

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3175

ANSWERED ON:16.03.2010

NORMS FOR ISSUANCE OF ARMS LICENSE

Naik Dr. Sanjeev Ganesh; Ramasubbu Shri S.; Singh Shri Rajiv Ranjan (Lalan); Sule Supriya

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the details of norms for issuance of Arms Licenses for prohibited bore weapons and non-prohibited bore weapons separately;
- (b) whether there are reports of misuse of licensed fire arms by their holders;
- (c) if so, the details of cases reported during each of the last three years and the current year, State-wise;
- (d) whether in view of misuse of licensed fire arms, there is any proposal to amend the Arms Act;
- (e) if so, the details thereof; and
- (f) the steps taken by the Government to punish the said offenders?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a): Norms applicable for issuance of arms licences for Prohibited Bore (PB) weapons and Non-Prohibited Bore (NPB) weapons are as under:-

Prohibited Bore (PB) Weapons:

i) Licences for Prohibited Bore weapons are issued at Central level by Ministry of Home Affairs.

ii) An application on prescribed form 'A' with application fee needs to be forwarded to Ministry of Home Affairs through District Magistrate and the State Government concerned.

iii) Grant of Prohibited Bore licences is considered in the case of those applicants who may be suffering from grave and imminent threat to their lives.

iv) Applications for grant of Prohibited Bore licences are considered in consultation with the security agency concerned for their comments with regard to the threat perception angle and capability of handling the weapon by the applicant.

II) Non-Prohibited Bore (NPB) Weapons:

i) Licensing for Non-Prohibited Bore weapons are issued by the licensing Authority concerned viz. the District Magistrate/State Government concerned.

ii) An application on prescribed form 'A' with application fee is required to be made to the DM concerned.

iii) On receipt of the application, the licensing authority shall call for the report of the officer in-charge of the nearest police station and the police report is required to be sent within the prescribed time.

iv) The licensing authority after such inquiry, if any, as it may consider necessary, and after considering the police report shall, subject to the other provisions of the Arms Act, by order in writing either grant the licence or refuse to grant the same.

v) It is also provided in the Arms Act, 1959 that where the officer in charge of the nearest police station does not send his report on the application within the prescribed time, the licensing authority may, if it deems fit, make such order, after the expiry of the prescribed time, without further waiting for that report (proviso below Section 13 (2A) of the Arms Act, 1959).

(b&c) The data for misuse of licensed fire arms by their holders is not maintained at the Central level.

(d) & (e) With a view to curb proliferation and misuse of weapons by the licensees, the Government has decided to review the various provisions of the Arms Act, 1959 and Arms Rules, 1962.

(f) Section 25 of the Arms Act, 1959 stipulates the offences and the penalties therefor. The offenders are punishable under the

provisions of Section 25 of the Arms Act, 1959.