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No.VI-15013/29/77-DGCD(HG)  
Government of India/Bharat Sarkar  
Ministry of Home Affairs/Grih Mantralaya

To

The Chief Secretaries of all State Government  
and Union Territories.

New Delhi-110001, dated the 26<sup>th</sup> April, 1980

Subject:-Formation of Association in Home Guards  
Organisations.

Sir,

I am directed to say that various States from time to time have sought the advice of the Central Government in regard to formation of Home Guards Associations. The factual position is that Home Guards are raised under the Home Guards Act of the respective States. Consequently, this issue has to be viewed in the light of the said enactment. The Police Force (Restriction of Rights) Act 1966 is not applicable to Home Guard

2. While taking a decision on this subject the State Governments are requested to bear in mind that 'Home Guards is a voluntary force consisting of people who give of their spare time for the betterment of the community'. Their role includes functioning as auxiliary to the Police besides helping the community in any kind of emergency. As Home Guards personnel are not Government servants, any association of Home Guards would necessarily have a different character from service association of Government servants. It is for the Government to decide whether a particular association of Home Guards should be recognised or not under the existing legal provisions available. However, the State Governments in regard to formation of Home Guards association, will of necessity be guided by the constitutional rights of the citizens and the provision as incorporated in the Home Guards Act. While no hard and fast rules can be laid down on the subject, the main consideration should be that while providing requisite scope for the democratic aspirations of the people, nothing should be done, which will vitiate the voluntary character of the organisation or adversely affect the roles assigned to Home Guards.

Yours faithfully,

( P.S.Mehta )

Deputy Secretary to the Govt. of India

No.VI-15013/29/77-DGCD (HG), New Delhi-110001, dt. 26<sup>th</sup> April, 1980.

Copy forwarded to Commandant General Home Guards of  
all States/ U.Ts.

( P.S.Mehta )

Deputy Secretary to the Govt. of India.

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