 dated 6th December, 1962.*— In exercise of the powers conferred by section 8 of the Jammu and Kashmir Home Guards Act, Svt. 2006 (III of 2006) and all other provisions enabling in that behalf, the Government hereby make the following rules, namely :—

1. *Short title and commencement.* —(1) These rules may be called the Jammu and Kashmir Home Guards Rules, 1962.

(2) They shall come into force at once.

2. *Definitions.*— In these rules, unless the context otherwise requires,—

(a) “Act” means the Jammu and Kashmir Home Guards Act, Svt. 2006 ;

(b) “Commandant General” means the Inspector General of Police, Jammu and Kashmir ;

(c) “Form” means a Form appended to these rules ;

(d) “Home Guards” means the Home Guards constituted under rule 3 ;

²[(e) “Joint commandant General” means the Deputy Inspector General of Police nominated as such by the Government ;]

³[(ee) “Deputy Commandant General” means the Deputy Director Civil Defence, Jammu and Kashmir ;]

(f) “Section” means the section of the Act ;

1. SRO-387 of 1962 published in Government Gazette dated 6-12-1962.

2. Clause (e) substituted by SRO-356 dated 13-9-1965.

3. Clause (ee) inserted by SRO-337 dated 5-8-1966.

- (g) all words and expressions used but not defined shall have the meanings assigned to them in the Jammu and Kashmir Home Guards Act, Svt. 2006.

3. *Constitution and organisation of Home Guards.* —(1) There shall be constituted a body to be called the Home Guards which shall consist of the following members :—

- ¹[(a) Commandant Home Guards-cum-Director Civil Defence ;
- (b) Joint Commandant General Home Guards-cum-Joint Director Civil Defence ;
- (c) Deputy Commandant General Home Guards-cum-Director Civil Defence ;
- (d) Commandant ;
- (e) Joint Commandant ;
- (f) Company Commanders ;
- (g) Platoon Commandant ;]
- (h) Section Commanders ;
- (i) Guardsmen.

²[(2) Every member of the Home Guards mentioned in clauses (c), (d), (e), (f) and (g) of sub-rule (1) shall perform his duties under the superintendence and control of the Joint Commandant General :

Provided that the Joint Commandant General shall exercise the powers conferred on him under these rules subject to the general superintendence and control of the Commandant General.

1. Substituted by SRO-337 dated 5-08-1966.

2. Sub-rule (2) of rule 3 omitted and sub-rule (3) renumbered as sub-rule (2) by SRO-337 dated 15-8-1966.

4. *Eligibility*.— A person who intends to apply for appointment to the service in the Home Guards must fulfil the following conditions, namely:—

- (a) he shall be a citizen of India residing within the State ;
- (b) he should be declared physically fit and mentally alert by an officer appointed by the Commandant General or the Joint Commandant General in this behalf ;
- ¹[(c) he shall have completed the age of eighteen years and should not be of more than thirty-five years on the first day of the month of recruitment :

Provided that the age limit may be relaxed by the Commandant General or Joint Commandant General in such cases as he deems fit :

²[Provided further that the upper age limit of ex-service-men and ex-policemen shall be 50 years instead of 35 years, provided they are physically and mentally fit and otherwise suitable ;]

- (d) he shall have passed the Middle examination or equivalent thereof for appointment as Section Commander and Matriculation examination or equivalent thereof for appointment as Platoon Commander and for ranks above that :

Provided that the Commandant General or the Joint Commandant General may waive or relax the prescribed educational qualification in such cases as he deems fit :]

³[Provided further that the qualification bar of middle pass shall not apply to ex-servicemen or ex-policemen for appointment as Section Commander.]

1. Clauses (c) and (d) substituted for clause (e) by SRO-356 dated 13-9-1965.

2. Further proviso to clause (c) added by SRO-337 dated 5-8-1966.

3. Further proviso to clause (d) added by SRO-337 dated 15-8-1966.

5. *Appointments.* —(1) A candidate who has been accepted for appointment to the Home Guards shall be formally enrolled in such manner as the Commandant General or the Joint Commandant General may, by order, determine, and at the time of enrolment shall make an oath or affirmation according to Form A before such officer as the Commandant General or the Joint Commandant General may, by order, appoint.

¹[(2) The powers of appointment for different ranks shall vest in the authorities specified below :—

- (i) Government for appointment as Commandant General, Joint Commandant General, Deputy Commandant General, Commandant and Joint Commandant ;
- (ii) Commandant General, or Joint Commandant General for appointment of Company and Platoon Commanders with the approval of the Minister Incharge ;
- (iii) Joint Commandant General for appointment of Section Commander ;
- (iv) Commandant for appointment of Guardsmen.

(3) Every person to be member of Home Guards shall be given a certificate of enrolment by the authority competent to appoint him.]

6. *Membership certificate.*— Every person appointed to be a member of the Home Guards shall be given a certificate of membership in Form B. A person losing his certificate shall report its loss forthwith to his immediate superior officer, who shall make necessary enquiries and, after satisfying himself, may arrange to issue a duplicate certificate :

Provided that no such certificate shall be necessary for Commandant General, Joint Commandant General and the Police officers empowered under sub-rule (2) of rule 3 to function as members of the Home Guards.

1. Sub-rules (2) and (3) inserted vide SRO -337 dated 5-8-1966.

¹[6 A. *Training*.— The members of the Home Guards shall be imparted training free of cost for a period of eight weeks in a year in any or all of the following subject as would be prescribed by the Commandant General, Joint Commandant General or the Deputy Commandant General. Centres for such training would be fixed by the Commandant General, Joint Commandant General or Deputy Commandant General :—

Subject.		No. of periods of one hour each
P. T.		12
Drill without Arms		
Drill with Arms		30
Weapon Training	...	15
Fire Discipline	...	2
Lathi Drill	...	
Crowd Control	...	10
Traffic Control	...	5
Field Craft	...	4
Guard Duties	...	2
Patrolling	...	6
Map Reading	...	6
Message Writing	...	1
Duties and Responsibilities	...	6
Route Marches	...	6
Ideological Briefing	...	10
Fire Fighting	...	22
Intelligence Briefing	...	5
Rescue	...	34
First Aid	...	16
ARP Measures	...	5
Flood Relief	...	25
Total	...	<u>222</u>

1. Rule 6-A inserted by SRO-356 dated 13-9-1965 effective from 15-8-1965.

During the period of their training the members of the Home Guards shall remain in Camp for a period not exceeding eight weeks at a time and during that period arrangements for their lodge and cooking shall be provided, and that they shall have to pay the cost of the eatables :]

¹[Provided that the period of training of any member of Home Guards or a class of such Home Guards, may be extended by not more than two weeks by the Joint Commandant General and not more than four weeks by the Commandant General, if in their opinion the period already prescribed is not sufficient in the case of any member or group of members.]

7. *Conditions of service.* —(1) The members of the Home Guards shall ordinarily serve in purely honorary capacity :

²[Provided that the Government may, during the period of membership of Home Guards, pay to him such a retainer as they may fix in this behalf and an allowance in addition to the retainer when such a Home Guard is on duty or under training.]

(2) Notwithstanding anything contained in sub-rule (1), the Government may declare any appointment or class of appointments as paid appointments. A person appointed on the basis of payment shall be entitled to such conditions of service as regards pay, leave and other benefits as the Government may, by order, prescribe.

8. *Duty.*— Members of the Home Guards may at any time be called on duty—

- (i) for training ; and
- (ii) to discharge such functions in relation to the protection of life and property, ³[maintenance of services and supplies essential to the life of the community,] preservation of public peace and ensuring security and communal harmony and the

1. Proviso to rule 6-A inserted by SRO-337 dated 5-8-1966.

2. Proviso to rule 7 substituted by SRO-356 dated 13-9-1965 effective from 15-8-1965.

3. Inserted *ibid*.

public safety as the Commandant General or the Joint Commandant General may, from time to time, direct.

9. *Discipline.* —(1) No member of the Home Guards shall absent himself from any training course or duty except with the specific permission of the officer authorised by the Commandant General or the Joint Commandant General in this behalf.

(2) All members of the Home Guards when on duty shall be deemed to be public servants within the meaning of section 21 of the Jammu and Kashmir State Ranbir Penal Code, Svt. 1989.

(3) Every member of the Home Guards shall conform to the following regulations, that :—

- (i) he shall notify the Commandant General or the Joint Commandant General through his superior officer any change in his permanent address or place of employment ;
- (ii) he shall not communicate with the press or any political organisation or body in regard to any matter connected with his duties ;
- (iii) he shall treat as strictly confidential all reports (or copies thereof) coming within his cognizance or knowledge in the course of his employment as a member of Home Guards.

¹[10. *Uniform.* —(i) A member of the Home Guards enrolled for duty in a city, town or in rural areas and detailed, on duty in a city or a town shall be provided with a uniform and a badge of rank which such a member shall wear. A member of the Home Guards enrolled for duty in an urban area not detailed on duty in a city or town shall be provided with an Arm Band which he shall wear while on duty. The uniform, the Arm Band and the badge of rank shall be prescribed and provided by Commandant General.

1. Rule 10 substituted by SRO-356 dated 13-8-1965.

(ii) A member of Home Guards shall when on duty or under training carry such equipment as may be prescribed by the Commandant General ¹[or the Joint Commandant General].

11. *Discharge.* —(1) A member of the Home Guards shall be liable to be removed from the service :—

- (a) on medical grounds ;
- (b) on conviction for any offence involving moral turpitude ; or
- (c) on any other ground considered sufficient for his removal from the Home Guards by the Commandant General or the Joint Commandant General.

(2) A member of the Home Guards shall be liable to be discharged when his services are no longer required.

12. *Resignation.*— Any member of the Home Guards, who desires to leave the service, shall submit his resignation in writing to his immediate superior officer giving at least one month's notice :

Provided that he shall not be deemed to have left his service unless resignation submitted by him is accepted.

FORM A

(See rule 5)

FORM OF OATH

I,.....S/o.....
solemnly affirm that I will be faithful and bear true allegiance to India and to the Constitution of India and the State as by law established and that I will carry on the duties entrusted to me with loyalty. (So help me God).

1. Inserted by SRO-337 dated 5-8-1966.

FORM B

(See rule 6)

MEMBERSHIP CERTIFICATE

**GOVERNMENT OF JAMMU AND KASHMIR
J&K HOME GUARDS**

1. Name in full
2. Age.
3. Father's name
4. Identification marks
5. Permanent Address.
6. Assignment
7. Name and address of next of kin.
8. Signature /thumb (left hand) impression of the worker.

Date of issue

Office stamp of issuing
authority

Signature and designation
of issuing authority
