

THE EAST PUNJAB VOLUNTEERS CORPS ACT, 1947

(Received the assent of His Excellency the Governor, East Punjab on the 4th December, 1947 and was first published in the East Punjab Gazette, Extra-ordinary of 8th December, 1947, as amended vide Punjab Act No.42 of 1960.)

EAST PUNJAB ACT NO. VIII OF 1947

An act to provide for the constitution of volunteers Corps.

It is hereby enacted as follows:-

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| 1. i) This Act may be called the (Punjab Home Guards) Act 1947.
ii) It extends to the whole of the state of Punjab.
iii) It shall come into force at once. | Short title extent and commencement |
| 2. The State Government may for any area constitute a body to be called the Punjab (Home Guards) the members of which shall discharge such functions relating to the protection of persons, the security of property or the public safety as may be assigned to them in accordance with the provision of this act the rules made thereunder. | Constitution of Punjab Home Guards |
| 3. The State Government may appoint as member of the Punjab (Home Guards) so many persons who are fit & willing to serve as such, as the state Govt. may see fit to appoint and appoint any such member to any office of command in the Punjab (Home Guards). | Appointment of members. |
| 4. The State Government in any area may at any time call out a member of the Punjab (Home Guards) for training or to discharge any of the function assigned to the Punjab (Home Guards) in accordance with the provisions of this Act and the rules made. | Calling out of members thereunder |
| 5. i) A member of the Punjab (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.
ii) No prosecution shall be instituted against a member of the Punjab (Home Guards) in respect of any thing done or purporting to be done by him in the discharge of his functions as such members except with the previous sanction of the State Government. | Control directly by officers of Police force rules |
| 6. The members of Punjab (Home Guards) when called out under section 4 directly 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 made under Section 8. | |

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| <p>7. 1. If any member of a Punjab (Home Guards) on 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 Punjab (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 simple imprisonment for a term which may extend to three months or with fine which may extent to one hundred rupees or with both.</p> <p>2. An offence under this Act shall be cognizable.</p> | <p>Penalty</p> |
| <p>8. The State Government may by notification and subject to any conditions which may be specified delegate its function under section 2, 3 or 4 to any person or body of persons.</p> | <p>Delegation of powers</p> |
| <p>9. The State Government may make rules consistent with this act.</p> <p>a) Providing for the exercise of control by officers of the Police force over members of the Punjab (Home Guards), when acting directly in aid of the Police force.</p> <p>b) Regulating the organization, appointment, conditions of service, duties, discipline, arms, accoutrement and clothing of members of Punjab (Home Guards*) and the manner in which they may be called out for service;</p> <p>c) Conferring of member of Punjab (Home Guards*) according to their office any power, other than magisterial or judicial power exercisable by any person under any law for the time being in force; and</p> <p>d) Generally for giving effect to the provision of this Act.</p> | <p>Rules</p> |
| <p>10. The East Punjab (Home Guards*) Ordinance 1947, is hereby repealed.</p> | <p>Repeal of Ordinance No.10 of 1947</p> |

* Substituted for volunteer corps vide Punjab Act No. 42 of 1960.
