

**KARNATAKA ACT NO. 19 OF 2003  
THE KARNATAKA HOME GUARDS  
(AMENDMENT) ACT, 2003**

**Arrangement of Sections**

**Sections:**

1. Short title and commencement
2. Amendment of section 3
3. Amendment of section 8
4. Amendment of section 12

**STATEMENT OF OBJECTS AND REASONS**

It is considered necessary to amend the Karnataka Home Guards Act, 1962 (Karnataka Act 35 of 1962) to provide for,-

- (i) the procedure for selection and appointment of Commandants of Home Guards;
- (ii) qualification, conditions of service and the term of office of the Commandant of Home Guards.

Consequential amendments are also proposed.

Hence the Bill.

[LA Bill No.1 of 2003]

[Entry 1 and 2 of List two of the Seventh Schedule to the Constitution of India]

**KARNATAKA ACT NO. 19 OF 2003**

*(First published in the Karnataka Gazette Extra-ordinary on the twenty second day of April, 2003)*

**THE KARNATAKA HOME GUARDS  
(AMENDMENT) ACT, 2003**

*(Received the assent of the Governor on the ninth day of April 2003)*

An Act further to amend the Karnataka Home Guards Act, 1962.

Whereas it is expedient further to amend the Karnataka Home Guards Act, 1962 (Karnataka Act 35 of 1962) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the fifty third year of the Republic of India, as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Karnataka Home Guards (Amendment) Act, 2003.

(2) It shall come into force at once.

**2. Amendment of section 3.-** In section 3 of the Karnataka Home Guards Act, 1962 (Karnataka Act 35 of 1962) (hereinafter referred to as the principal Act),-

(i) in sub-section (2), for the words "The State Government may" the words, figure, letter and brackets "The State Government may from the list of eligible persons sent by the Committee under sub-section (2B)" shall be substituted;

(ii) after sub-section (2), the following sub-sections shall be inserted, namely:-

"(2A) There shall be a Committee consisting of the following members for selecting persons possessing prescribed qualification to be appointed as Commandants under sub-section (2), namely:-

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(Published in the Karnataka Gazette Part IV-A Extra Ordinary No. 421 dated 22-4-2003 in Notification No. Éâ³ÄâΧμÖÉ 44 μÖÉâ}â 2001)

- (a) The Secretary to Government, Home and Transport Department.
- (b) The Commandant General, Home Guards and Civil Defence.
- (c) The Deputy Commandant General, Home Guards and Civil Defence.

(2B) The Committee referred to in sub-section (2A) shall after following such procedure as may be prescribed prepare a list of eligible persons to be appointed as commandants under sub-section (2) and send the list of such eligible persons to the State Government.

(2C) Subject to the pleasure of the State Government, term of office of the Commandants shall ordinarily be for a period of five years and it may be extended for a further period of five years.

(2D) The terms and conditions of appointment of the Commandants shall be such as may be prescribed."

**3. Amendment of section 8.-** In section 8 of the principal Act, in sub-section (2), for the words and figures "the Code of Criminal Procedure, 1898" the words and figures "the Code of Criminal Procedure, 1973" shall be substituted.

**4. Amendment of section 12.-** In section 12 of the principal Act, in sub-section (2), after clause (a), the following clause shall be inserted, namely:-

"(aa) the qualification and procedure for selection of Commandants under sub-section (2B) of section 3 and the terms and conditions of their appointment."

By Order and in the name of the  
Governor of Karnataka,

**M.R.HEGDE**  
Secretary to Government,  
Department of Parliamentary Affairs  
and Legislation.