

EAST PUNJAB HOME GUARDS ACT, 1947

1947 : East Pb. Act VIII] HOME GUARDS ITHE EAST PUNJAB HOME GUARDS ACT, 1947. EAST PUNJAB ACT No. VIII OF 1947. 113 (Received the assent of His Excellency the Governor of East Punjab on the 4th December, 1947, and was first published in the East Punjab Government Gazette (Extraordinary) of the 8th December 1947.] 1 Year 1947 2 No. VIII 3 Short title The Punjab Home Guards Act, 1941 4 Whether repealed or otherwise affected by legislation Amended in part by East Punjab Act XXXI of 1949 2 Amended in part by the Adaptation of Laws Order, 1950 Extended to the territories which immediately before the 1st November 1956, were comprised in the State of Patiala and East Punjab State Union, by Punjab Act No. 18 of 1958 3. Amended by Punjab Act No. 42 of 1960 1 Amended by the Punjab Re-organisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968 IFOR Statement of Objects and Reasons, see East Punjab Government Gazette (Extraordinary), 1947, page 50 ; for proceedings in the Assembly, see the East Punjab Legislative Assembly Debates, Volume 1, 1947, pages 178-79 and 195—200. iFOR Statement of Objects and Reasons, see East Punjab Government Gazette, (Extraordinary), 1949, page 1098 • for proceedings in the Assembly, see East Punjab Legislative Assembly Debates, '1949, Volume 111, pages 9. 'For statement of objects and Reasons, see Punjab Government Gazette (Extraordinary), 1958, page 546K. and Reasons, see Punjab Government Gazette, 'For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1960, 1 58. Short and ment. HOME GUARDS 194 : East Pb. Act 114 An Act to provide for the constitution of 1[Punjab Home Guards.] Orne It is hereby enacted as follows . 1. (1) This Act may be called the 1[Punjab Home title, event commence. Constitution of Union of Chandigarh Home Guards. Appointment members. Calling out members. Guards] Act, 1947. (2) It extends to the whole of the 21 Union territory of Chandigarh.] (3) It shall come into force at once

2. The 8[Central Government] may for any area constitute a body to be called the 4[Union territory of Chandigarh] 5[Home Guards] the members of which shall discharge such functions in relation to the protection of persons, the security of property or the public safety as may be assigned to them in accordance with the provisions of this Act and the rules made thereunder. of 3. The 8[Central Government] may appoint as members of the 4[Union Territory of Chandigarh] 5[Home Guards] so many persons who are fit and willing to serve as such, as the 3[Central Government] may see fit to appoint and may appoint any such member to any office of command in the 41 Union territory of Chandigarh 5[Home Guards]. o" 4. The 8[Central Government] in any area may at any time call out a member of the 41 Union territory of Chandigarh] 5[Home Guards] for training or to discharge any of the functions assigned to the 11 Union territory of Chandigarh] 2[Home Guards] in accordance with the provisions of this Act and the rules made thereunder. Powers, protection 5. (1) A member of the 4[Union territory of Chandigarh] 5[Home Guards] when called out under section 4 shall have the same powers, privileges and protection as an officer of police appointed under any law for the time being in force. 1. Substituted for the words "East Punjab Volunteer Corps" by Punjab Act No. 42 of 1960

2. Substituted for the words "State of Punjab" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968

3. Substituted for the words "State Government" by Ibid

4. Substituted for the words • 'Punjab" by ibid

5. Substituted for the words "Volunteer Corps" by Punjab Act No.42 of 1960. HOME GUARDS 1947 : East Pb. Act lx) 115 (2) No prosecution shall be instituted against a member of the 1[Union territory of Chandigarh] 2[Home Guards] in respect of anything done or purporting to be done by him in the discharge of his functions as such member, except with the previous sanction of the 3[Central Government]

6. The members of the 11 Union territory of Chandigarh] Control by 2[Home Guards] when called out under section 4 directly of Police force. in aid of the police force, shall be under the control of the officers of such force, in such manner and to such extent as may be prescribed by rules made under section 7. (1) If any member of a 1[Union territory of Chandigarh] 21 Home Guards] being called out under section 4 without sufficient excuse neglects or refuses to obey such order or to discharge his functions as a member of the 1 [Union territory of Chandigarh] 2[Home Guards] or to obey any lawful order or direction given to him for the performance of his duties, he shall, on conviction by a competent Court, be punishable

with 4[simple imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees or with both]. An offence under this Act shall be cognizable]

8. The 3[Central Government] may by notification Delegation of and subject to any conditions which may be specified delegate its fuctions under sections 2, 3 or 4 to any person or body of persons

9. The 3[Central Government] may make 6rules Rules.consistent with this Act— (a) providing for the exercise of control by omcers of the police force over members of the 1[Union territory of Chandigarh] 2[Home Guards] when acting directly in aid of the police force (b) regulating the organisation, appointment, con- ditions of service, duties, discipline, arms, ac- coutrements and clothing of members of the '[Union territory of Chandigarh] 2LHome Guards] and the manner in which they may be called out for service ; 1 Substituted for the word "Punjab" by the Punjab Re organisation (Chandi- garh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968. 2 Substituted for the words "Volunteer Corps" by Punjab Act No. 42 of 3 Substituted for the words "State Government" by the punjabRe organisation 1960. (Chandigarh) (Adaptation of Laws on state and Concurrent Subjects) Order, 1968. 4 Substituted for the words "fine which may be extended to fifty rupees by Puriab Act No. 42 of 1960. 6 For Rules, see East Punjab Government Gazette (Ettraordinary) of 17th December, 1947, pages 121—123, Notification No. 1012.H47110587, dated 15th December, ; and Notification No. 58841-50/1/3630, dated 26th July, 1950 [1941 : East Pb. Act HOME GUARDS 116 (c) conferring on members of the ITUnion of Chandigarh] 2[Home Guards] according their office any powers, other than magisteritå or judicial powers, exercisable by any person ; and (d) generally for giving effect to the provisions this Act

10. The East Punjab National Volunteer Corps Repeal of Ordinan- ce No.10 of 1947. Substituted for the word "Punjab" by the Punjab Re organisation (Chandi. garh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968. Substituted for the words "Volunteer Corps" by Punjab Act No. 42 of 1960.

