

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

STARRED QUESTION NO:298
ANSWERED ON:30.11.2010
VALIDITY OF ARMS LICENCES
Argal Shri Ashok

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has issued any guidelines regarding extension of the validity of arms licences in the country;
- (b) if so, the details thereof;
- (c) whether the Government has set-up any appellate authority/mechanism for the applicants, whose applications have been rejected by the State Governments; and
- (d) if so, the details thereof, State-wise including the National Capital Territory of Delhi?

Answer

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

(a) to (d): A Statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 298 FOR 30.11.2010.

(a): Yes, Madam. Guidelines have been issued on 06/04/2010 for (1) extension of validity of arms licences viz renewal and (2) extension of area validity of arms licences.

(b): (1) For extension of validity of arms licences viz. renewal after expiration of the period mentioned in the licence, the State Governments have been advised on 06/04/2010 that re-verification of antecedents may be done by the District Magistrate (DM) through police authorities

(i) in cases where DM/Licensing Authority have any doubt,

(ii) in other cases, after six years i.e. every alternate cycle, when the licence comes up for renewal, and

(iii) in all those cases where the licence has been issued by another licensing authority. In the last mentioned case, verification of the issue of licence from the issuing authority may also be stipulated along with police verification, before allowing renewal.

(2) For extension of area validity of arms licence in respect of non-prohibited weapons, the State Governments have been advised to allow area validity up to a maximum of three adjoining States and also to consider All India Validity requests at state level for

(i) sitting Union Ministers/MPs,

(ii) Personnel of Military, Para-Military,

(iii) officers of All-India Services and

(iv) officers with liability to serve anywhere in India, and

(v) Sports persons. All India Validity may be allowed for three years, after which it shall be reconsidered by the State Governments based on need and the area validity can be either reduced or allowed to continue for another three years. Request from above categories of applicants may be approved at the level of Secretary (Home) of the State concerned. In the cases of applicants not covered by the above categories, the State Government shall seek prior concurrence of MHA with full justification in deserving cases. All India Validity may be allowed for three years in such cases and shall be re-considered after three years by the State Government with prior concurrence of MHA. Extension in area validity of Prohibited Bore Weapons is considered by Ministry of Home Affairs on merits.

(c) & (d): Section 18 of the Arms Act, 1959 contain provision for an appeal by a person aggrieved by an order of the licensing authority refusing to grant a licence or varying the conditions of a licence etc. Rule 5,6, 55 and 56 of the Arms Rules, 1962 stipulate the Appellate Authorities to whom an appeal shall lie in appropriate cases and the procedure for considering such appeals.