

MADHYA PRADESH HOME GUARDS RULES, 1947

CONTENTS

Rule:

1. Short title
2. Definition
3. Organisation
4. Qualifications and recruitment of a Nagar-sainik (Home Guard)
5. Appointment and discharge of officers and men
6. Uniform
7. Training
- 8 Liability
9. Calling out for duty
10. Duties.
11. Offences against the force
- 12 Punishment of MIS Conduct
13. Appeal
14. Maintain of Service Record
- 15 Standing order for these purpose
16. Manner of exercising superintendence

FORMS

THE MADHYA PRADESH HOME GUARDS RULES, 1947¹

In the exercise of the powers conferred by Section 14 of the Central Provinces and Berar Home Guards Act, 1947 (XV of 1947), and of all other powers enabling it in this behalf the Provincial Government is pleased to make the following rules, namely

1. Short title.—The rules may be cited as **the Madhya Pradesh Home Guards Rules, 1947.**

2. Definition- In these rules

“*Act*” means the Central Provinces and Berar Home Guards Act;

“*Standing order*” means the general orders issued as such with the previous approval of the Provincial Government by the Pradhan Senani (Commandant-General) in respect of any matters which the Pradhan-senani (Commandant-General) is authorised by these rules to regulate by such orders.

3. Organisation.—(1) The nomenclature of officers and other ranks of the Nagar-sena (Home Guards) shall be as follows

(a) Officers

(i) Pradhan-senani (Commandant-General).

(ii) Senani (Commandant).

(iii) Sanchalak (Adjutant).

(iv) Gan-pati (Company Commander).

(v) Gulm-pati (Platoon Commander).

(b) Other ranks

(vi) Adhi-naik.

(vii) Naik.

(viii) Patti-naik (Section Commander).

(ix) Nagar-sainik (Home Guard).

¹ Notfn. No. 2152-2551-IV, dated 9-6-1947, published in the C.P. and Berar Gazette, Extraordinary, dated 9-6-1947.

(2) The Nagar-sena (Home Guard force) shall be divided into units and commanded as follows, namely,—

- (a) a section, consisting of a Patti-naik (Section Commander) and a dozen men in his charge;
- (b) a platoon, consisting of three sections, in charge of a Gulmpati (Platoon Commander) assisted by a Naik;
- (c) a company, consisting of three platoons, in charge of a Ganpati (Company Commander) assisted by an Adhinaik;
- (d) a battalion, consisting of four companies, in charge of a Senani (Commandant) assisted by a Sanchalak (Adjutant).

4. Qualifications and recruitment of a Nagar-sainik (Home Guard).— (1) Any person,—

- (a) who is not less than 19 and not more than 40 years of age;
- (b) whose height is not less than 5' 4" and chest measurement not less than 31" (unexpanded);
- (c) who satisfies the test of literacy laid down in standing orders;
- (d) who has not at any time been sentenced to a term of transportation or imprisonment or to whipping for an offence involving moral turpitude, unless the conviction has been quashed in appeal or revision;
- (e) who has not been dismissed for misconduct from the service of the Government or any local authority;
- (f) who is of good character;
- (g) who is not studying in any university or any educational institution recognised by the Education Department of the Central Provinces and Berar; shall be eligible for enrolment as a Nagar-sainik (Home Guard).

(2) Any person desirous of serving as Nagar-sainik (Home Guard) and eligible as provided in sub-rule (1) may apply to the Senani (Commandant) of the Nagar-sena (Home Guards) of his district Form A annexed to these rules together with two certificates of good character and a medical certificate of physical fitness.

(3) Any application not made in compliance with sub-rule (2) may be summarily rejected unless the Senani (Commandant) in his discretion recommends the condonation of any failure to fulfil any requirement of sub-rule (1).

(4) all applications not rejected under sub-rule (3) shall be placed before a committee consisting of the District Magistrate, the Senani (Commandant) and a non-official member nominated to the committee by the Provincial Government. The Senani (Commandant) shall be Secretary of the committee.

(5) The committee shall interview and select persons for service in the Nagar-sena (Home Guards) from those whose applications are placed before it and every person so selected shall be subject to all liabilities of a Nagar-sainik (Home Guard) on receipt of the certificate prescribed by Section 6 (3) of the Act.

5. Appointment and discharge of officers and men.—(1) The appointment of officers and other ranks of the Nagar-sena (Home Guards) mentioned hereunder shall be made by the authorities specified below, namely

- (a) Senani (Commandants) shall be appointed by the Provincial Government on the recommendation of the Pradhan-Senani (Commandant-General);
- (b) Sanchalaks (Adjutants) and Gan-patis (Company Commanders) shall be appointed by the Pradhan-Senani (Commandant-General) with the previous approval of the Provincial Government;
- (c) Adhi-naiks and Gulm-patis (Plattton Commanders) shall be appointed by the Pradhan-senani (Commandant General) on the recommendation of the Senani (Commandant);
- (d) Appointment to the ranks of Naik shall be by promotion from the rank of Nagar-sainiks (Home Guards) and shall be made by the Gan-pati (Company Commander) with the previous approval of the Senani (Commandant).

(2) Seniority shall be determined by rank, and as between persons of the same rank by the date of promotion or appointment to the rank.

(3) A Nagar-sainik (Home Guard) shall be discharged on completion of the period of his service in the reserve and may, at the discretion of the Senani (Commandant) in the case of other ranks, and of the Provincial Government on the recommendation of the Pradhan-Senani (Commandant-General) in the case of officers, be discharged on any of the following grounds, namely,—

- (i) physical unfitness;
- (ii) attainment of 41 years of age; or
- (iii) for special reasons, at his own request.

(4) Every person discharged from the Nagar-sena (Home Guards) shall be furnished by the competent authority with the certificate in Form B annexed to these rules.

6. Uniform.—(1) A Nagar-sainik (Home Guard) shall, while on duty wear the following uniform supplied to him :—

Khaki shirt.

Khaki shorts.

Slacks.

Hose tops.

Putties.

Forage cap (Kishti topi) or turban in case of Sikhs.

Steel helmet.

Black boots.

Stockings.

White shoes (when not on parade).

Khaki drill belt.

Buckles.

Shoulder titles and cap badge as may be approved by the Pradhan-Senani (Commandant-General).

(2) The following badges shall be worn by the officers and other rank of Nagar-sena (Home Guards) :—

(a) On shoulder

Pradhan-Senani (Commandant-General)—Two crossed swords and three stars.

Senani (Commandant)—Two crossed swords and one star.

Sanchalak (Adjutant)—Three stars.

Gan-pati (Company Commander)—Two stars.

Gulm-pati (Platoon Commander)—One star.

(b) On arms.

Adhi-naik—Two chevrons with a star.

Naik—Two chevrons without a star.

Patti-naik—One chevron.

7. Training.—(1) Every Nagar-sainik (Home Guard) other than an officer shall, after his enrolment undergo a course of training for a period of not more than two months in,—

(a) drill,

(b) arms drill,

(c) weapon training,

(d) map reading,

(e) field craft,

(f) musketry course as for officers and men of the army,

(g) legal powers of Nagar-sainiks (Home Guards), and

(h) such duties as are prescribed under Rule 10 of these rules.

(2) The syllabus of the aforesaid course of training shall be laid down by a committee consisting of the Pradhan-Senani (Commandant-General), a Deputy Inspector-General of Police and a non-official member to be nominated by the Provincial Government.

(3) Every Nagar-sainik (Home Guards) undergoing the course of training shall receive free board and lodging, and an honorarium, according to the scale to be laid down in the standing orders and shall reside and conduct himself generally in accordance with the directions prescribed in the standing orders.

(4) Every Nagar-sainik (Home Guard) placed on the reserve shall be liable every year to undergo a course of training for a period of not more than two weeks at an annual camp of exercise and shall while in camp be entitled and subject to all privileges and discipline as on a course of regular training.

8. Liability (1) Every Nagar-sainik (Home Guard) other than an officer class (i) or (ii) mentioned in sub-rule (1) of Rule 3 shall, during his period of liability to

serve as a Nagar-sainik (Home Guard) under sub-section (2) of Section 7 of the Act be on duty for four hours a week and during such duty, he shall perform such parades, receive such practical training and do such police duties as he may be duly ordered to perform, receive or do:

Provided that if the Pradhan-Senani (Commandant-General) is of the opinion that it is not necessary for any particular Nagar-Sainik (Home Guard) or a class of Nagar-Sainiks (Home Guards) to perform further parades or receive further practical training, he may, with the previous approval of the Provincial Government, exempt any such Nagar-Sainik (Home Guard) or class of Nagar-Sainiks (Home Guards) from all or any of the provisions of this sub-rule.

(2) Every Nagar-Sainik (Home Guard) shall when on duty as aforesaid observe such discipline as may be laid down by standing orders.

9. Calling out for duty.—(1) The Nagar-Sainik (Home Guards) shall be called out by the District Magistrate under Section 10 of the Act by an order in Form C appended hereto. In pursuance of Section 11 of the Act the District Magistrate may make further orders from time to time.

(2) They shall receive such honoraum for the period they are kept on duty after being called out as may be fixed by standing orders.

(3) When the Nagar-Sainiks (Home Guards) are called out for duty in any area and the District Magistrate is of opinion that they are required to as a unified force with the police, the District Magistrate shall give the command of the unified force to the District Superintendent of Police.

10. Duties.—Subject to any general or special order of the District Magistrate, the Nagar-Sainik (Home Guards) called out under sub-rule (1) of Rule 9 may be required to perform all or any of the following duties,—

- (a) the prevention of commission of offences;
- (b) the protection of life and property;
- (c) collection and communication to the superior officer of information;
- (d) the regulation of traffic;
- (e) the suppression of disorder;
- (f) to report the currency of false rumours and check it;
- (g) the control and regulation of fairs and large assemblies;

(h) to assist the regular fire-fighting services in fighting fires resulting from rioting or sabotage;

(i) to render first-aid and to help in the removal of casualties under escort to hospital;

(j) to combat subversive activities;

(k) generally to assist the police in the discharge of their lawful duties; and

(l) to perform such duties as may, in the event of a strike or general disorder, be assigned to a Nagar-Sainik (Home Guard) for the purpose of maintaining supplies and services which, in the opinion of the Provincial Government, are essential to the life of the community.

11. Offences against the force.—A Nagar-Sainik (Home Guard) undergoing a course of training or performing service as required by sub-section (2) of Section 7 of the Act or at an annual camp of exercise or when called out on duty under sub-rule (1) of Rule 9, shall if he does any of the following acts be deemed to have committed an offence against the force,—

(1) when on parade and engaged on any duty or wearing Nagar Sainik (Home Guard) uniform, he,—

(a) strikes or uses or offers violence to or uses threatening or insubordinate language to or behaves with contempt to his superior officer; or

(b) disobeys any standing order, or lawful command given by his superior officer; or

(c) neglects to obey a general order given by the Pradhan-Senani (Commandant-General) or the Senani (Commandant) of the unit of which he belongs; or

(d) is found in a state of intoxication; or

(e) being an officer of the Nagar-Sainik (Home Guards) strikes or ill-treats any person who is his subordinate in rank or position and is subject to the provisions of the Act;

(2) without sufficient cause fails to appear at the place of parade at the time fixed or to attend at any place in his capacity as a Nagar-Sainik (Home Guard) when duly required so to attend or when on parade without sufficient cause quits the ranks;

(3) without sufficient cause fails to perform any part of the training which by or under the Act he is required to perform;

(4) strikes, or uses or offers violence to any person whether subject to the Act or not in whose custody he is placed and whether such person is or is not superior officer;

(5) resists an escort whose duty it is to arrest him or detain him in custody;

(6) being under arrest or detention or otherwise in lawful custody escapes or attempts to escape;

(7) when in charge of any property belonging to the Provincial Government or to the unit, makes away with or is concerned in making away with any such property;

(8) wilfully injures or by culpable neglect loses or causes injury to any such property as is mentioned in clause (7);

(9) knowingly furnishes a false return or report of the number or state of men under his command or charge or of any money, arms, ammunition, clothing, equipment, stores, or other property in his charge;

(10) through design or culpable neglect omits to make or send any return of any matter mentioned in clause (9) which it is his duty to make or send;

(11) when it is his official duty to make a declaration respecting any matter makes a declaration which he either knows or believes to be false or does not believe to be true;

(12) knowingly makes against any person subject to the Act an accusation which he either knows or believes to be false or does not believe to be true;

(13) falsely personates any other person at any parade or on any occasion when such other person is required by or under the Act to do any act or attend at any place or abets any such act or personation.

12. Punishment of MIS Conduct - (1) Without prejudice to the institution of a criminal prosecution in any case one or more of the following punishments may be imposed on a Nagar-Sainik (Home Guard) found guilty of an offence specified in Rule 11,—

(i) reprimand;

(ii) confinement to barracks for a period not exceeding one week;

(iii) extra parade and extra fatigue;

(iv) suspension;

(v) reduction in rank;

(vi) dismissal.

(2) Any Nagar-Sainik (Home Guard), other than an officer, charged with an offence against the force shall be brought before the Gan-pati (Company Commander) of his unit who, if after making a summary enquiry, finds the accused guilty, may reprimand him or if the accused is undergoing a course of training or being on the reserve is at an annual camp of exercise may impose the punishment specified in item (ii) or (iii) in sub-rule (1).

(3) If after the summary enquiry as aforesaid the Gan-pati (Company Commander) considers that the offence requires a more severe punishment, he may suspend the accused and order that he be placed before the Senani (Commandant) with the least possible delay.

(4) The Senani (Commandant) shall then furnish the accused with a copy of the charges against him and give him an opportunity to disprove them or show cause in extenuation thereof. If the Sanani (Commandant) thereafter holds the accused guilty of an offence against the force he may impose any of the punishments specified in sub-rule (1).

(5) If the Senani (Commandant) considers that any of the aforesaid punishments is not sufficient to meet the ends of justice or the interests of discipline in any particular case, he may in addition to any such punishment recommend the prosecution of the accused under Section 13 of the Act.

(6) If an officer is alleged to be guilty of an offence against the force the Senani (Commandant) or the Pradhan-Senani (Commandant-General), as may be appropriate, shall summon the accused officer and make a summary inquiry. The enquiring officer shall furnish the accused with a copy of the charges preferred against him and shall give him an opportunity to disprove the charges or show-cause in extenuation. No punishment other than reprimand, confinement to barracks (if the accused officer is at a training camp) or suspension shall be imposed by the Senani (Commandant) or the Pradhan-Senani (Commandant-General), as the case may be. If the Senani (Commandant) or the Pradhan-Senani (Commandant-General), as the case may be, considers that the case requires more severe punishment, the papers shall be submitted to the Provincial Government with a recommendation, and the Provincial Government may after such inquiry, if any, as it considers necessary impose any punishment specified in sub-rule (1) and may order the prosecution of the accused officer.

13. Appeal - (1) A Nagar-Sainik (Home Guard) other than an officer in respect of whom an order of suspension, reduction in rank or dismissal is passed, and an officer in respect of whom an order of suspension is passed by any authority subordinate to the Provincial Government may within thirty days, appeal in the manner laid down in the standing orders to the authority immediately superior to the

authority passing the order. Any order passed by the appellate authority in such appeal shall be final and no petition by way of revision or review shall lie to any authority in respect of any such appellate order.

(2) An officer in respect of whom an order of reduction in rank or dismissal has been passed by the Provincial Government may apply in review to the Provincial Government against such order and any order passed on such application shall be final.

14. Maintain of Service Record - A record of service of officers and other ranks shall be maintained in Form B annexed to these rules.

15. Standing order for these purpose - The Pradhan-Senani (Commandant-General) may after consultation with the Inspector-General of Police and the previous approval of the Provincial Government make standing orders for carrying out the purposes of these rules generally and in particular for,—

- (a) all matters required to be laid down by standing orders under these rules;
- (b) fixing the scale of clothing and necessaries to be supplied to all ranks of the Nagar-Sena (Home Guards);
- (c) the manner of presentation of appeals and the action to be taken by the appellate authority;
- (d) the manner in which records shall be maintained and the channel through which correspondence between the Pradhan-Senani (Commandant-General) and his subordinates shall be carried on.

16. Manner of exercising superintendence.—The superintendence of the Nagar-Sena (Home Guards) throughout the Central Provinces and Berar vested in the Provincial Government under sub-section (2) of Section 4 of the Act shall be exercised by it through the Inspector-General of Police in the following manner,—

- (a) the Inspector-General of Police shall periodically inspect the Nagar-Sena (Home Guards) and submit a report of his inspection to the Provincial Government;
- (b) all standing orders shall be made by the Pradhan-Senani (Commandant-General) in consultation with the Inspector-General of Police; and
- (c) in such other manner as the Provincial Government may, by general or special order, require.

FORM A
[See Rule 4 (2)]

Home Guards Enrolment Form
[Note.—Names should be hand-printed]

| | Questions to be put before enrolment | Answers |
|-----|---|---------|
| 1. | What is your name? | |
| 2. | What is your father's name and address? | |
| 3. | Are you a British subject? | |
| 4. | What is your Village, Thana/Taluka and District? | |
| 5. | What is your Post Office? | |
| 6. | What is your Railway Station? | |
| 7. | What is your present trade, profession or occupation? | |
| 8. | . What is your religion, caste and tribe? | |
| 9. | Where are you employed? | |
| 10. | . What are your educational qualifications? | |
| 11. | What is your age? | |
| 12. | Have you ever been convicted by a criminal Court, and, if so, in what circumstances, and what was the sentence ? | |
| 13. | Do you now belong to His Majesty's Forces, the Reserve or the Indian States Forces or the Nepal State Army or the Police Force? | |
| 14. | Have you ever served in His Majesty's forces, the Reserve, the Indian Defence Force or the Indian States Forces or the Nepal Nepal State Army? If so, state in which, the period of service and the cause of discharge? | |
| 15. | Are you willing to be enrolled under the Central Provinces and Berar Home Guards Act, 1947? | |
| 16. | Are you willing to undergo training and to perform service as specified in the Act and to allow no caste usages to interfere with your duty? | |

| | | |
|---|---|--|
| Note.—Non-interference with caste usages will be observed exactly as in the case of the Regular Army. | | |
| 17. | Are you willing to serve until discharge as provided in the Act? | |
| 18. | Have you ever previously applied for enrolment under the Ad, and, if so, with what result ? | |
| 19. | Have you been dismissed from the Armed Forces or the Police? | |
| 20. | Are you willing to be vaccinated or revaccinated? | |

Signature of application.....

Signature in the presence of

Senani (Commandant)

Note.—all entries above this line to be completed on application to enroll *vide* Rule 4.

Declaration on acceptance for enrolment

I solemnly declare that the answers I have given to the questions in this form are true and that no part of them is false, and that I am willing to fulfil the engagement made.

Signature.....

Certified that the applicant understands and agrees to the conditions of enrolment.

Signature of enrolling officer

Date of enrolment

Form of Affirmation

I,..... solemnly affirm that I will be faithful and bear true allegiance to the Government of the Central Provinces and Berar and that I will as in duty bound honestly and faithfully serve in the Home Guards and go wherever I may be ordered and I will observe all lawful commands of any officer set over me even to the peril of my life?

Duty affirmed before me.

.....

Signature of Attesting Officer

Dated..... 19.....

Designation.....

Medical Certificate

| | Feet | Inches |
|----------------------|-------|--------|
| Height | | |
| Chest, normal | | |
| Chest, expanded | | |
| Identification marks | | |

I consider this man fit/unfit for service in the Home Guards.

Place

Signature of Medical Officer

Date

Designation

FORM B

[See Rule 5 (4)]

Discharge Certificate

This is to certify that No..... Rank..... Name..... was enrolled in the..... on..... 19..... and was discharged on He is discharged by order of..... in consequence of..... under Rule 5 (3) of the rules framed under the Central Provinces and Berar Home Guards Act, 1947.

Character

Periods of training attended.....

Particulars of embodied service, if any

Father's name Village

Post Office Tehsil District

Address

Verified or not

Station

Date..... 19

Pardhan-Senani (Commandant-General)

FORM C

[See Rule 9 (1)]

Whereas an emergency has arisen, I..... District Magistrate of....., in exercise of the powers vested in the me by Section 10 of the Central Provinces and Berar Home Guards Act, 1947, hereby call out the Home Guards of..... District/Tahsil/Area.

Dated

District Magistrate.....

SEAL

FORM D

[See Rule 14]

Record of Service

No..... Rank..... Name.....
Date of Birth..... Home Address.....
Date of enrolment..... Present Address.....
College..... Father's name
C/o No..... Caste.....

STATEMENT OF TRAINING

| Year | Musketry | Parades | | Camp | | Remarks |
|------|----------|------------|----------------|-------------|--------------|---------|
| | | Total held | Total attended | Duration of | Day attended | |

19.....

19.....

19.....

19.....

19.....

PROMOTION IN PRESENT OR FORMER CORPS

| | | |
|------|-------------------|----------------------------------|
| Rank | Date of Authority | Signature of Senani (Commandant) |
|------|-------------------|----------------------------------|

CLASS OF INSTRUCTION

Punishment _____ C/o No.

Date and authority of discharge C/o No.

Reasons

Date granted Discharge Certificate

Character assessed

GENERAL REMARKS

No. 1906-4257-11 -B-(ii), dated 23-6-1972. —The State Government are pleased to institute the following awards to be conferred on the cadets of the Home Guards and Civil Defence Training Centre, Khamaria in consideration of their performance during the period of their training to be designated the “Governor’s Medal” and “Chief Minister’s Medal” respectively, and to make the following rules, which shall come into effect from the date of publication in the “*Madhya Pradesh Rajpatra*.”

GOVERNOR’S MEDAL

Firstly.—The award shall be in form of a Medal and styled and designated the Governor’s Medal (hereinafter referred to as the Medal).

Secondly.—The Medal shall be circular in shape, made of nine carat gold, one and half inches in diameter, and shall have embossed on the obverse side the crest of “Madhya Pradesh Home Guards” and the words “Governor’s Medal” above and “Madhya Pradesh”, below the crest along the edge of the Medal. On the reverse, it shall have embossed the State Emblem in the Centre. On (ho run, the name of the cadet to whom the Medal has been awarded shall be inscribed.

Thirdly.—The Medal shall be awarded as and when such Training Course is held to the cadet of the Home Guards and Civil Defence Training Centre, who stands first in the Course.

Fourthly.—the name of the cadet to whom this Medal may be awarded shall be published in the “*Madhya Pradesh Rajpatra*”, and a Register of such names shall be maintained by the Commandant General, Home Guards.

Fifthly.—The Medal shall be suspended from the left chest and ribboned of an inch and three-eighth in width, shall be half Maroon and half Gold.

Sixthly.—It shall be competent for the State Government to cancel and annul the award to any person of the above decoration and thereupon his name in the Register shall be erased. Every person to whom the said decoration is awarded shall before receiving the same, enter into an agreement to return the Medal if his name is erased as aforesaid Notice of cancellation shall be published in the “*Madhya Pradesh Rajpatra*”.

CHIEF MINISTER’S MEDAL

Firstly.—The award shall be in form of a Medal and styled and designated the Chief Minister’s Medal (hereinafter referred to as the Medal).

Secondly.—The Medal shall be circular in shape, made of silver, one and half inches in diameter, and shall have embossed on the obverse the crest of “Madhya Pradesh Home Guards” and the words “Chief Minister’s Medal” above and “Madhya Pradesh”, below the crest along the edge of the Medal. On the reverse, it shall have embossed the State Emblem in the Centre. On the rim, the name of the person to whom the Medal has been awarded shall be inscribed.

Thirdly.—The Medal shall be awarded as and when Training Course is held to the a cadet of the Home Guards and Civil Defence Training Centre, who stands second in the course.

Fourthly.—The name of the cadet to whom this Medal may be awarded shall be published in the “*Madhya Pradesh Rajpatra*”, and a Register of such names shall be maintained by the Commandant-General, Home Guards.

Fifthly.—The Medal shall be suspended from the left chest and ribboned of an inch and three-eighth in width, shall be half Maroon and half Gold being separated by a vertical white line one-eighth inch width.

Sixthly.—It shall be competent for the State Government to cancel and annul the award to any person of the above decoration and thereupon his name in the Register shall be erased. Every person to whom the said decoration is awarded shall before receiving the same, enter in an agreement to return the Medal if his name is erased as aforesaid. Notice of cancellation shall be published in the “*Madhya Pradesh Rajpatra*”.