

Chapter 15

Home Guards Organisation

1. Introduction

There are a number of organizations, which are headed and staffed by police officers of various ranks, but are not an integral part of the main police system. They, of course, support and supplement the working and functioning of the police organization. Home Guards and Civil Defence Department is one of such sister organization of police. The Home Guards Organisation is intended to provide trained volunteers to help, assist, supplement and handle essential services like policing, electricity, transport, fire services, water works etc. through its functional units, as an auxiliary to the police. Home guards will perform the duties and tasks assigned by the organization to which they are deputed and are subject to all responsibilities and obligations attached to that post or duty. They will exercise the powers and enjoy the protections attached to the organization by which they are employed.

2. Composition

The HG organization consists of volunteers who are called Home Guards. All volunteers with prescribed qualifications are given initial training of such nature and durations as laid down. The membership of Home Guards organization is open to all fit persons, whether employed or unemployed possessing such qualifications, physical, age & educational as may be laid down by the government from time to time. The employers, whether Government or private, have instructions to relieve the employees who are home guards, when they are drafted for any duty with full pay. Besides their normal pay, they are entitled, for the period they are employed on any duty as home guards, for such remuneration as prescribed by the Government from time to time. Membership of the Home Guards organization is not an employment, but is a volunteer service. They receive training during normal time and their services are placed at the disposal of the Nation during the hour of need in peace or wartime. While discharging the duty as home guards, they are deemed to be public servants as defined both in the Indian Penal Code and the

Prevention of Corruption Act. The home guards organization has two categories. The first category consists of the volunteers, who work only occasionally, whether employed or unemployed, and work during emergencies, and the second category is of the permanent employees of the HG organisation.

3. Command, Control and Administration

(i) The control, administration and deployment of home guards throughout the State shall vest with Director General of Police (DGP) who is designated as the Commandant General of Home Guards. The Inspector General of Police Home Guards is designated as Additional Commandant General, Home Guards. The SSP/SP HG is designated as the Deputy Commandant General, Home Guards for the State. The SP Home Guards is assisted by one senior staff officer of the rank of Dy. Superintendent of Police and other junior staff officers of the rank of Inspector of Police and other staff at the state level. The other staff, vehicles, equipment, uniform and other accoutrements shall be as per scale laid down.

(ii) The civilian office holders of the rank of Additional Commandant and above when appointed will have powers of supervision of work of Home Guards who are deployed on duties and assist the Commandant and Deputy Commandant General in maintaining discipline, skills and satisfactory performance of duties. They are to be associated with all the activities of Home Guards. Only those who attend the parades regularly or other duties should be chosen and appointed to those posts by the Commandant General. The ranks are purely honorary and do not carry any salary or perks except the remuneration permissible. They shall be eligible for TA and DA if called upon to perform duties, at the rate admissible to those of the corresponding ranks drawn from police or the posts in which they are employed, whichever is advantageous. They should be provided with office accommodation in the office of Commandant Home Guards and at the State level in the office of the Commandant General.

(iii) A Code of Conduct for rendering public service honestly, impartially and with competence, binds every member of the home guard and to conduct himself in a

disciplined manner respecting and complying with the rules and regulations of the organization to which he is deputed. The officers of the police who are in charge of home guards and the civilians who hold ranks in the home guards organization should treat the home guards as volunteers and not as subordinates. They should maintain discipline in the organization, keep the home guards fully trained, guide and supervise them in the performance of the assigned tasks.

(iv) The home guard is bound to serve anywhere in the state for a minimum period of 3 years and eligible for extension of service up to the age of 60 years if he is willing. The Dy. Commandant General, Home Guards may for good and sufficient reason accept the resignation of a home guard or discharge him at any time before the expiry of the term. An appeal is however permissible in case of discharge to the Addl. Commandant General or Commandant General.

(v) The Dy. Commandant General and those officers superior to him are empowered to suspend or remove or impose a fine not exceeding a sum prescribed as daily allowance on any home guard under his control for neglect or refusal to discharge the duties and responsibilities entrusted to him or fails to obey any lawful order. An appeal against any such order lies to the Commandant General or the State Government within a period of 2 months.

(vi) Refusal to perform a duty assigned or desertion from the duty for any reason without proper intimation may entail action as per the laws governing the organization to which he is deputed. The Home Guards should function as per the orders of the officers of the department to which they are attached and in case of police department they should work as per the orders of the officers of the rank of Sub-Inspector and above to whom they are attached. Sanction of the competent authority, as prescribed for constables in the Sikkim Police, shall be necessary for the prosecution of any home guard in the Sikkim Police in a Court of Law for any act done in the discharge of his official duties.

(vii) Members of the home guards are not disqualified from being members of local bodies. The service in home guards is not an office of profit and is not a disqualification for contesting and being elected to any of the local bodies including the State Legislature. It should be noted that this does not apply to those home guards who are regularly employed with the Government and are serving as Home Guards.

4. Powers and Functions of Supervisory Officers

(1) Dy. Commandant General, Home Guards

- Enrollment and training
- Deployment as per need
- Supervision, guidance and disciplinary control
- Weeding out of absentee home guards
- Ensure that the strength of home guards of the Unit is always kept full maintaining due proportion between employee volunteers and others
- Liaison with the organizations utilizing the services of home guards and briefing on the capabilities of those deployed as also the treatment i.e., expected of them in dealing with the home guards.
- Prompt payment of remuneration and other allowances due to each home guard or officer
- Control, supervision and direction of the police officers earmarked for training and deployment of the home guards.
- All correspondence, registers, accounts, stores and other matters connected with the home guards should be done under his supervision
- He should report to the IGP, Home Guards on all matters concerning home guards organization and keep him fully informed and work under his direction.

(2) Additional/Deputy Superintendent of Police

- a. One Addl./Deputy Superintendent of Police or more are posted on a full time basis as per need to every Unit to look after matters connected with the home guards of the Unit. The DSP will assist the Dy. Commandant General and be responsible for the work of enrollment, training, deployment and other matters including office administration. He should supervise the work of Inspectors and other staff posted under him for training of the Home Guards. He should ensure that the training is imparted according to the course content finalized by the Commandant General.
- b. The Dy. Commandant General, Home Guards should maintain a register, which should reflect the full particulars of each home guard including his skills and the special training, which has been imparted to him as well as the departments where he would be useful. This register should be updated from time to time. He should assess the requirements in emergencies of various essential services departments in emergencies and ensure that a proper proportion in each skill is maintained on the roles of the home guards organization.

5. Strength, Enrollment and Training

- (i) The strength of Home Guards shall be as determined by the Government from time to time. The relative strength of the two categories also shall be as determined by the Government. However, since part of the cost of Home Guards is borne by the Government of India, they have allotted certain practical targets for the home guards in each state. The Addl. Comm. General, Home Guards should in consultation with the Unit officers assess the practical needs of the State in the light of the situations that have to be faced and forward proposals for enhancement of the strength after approval by the Director General of Police and the Commandant General of Home Guards.
- (ii) The Home Guards is a voluntary organization and almost all ranks up to company level are volunteers. A small number of full time paid staff for training, command and control is authorized at city/town, district and state levels. After completion of their

prescribed tenure they are eligible for re-enrolment. Retention of home guards over a long period erodes the voluntary character of the organization. As far as possible unemployed persons should not be retained as home guards over a long period so as to preserve the voluntary character of the organization.

(iii) A Committee consisting of Addl. Commandant General, the Dy. Commandant General and the other members to be nominated by the Commandant General will enroll the home guards. They are trained by police officers at the designated training centres or any of the other training institutions where facilities are available. The training will be of 45 to 60 days duration in PT, traffic control, elementary foot and arms drill and other modules consisting of work in police, electricity, transport, communications, fire fighting, rescue, medical and health, civil defence and such other essential services as may be prescribed for the functional units. In every district and city Home Guards should have adequate number of functional units based on an assessment of requirement in emergencies.

(iv) The eligibility for recruitment as a home guard is following:

- Should be a citizen of India
- He or she should have completed 18 years on the date of enrolment.
- Those who are above 50 years are not eligible
- He/she should have passed Class VIII. The qualification may be increased by the State Government at its discretion.
- He should have the minimum physical qualifications prescribed for appointment as constable in the Sikkim Police.
- Should be of satisfactory character and antecedents. While verifying the character and antecedents the criteria to be adopted should be that persons belonging to or associated with any objectionable activity or programme should be considered undesirable for enrolment. The objectionable activities consist of those organizations which are unlawful, aimed at subversion of the Constitution, violent activity, promoting enmity on grounds of religion, caste etc. and those prejudicial to sovereignty, integrity and security of India.
- Should be medically fit

(v) The Committee will do the recruitment preferably on an annual basis. The recruitment procedure is not similar to the normal procedures of recruitment for Government employment. Since the home guards service is of a voluntary nature and persons who are capable of handling certain specialist jobs and operations are required to be enrolled, the SP should give wide publicity to various Government and private organizations to sponsor volunteers from different trades and levels, working in their organizations. The departments, which directly run essential services, need not be approached. Regarding persons who are not employed anywhere suitable announcement locally may be made so that volunteers may approach the designated officer for enrollment. The Commandant home guards should maintain a list of persons who approach them for enrollment and call them whenever vacancies are to be filled. Every announcement made should clearly indicate that it is a voluntary service and not an employment.

(vi) The volunteers enrolled are trained for 45 to 60 days initially. The course content of the induction training shall be as determined by the Commandant General Home Guards. It shall specifically include physical training, elementary drill including arms drill and other subjects, which would be necessary for the discharge of allotted duties. The training in special skills of different categories for functional units should be arranged with those institutions or establishments on a continuous basis. The attendance at weekly parades is also intended to update the home guards and should not be confined only to exercises and drill. The venue for initial training will be the Police Training Centre, Yangang or the SAP Camp, Pangthang. The training of trainers and orientation courses for various honorary rank holders and officers of the organization shall be organized and run on the lines indicated in the Compendium by the Police Training Centre.

6. Utilization of Home Guards in Police Department

(i) Home guards are deployed on a large scale in the police department for assistance in various duties that the police is called upon to perform. The deployment of home guards in police is usually for a long duration and hence the number mostly consists of

the unemployed volunteers. In fact these volunteers consider the remuneration that they receive for the service as a source of employment even though it is not an appointment in the service of the police. The following guidelines and directions are issued for compliance in the matter of deployment and utilization of home guards in the police department.

(ii) The home guards may be utilized as guards, station watch, assistance to station writer, in bandobust of fairs and festivals, traffic regulation, patrolling etc. Those home guards who are utilized for these duties, if not accompanied or commanded by police officers will not derive any of the police powers unless they are appointed as special police officers or additional police officers in terms of the relevant provisions of the Police Act. The Unit officers should be aware of this and take action suitably to ensure that the home guards if deployed on their own, do not suffer from this handicap in dealing with the task, which is assigned to them.

(iii) When deployed on any of the duties and above they should be treated in the same manner as any other police officer and should be given all facilities that they are entitled. No deployment of home guards on the above duties should be done unless they are properly trained. The initial training of 45 to 60 days is not adequate for deploying them on regular police duties. Hence whenever such duties are to be performed, particularly those relating to guards dealing with agitations or bandobusts, an orientation course should be conducted before deployment apart from briefing.

(iv) Firearms should be issued, only after they have gone through the training and the firing practice in that weapon prescribed for a Civil Police Constable. No deployment for mob dispersal duty should be made unless they have been trained even for a short duration, in mob control and lathi drill and briefed on the implication of use of force and the need for use of minimum force and also about the right to private defence. It is not desirable to utilize home guards for such purposes as far as possible.

(v) The observation and picket duties and assistance in patrolling are the proper methods of utilization of home guards. Trained drivers in the home guards organization may be utilized for driving of police vehicles. Similarly the home guards who are trained in wireless communication sets may be utilized to man the control room as also the mobiles which carry police parties.

(vi) They should not be utilized for any menial duties. Arrangements for feeding and transport at Government cost should be made for the Home Guards along with the Police while being deployed on police duty for bandobust.

(vii) Women home guards should be utilized for searches and other occasions when the presence of women is necessary or mandatory. They may also be utilized to guard women prisoners in custody or escorting women prisoners. While escorting there should be at least one regular police man or police woman with the home guards. The uniform and other dress articles should be provided without delay. The officers in charge should inspect and make sure that the supply of uniform and distribution is done regularly.

(viii) Home guards should not be utilized for investigation duty. They should also not be utilized to assist in the maintenance of police registers. They may however, if trained or have the skill of typewriting or shorthand or computer handling may be utilized for assisting in the maintenance of records or drafting of reports by officers occasionally and not as a substitute for the ministerial establishment. It should be remembered that clerical jobs are not part of essential service and do not strictly come within the purview of police duties. It should be ensured that it is only to assist in police duties that the home guards should be deployed in the department and not for those duties for which the police officers themselves are not employed.

7. Fixation of the Strength of Home Guards of each Unit

(i) The Government from time to time fixes the strength of home guards. The Dy. Commandant General in consultation with the requisitioning departments and proposals sent to the Government should make the assessment as to the actual need for home guards in each unit. The needs of each department and the nature of emergency that arises

normally, the number required to maintain minimum level of service should be prepared in consultation with the concerned department and approval obtained from the Commandant General. For example, in respect of electricity, the services required to maintain the supply in times of strikes or emergencies which cause breakdown of supply, the exact number of skilled and trained persons needed for the assistance of the Technical Managers should be assessed. Similar assessment for other departments including police should be made.

(ii) The duration of emergencies, their frequency, the exact positions to be manned should be a relevant factor. The nature of natural calamities and other disasters particularly those occurring frequently like floods, cyclones and fire in a particular area should be one of the factors in determining the strength.

(iii) The entire strength of home guards is not intended to be deployed all the time. Based on the above considerations the average man-hours should be calculated and a figure arrived at.

8. Awards and Recognition

The members of the organisation are eligible for President's Home Guards and Civil Defence Medal and Home Guards and Civil Defence Medal for conspicuous acts of gallantry, outstanding devotion to duty and distinguished/meritorious service. They are also eligible for cash awards individually or collectively for conspicuously good work or for a work of outstanding nature in saving life, protection of property, assistance in maintenance of law and order, devotion to duty and for any other purpose which furthers the aims and objective of the Home Guards. The Commandant General and the Deputy Commandant General, Home Guards are authorized to grant cash rewards upto the levels authorized to them for constables in the Police. The complete citation indicating the reasons for which the award is granted shall be given in the order.

9. Civil Defence

(i) Civil defence is to be organized as integral part of the defence of the country. It is an organization intended to prepare the people and build up an organization which can take care of the civil defence before, during and after enemy attacks either by land, air or sea. Aims of the civil defence are to save life, to minimize damage to property and to maintain continuity of production. The civil defence arrangements should be confined to selected places, vital plants and installations that should be reviewed from time to time. Civil Defence is to be organized primarily on a voluntary basis and should plan out such measures as are necessary. The Civil Defence Act 1968 provides for the formation of Civil Defence Corps and for making rules and regulations. The Act provides legal status for all measures connected with civil defence. The rules and regulations framed under the Act along with the amendments should be thoroughly read and understood by the Unit Officers.

(ii) At the State level there is a Controller of Civil Defence and Deputy Controllers located at various places. The Home Guards organization is complementary to the civil defence organisation. The civil defence corp as distinct from home guards is raised at the State level. The District Magistrate in the districts are responsible for implementing civil defence programmes. The deputy controllers are provided on a full time basis for this work in the city and in the district. The organization, functioning and the schemes to be prepared and implemented the transport, equipment, training etc. are covered in detail in the compendium of instructions on civil defence published by the Government of India, Ministry of Home Affairs, by the Directorate General, Civil Defence in 1993. The instructions are communicated from time to time to all the officers.

(iii) The training programme of the police officers of all levels should include the subjects of civil defence and home guards in the induction courses. The Addl. Commandant General, Home Guards should ensure that these modules are incorporated in the course content of training in all the Training Institutions. The police officers in the field at various levels should actively associate in planning and implementation of the

civil defence measures as also in inculcating awareness about civil defence programmes in the course of their normal duties.

10. Formation of association in Home Guards Organisation

The same approach as in the Police is to be followed in respect of Home Guards as they deal with services relating to security, saving of human lives etc. and no recognition should now be given to any Home Guards association.

11. Resignation

(1) A member of Home Guards may resign his office by submitting an application in writing addressed to the Dy. Commandant General.

(2) The resignation shall not take effect unless the Commandant General or the Addl. Commandant General accepts the resignation and intimation to this effect is given to the applicant. Failure to report for duty without previous permission of the calling authority or information of his inability to attend the duty on the plea that a letter of resignation has been submitted will amount to absence from duty.

(3) The Addl. Commandant General shall forward the resignation with his remarks to the appointing authority in the case of officers.

12. Discharge

(1) A Home Guard shall be discharged on completion of the term of his service of three years in the reserve force:

Provided that the Commandant General or the Addl. Commandant General may discharge a Home Guard earlier on any one of the following grounds namely: -

- (a) physical unfitness;
- (b) attainment of age of 60 years;
- (c) for committing an act detrimental and prejudicial to good order, welfare and discipline of the Home Gaurds;
- (d) at his own request with due notice.

(2) Every Home Guard discharged under sub-rule (1) shall receive from the appointing authority a discharge certificate in the prescribed form.

13. Welfare and benevolent fund for Home Guards

(i) The State Government may institute a Home Guards Welfare & Benevolent Fund by issue of a Notification in this regard on the basis of authorized strength at rates per Home Guards for which a matching grant is given by the Central Government. Initially 100% of the grant is to be provided by the State Government and thereafter claim reimbursement of the 50% share from the Central Government. The rule of the administration of the fund shall be framed by the Commandant General with the approval of the State government on the pattern of the model rules prescribed by the Ministry of Home Affairs, Govt. of India in this regard.

(ii) The members of the organization are eligible for compensation for injuries during training/duty. Home Guard volunteers who suffer death/injury during training/duty are to be provided death/injury benefits on the same basis as applicable to the police personnel engaged in similar operations. The payment in respect of death-cum-injury benefits is to be made by the agency for which the Home Guards are working. An amount of Rs. 5000/- may be sanctioned as ex-gratia grant for funeral expenses in case of death. A group insurance scheme to cover death-cum-injury may also be implemented by the department with approval of the Government on the lines of the scheme already in existence for the police personnel. A quota has been provided for the Home Guards who have completed three years service for recruitment in the rank of Constable in the State Police.