



# The Mizoram Gazette

EXTRA ORDINARY

*Published by Authority*

RNI No. 27009/1973      Postal Regn No. NE-313 (MZ) 2006-2008      Rs. 2/- per issue

VOL - XXXIX Aizawl, Monday, 17.5.2010, Vaisakha 27, S.E 1932, Issue No. 158

## NOTIFICATION

**No.A.12018/1/03-HM (HG), the 12<sup>th</sup> May, 2010.** In exercise of the powers conferred by the proviso under section 13 of the Home Guard Act 1985, and to give effect to the various provision of the said Act, the Governor of Mizoram is pleased to make the following rules, namely :-

### **PART - 1**

#### **1. SHORT TITLE, EXTENT AND COMMENCEMENT :-**

- 1) These Rules may be called the Mizoram Home Guard Rules, 2010
- 2) It extends to the whole of the state of Mizoram
- 3) It shall come into force from the date of its publication in the Mizoram Official Gazette.

#### **2. DEFINITIONS :-**

In these Rules, unless the context otherwise requires;

- a) "Act" means the Home Guards Act 1985 enacted by the Government of Mizoram;
- b) "Commandant General" means the Commandant General of the Mizoram Home Guards appointed under sub-section (3) of Section (3) of this Act;
- c) "Commandant CTI" means the Commandant, Central Training Institute of the Mizoram Home Guards;
- d) "Commandant" means the District Commandant of the Mizoram Home Guards appointed under Sub Section 2 of Section 3 of this Act,
- e) "Compendium" means the Home Guards Compendium of Instructions issued by the Ministry of Home Affairs, Government of India.
- f) "Government" means the Government of Mizoram;
- g) "Home Commissioner" means a person appointed as Home Commissioner or Home Secretary by the Government of Mizoram;

- h) "Home Guard" means the Home Guards constitute under sub-section 1 of Section 3 of this Act, Home Guard Act 1985;
- i) "Home Guard Volunteer" means a person appointed as such under Sub-Sec 1 of Section 4 of this Act.

## PART - II

### 3. Engagement of Home Guard Volunteers :-

- A. Subject to the approval of the Commandant General, the Commandant CTI and District Commandant may appoint persons who are fit and willing to serve as Home Guards Volunteers.
- B. No person shall be engaged as a Home Guard Volunteers unless he or she-
  - (i) is an indian citizen;
  - (ii) has attained the age of 18 years but not more than 50 years;
  - (iii) has passed Class VIII Exmination;
  - (iv) has a minimum height of 168 centimetres and a chest measurement of 84 centimetres at normal and 89 centimetres when expanded. However, for candidates belonging to the Scheduled Castes/ the Scheduled Tribes whose average height is distinctively lower, the minimum height shall be 163 centimetres with a minimum chest measurement of 79 centimetres at normal and 84 centimetres when expanded. In respect of female candidates, the minimum height shall be 157 centimetres with minimum weight of 45 kgs;
  - (v) has been medically examined in accordance with the directions of the Commandant General and shall be of sound health, physically and mentally;

Provided that, the above conditions mentioned in clause (ii), (iii) and (iv) may be amended by the Government from time to time.

### 4. Application for Enrolment :-

A person desiring to be enrolled as a Home Guard Volunteer shall make an application in form 'A'

### 5. Pledge :-

Every person before his or her enrolment as a Home Guard Volunteer shall sign a pledge in form 'B' before the Commandant General or an Officer authorized by the Commandant General for this purpose.

### 6. Certificate :-

Every person appointed as a Home Guard Volunteer shall receive a certificate of appointment in form 'C'

### 7. Term of office :-

The term of service of a Home Guards Volunteer shall ordinarily be three years which may be extended by the Commandant General unless the member attains the maximum age limit for service specified under this rule.

**8. Age limit for a member of the Home Guards :-**

The age group for initial recruitment to the Home Guards, should be 18-50 years, and will serve till he/she attains the age of 60 years provided that the Commandant General may have the power to relax the maximum age limit in exceptional cases.

**9. Conditions of discharge :-**

- (i) Commandant CTI or the District Commandant may discharge a Home Guard Volunteer at any time subject to the approval of the Commandant General before the expiry of the term of service. However, no Home Guard Volunteer shall be discharged under Section 5 and Section 11 (1) and (2) of the Act unless the Commandant General is satisfied that such Volunteer has committed an act detrimental to the good order, welfare or discipline of the Home Guards Organization. Further, such discharge order is to be issued only after due inquiry is conducted and reasonable opportunity is given to the delinquent Volunteer and a copy of such order is to be furnished to the Volunteer whose service has been terminated.
- (ii) No appeal for re-enrolment in the department shall be considered unless it is preferred within 6 (six) months from the date of dismissed/discharge.

**10. Resignation :-**

A Home Guard Volunteer may resign by submitting a written application addressed to the Commandant General or the Commandant CTI, who will forward such resignation to the Commandant General for acceptance.

Provided that such resignation shall not take effect unless the Commandant General, whose decision is final, accepts the same after being satisfied that there are good and sufficient reasons for the same.

**11. Powers of the Commandant General :-**

- (i) The Commandant General shall exercise general supervision and control over the working of the Home Guards. He shall be directly responsible to the Home Commissioner for the efficient working, discipline, administration and training of the Home Guards organization.
- (ii) Subject to the supervision and control of the Commandant General, the Commandant CTI and the Commandant shall exercise supervision and control over the working of the Home Guards under their Command.

**12. Discipline :-**

- (i) A Home Guard Volunteer shall obey every order of his superior officer.
- (ii) For the purpose of administration and discipline, the Home Guard Volunteers shall be under the control of their immediate supervising officers;

Provided that, if a contingent of Home Guards is acting in conjunction with the ordinary Police force in the maintenance of Law and Order, the senior officer of such contingent present shall be under the immediate control and subject to the discretions of the senior officer of such Police force present not below the rank of an Inspector as empowered under section 9 of the Act.

**13. Uniform, accoutrements, etc.:-**

A Home Guard Volunteer shall, while on duty wear the uniform supplied to him or her which is approved by the Government, Unless specified by the Government, the uniform of Home Guard Volunteers shall be in conformity with the specifications provided by the Compendium. A Home Guard Volunteer may also carry Arms and Ammunition or any other weapon sanctioned and authorized by the Government.

**14. Training :-**

The Home Guard Volunteers shall undergo a Basic Course of training of six months at the Central Training Institute and will also attend Advanced and Refresher Course and Pre-Promotion course as may be determined by the Commandant General.

**15. Functions and duties :-**

The function and duties of Home Guard Volunteers shall ordinarily consist of:

- (i) Guarding of Government building and vital installation.
- (ii) Assisting the civil Police Force in enforcing the maintenance of law and order when they are requisitioned for the purpose.
- (iii) Home Guards Volunteers shall be liable to serve in any part of Mizoram or India during a period of three years.
- (iv) Performing such other duties as may be assigned from time to time by the Commandant General.

**A. Home Guard Volunteers' Welfare :-****(A) Leave :-**

A Home Guard Volunteer shall be entitled to avail with wages as shown below :-

- (i) Out Pass for a maximum of 8 days during a calendar year.
- (ii) Paternity Leave for a maximum period of 15 days and Maternity Leave for a maximum period of 45 days with less than two surviving children.
- (iii) Leave on Medical Ground for not more than 30 days in a year.

**(B) Incentive to Home Guard Volunteers for employment in Government services :-**

The Department of Personnel and Administrative Reform had issued detailed instructions to Central Ministries and Departments on the question of giving preference to Home Guard and Civil Defense Volunteers having three years service and requisite training in those posts in Group 'C' and 'D' where such experience would be an added advantage for efficient performance of duties, vide letter No.14034/5/82-Estt dated 5.11.1983. The above circular was forwarded to state governments under Ministry of Home Affairs' letter No.VI-31011/1/81-DGCD (HG) dated 17.1.84 and 29.9.93 with the request that State Government may also consider issuing similar instructions in the matter and that copies of the instructions issued may be forwarded to the Home Ministry. In light of the above, employment of Home Guard Volunteers in various uniformed cadres is as given below -

- |       |                        |   |     |
|-------|------------------------|---|-----|
| (i)   | Police                 | - | 10% |
| (ii)  | Excise and Narcotics   | - | 5%  |
| (iii) | Environment and Forest | - | 5%  |
| (iv)  | Prisons                | - | 5%  |

**C. Compensation:-**

If a Home Guard Volunteer lost his life or suffers injury to his person or damage to his property from insurgents or anti-social elements while under training or on the discharge of official duty he or she shall be paid Ex-gratia grant of Rs. 1,00,000.00 (One lakh).

**D. Ex-gratia grant for Funeral Expenses :-**

Home Guard Volunteers who died while on duty shall be entitled to receive ex-gratia grant of Rs. 5,000/- for funeral expenses.

**E. Rewards :-**

Rewards are given for outstanding acts of good work and not for the execution of one's duty. Rewards may be monetary, a commendation or appreciation. Rewards, being recognition for good work done, acts as incentive and encouragement for further good work. Grant of any cash reward is subject to the condition that funds are available in the budget.

- (i) Power of granting rewards :- The Commandant CTI and Commandant shall be competent to grant a reward of upto Rs. 500, Deputy Commandant General upto Rs. 1,000 and Commandant General upto Rs. 2,000.

**F. Orderly room :-**

The Orderly Room gives an opportunity to individual Home Guard Volunteers to represent their grievances to the Commandant CTI or the District Commandant, whichever applicable. They are expected to take immediate remedial measures in so far as it lies within their competence. All Home Guard Volunteers should feel free to express their grievances to the concerned officer following the procedure prescribed or accepted.

**G. Medical facilities :-**

Free medical care is provided to all Home Guard Volunteers at the Central Training Institute. In Addition, the Medical Officer of the Mizoram Home Guards is also to provide free medical consultation at Mizoram Home Guards Headquarters for the Volunteers and their family members at least once in a month.

**H. Recreational facilities :-**

To relieve the stress and strain and boredom of Home Guard Volunteer duties, amenities like television and indoor game facilities must be provided at the various deployments including all company and platoon headquarters.

**I. Home Guard Volunteer Welfare Fund :-**

Welfare Fund for the Home Guard Volunteers should be raised by contribution by all employees of the Mizoram Home Guards including the Volunteers themselves. The amount to be contributed by each individual will be as fixed by the Commandant General from time to time and which will be acceptable by all.

**J. Sports:-**

Organization of sports shall be deemed an important part of welfare measure for the Home Guard Volunteers. It is essential for building up team spirit and team work. Whenever possible, participation in sports activities at the various disciplines should be encouraged.

Vanhlela Pachuau,  
Secretary to the Government of Mizoram,  
Department of Personnel & Administration Reforms.

**FORM 'A'**  
**(See Rule 4)**

To,

The Commandant CTI or the District Commandant,  
Mizoram Home Guards, Aizawl.

I am desirous and keen to be enrolled as Home Guard Volunteer in the Mizoram Home Guards. My particulars are as under-

1. Name in full (in block letter) : \_\_\_\_\_
2. Father's Name (in block letter) : \_\_\_\_\_
3. Next of kin (Rokhawmtu) : \_\_\_\_\_
4. Date of birth : \_\_\_\_\_
5. Age at the time of application : \_\_\_\_\_
6. Present Address : \_\_\_\_\_
7. Permanent Address : \_\_\_\_\_
8. Post Office/Police Station : \_\_\_\_\_
9. Educational Qualification : \_\_\_\_\_
10. Any other qualification  
(Sport/Ex-Service/Police  
& others) : \_\_\_\_\_
11. Identification Mark : \_\_\_\_\_
12. Height : \_\_\_\_\_
13. Chest : \_\_\_\_\_

Signature of Applicant

**FORM 'B'**  
(See Rule 5)

**PLEDGE**

I, \_\_\_\_\_ son of/ daughter of \_\_\_\_\_ resident of \_\_\_\_\_  
do hereby solemnly declared and affirm that, I will truly serve as a Home Guard Volunteer without favour or affection, malice or ill-will, declared communal or political bias, for a period of three years from the date of appointment including the period spent or training any time or any place in India during a period of three years.

Place : \_\_\_\_\_

Signature

Date : \_\_\_\_\_

**FORM 'C'**  
(See Rule 6)

**CERTIFICATE OF APPOINTMENT**

Shri/Smt \_\_\_\_\_ son of/daughter of \_\_\_\_\_ and resident of \_\_\_\_\_  
has been appointed as a Home Guard Volunteer under section 4 (3) of the Home Guards Act 1985. When lawfully on duty, he/she shall have the same powers, privileges and protection as an officer of police appointed under any enactment for the time being in force.

Place : \_\_\_\_\_

Date of appointment \_\_\_\_\_

Date : \_\_\_\_\_

Signature and Seal of the prescribed authority