

নং ৩০৮/০৭

Registered No. 768/97

অসম



ৰাজপত্ৰ

সংসদীয় অঙ্গণ

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

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No. 322 Dispur, Wednesday, 19th November, 2008, 28th Kartika 1930 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

POLITICAL (A) DEPARTMENT

NOTIFICATION

The 22nd October, 2008.

No. P.L.A.240/2006/P1-I/34 :- In exercise of the powers conferred by sub-section (1) of section 25 of the Private Security Agencies (Regulation) Act, 2005 (Act No. 29 of 2005), the Governor of Assam is hereby pleased to make the following rules, namely :-

1. Short title and Commencement.-

(1) These rules may be called the Assam Private Security Agencies Rules, 2008.

(2) They shall come into force on the date of their publication in the Official Gazette.

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2. Definitions: - In these rules, unless the context otherwise requires-

- (a) "Act" means the private security agencies (regulation)Act, 2005,;
- (b) "Agency" means the private security agency,;
- (c) "Controlling Authority" means the Controlling authority so declared under the act ;
- (d) "Form" means, a Form appended to the rules;
- (e) "License" means a license granted under the Act
- (f) Words and expression not defined in this rules but defined in the act, shall have the same meaning respectively assigned to them in the Act.

3. Verifications of the antecedents' of the applications

- (1) Every applicant while making an application to be Controlling Authority for the issue of a fresh license or renewal shall enclose the Form I for verification of his antecedents. If the applicant is a company, a firm or an association or an association of persons, the application shall be accompanied by Form I for every proprietor or majority shareholder, partner or director of the company, as if they were also the applicant.
- (2) On receipt of such application the controlling authority shall make such enquires, as it considers necessary to verify the contents of the application and the particulars of the applicant.
- (3) The Controlling Authority shall obtain a no objection certificate from the District Superintendent of Police of the concerned District where the Agency intends to commence its activities. For this purpose it will send to him a copy of the application for license and its attachments for verification and report.
- (4) The District Superintendent of Police in addition to the causing of verification of antecedents of every individual in whose name the antecedent form is filled up, shall also furnish the following information:-
 - (i) Whether the applicant or the company earlier operated any Private Security Agency, either individually or in partnership of others and if so, the details thereof;
 - (ii) Whether the applicant possesses any special qualification or skill, which may facilitate his operations of Private Security Agency

4. Verification of character and antecedents of the private security, guard and supervisor:-

(1) Before any person is employed or engaged as a security guard or supervisor, the Agency shall satisfy itself about the character and antecedents of the person. Verification of Character certificate from the Police authorities is mandatory with regard to the person (s) to be served to the employer.

(2) The person desirous of getting employed or engaged as security guard or supervisor shall submit Form II to the Agency. If the person has stayed in more than one District during the last five years, the number of forms will be as many as Districts.

(3) The Agency shall cause an inquiry into the correctness of the particulars filled in either by itself or by sending form to the respective District Superintendent of police.

(4) The Police will establish identity of the Individual and verify the character and antecedents of the person by making a visit to the locality where the person claims to have resided or residing and ascertain his identity and reputation from the respectable residents of the locality. They will also consult the police station records of the concerned police station and other records at the District Police Headquarters before preparing the character and antecedents verification report. This report will contain the comments of the police on every of the person in character and antecedent Form and also a general report his activities including means of livelihood in the period of verification. The police will specifically state if there is a criminal case registered against the person at any point of time, or if he has ever been convicted of criminal offence punishable with imprisonment.

(5) The police will specifically comment if the engaging or employing the person under verification by the Private Security Agency will pose a threat to National Security.

(6) The police authorities shall ensure that character and antecedent verification report is issued within ninety days of the receipt of the character and antecedent Form.

(7) The report of the police regarding character and antecedents of a person will be graded as confidential. It will be addressed in named over to a designated officer of the Agency requesting for character and antecedents.

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(8) Character and antecedents' verification report once issued will remain Valid for three years.

(9) On the basis of police verification and on the basis of their own verification, the Agency shall issue in Form III a character certificate and this certificate will be taken back by such Agency if the person ceases to be the employee of that Agency.

(10) Reference of two prominent persons of the locality where the candidate is generally residing for at least one year should be furnished by the candidate.

5. Security Training:-

(1) Controlling Authority shall frame the detailed training syllabus required for training the security guard. This training shall be for a minimum period of hundred hours of classroom instruction and sixty hours of field training, spread over at least twenty working days. The ex-servicemen and former police personnel shall however be required to attend a condensed course only, of minimum forty hours of classroom instructions and sixteen hours of field training spread over at least seven working days.

(2) The training will include the following subjects, namely:-

(a) Conduct in public and correct wearing of uniform;

(b) physical fitness training

(c) physical security, security of the assets, security of the building or apartment, personnel security, household security;

(d) fire fighting

(e) crowd control

(f) examining identification papers including identity cards, passports and smart cards.

(g) He should be able to speak Hindi and/or local language and understand English alphabets and possess general alertness like location of police station, hospital, fire service station, Doctors, handling of telephones etc.

(h) Identification of improvised explosive devices

(i) First Aid

(j) Crisis response and disasters management

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- (k) Defensive driving (compulsory for the driver of Armed vehicle and optional for others)
 - (l) Handling and operation of non-prohibited weapons and firearms (optional);
 - (m) Rudimentary knowledge of Indian Penal Code, right to private defense procedure for lodging first information report in the police station Arms Act (only operating sections), Explosives Act (operative sections.)
 - (n) Badges of rank in police and military forces;
 - (o) Identification of different types of arms in use in public and police.
 - (p) Use of Security equipments and devices (for example security alarms and screening equipments;
 - (q) Leadership and management (supervisors only);
 - (r) Every Security Guard should have a photo Identity Card which should be prominently displayed on his dress during the course of training period; and
 - (s) Any absence /absconding of Security Guard from training for more than 15 days should be reported at the nearest police station.
- (3) The security guard will have to successfully undergo the training prescribed by the competent authority, On completion of the training each successful trainee will be awarded a certificate in Form IV by the training institute or organization.
- (4) The Controlling Authority or person authorized by him inspect the functioning of training facility from time to time either by itself or through its own officers. Normally such inspection will be conducted at least two times every year.
- (5) All the Agencies shall submit a list of successful trainees to the Controlling Authority in the manner prescribed by it.

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6. Standard of physical fitness for security guards:-

(1) A person shall be eligible for being engaged or employed as security guard if he fulfill the standards of physical fitness as specified below :-

(i) The security guard selected should' be physically fit and his height should be proportionate.

(ii) Eye sight:: far sight vision 6/6, near vision 0.670.6 with or without correction, free from color blindness should be able to identify and distinguish color display in security equipments and read and understand display in English alphabets and Arabic numerals.

(iii) He should be free from any disability.

(iv) Hearing : free from defect; should be able to hear and respond to the spoken voice arid the alarms generated by Security equipments.

(v) The candidate should have dexterity and strength to perform searches, handle objects and use force for restraining the individuals in case of need.

(2) A candidate should be free from evidence of any contagious or se: He should not be suffering from any disease which is likely to be by service of is likely to render him unfit for service or endanger the health of the public.

(3) Agency shall ensure that every security guard working for it undergoes a medical examination after every twelve months from his last such examination so as to ensure his continued maintenance of physical standard as proscribed for the entry level.

7. Provision for Supervisors:-

(1) There shall be one supervisor to supervise the work of not more than fifteen private security guards.

(2) In case the private security guards arc on security duty in different premises and it is not practical to supervise their work by one supervisor, the Agency shall depute more number of supervisors so that at least for every six private security guards there is one supervisor available for assistance, advice and supervision.

8. Manner of making application for grant of license.-

(1) Every application by an Agency for the grant of a license under sub-section (1) of section 7 of the Act, shall be made to the Controlling Authority in the format prescribed in Form V.

(2) Every application referred to in sub-rule(l) shall be accompanied by a demand draft or banker's cheque showing the payment of fees as prescribed under the sub-section (3) of section 7 of the Act, payable to the Controlling Authority of the State concerned where the application is being made.

(3) Every application referred to in sub-rule (l) shall be either delivered to the Controlling Authority or sent to him by registered post.

(4) On receipt of the application referred to in sub-rule (1) the Controlling Authority shall after noting thereon the date or receipt by him of the application, grant a acknowledgement to the applicant.

9. Grant of license:-

(1) The Controlling Authority, after receiving an application under sub- (l) of rule 8 shall grant a license to the private security agency in Form VI after dieting as the formalities and satisfying itself about the suitability of the applicant and also the need for granting the license for the area of operation applied for

(2) The Controlling Authority either by itself or through its officers may verify the training and skills imparted to the private security guards and supervisors of any private security agency.

(3) The Controlling Authority may review the continuation or otherwise of such security agencies which may not have adhered to the conditions of ensuring the required training.

10. Conditions for grant licensee:-

(1) The licensee shall successfully undergo a training relating to the private security service as prescribed by the Controlling Authority within the time frame fixed by it.

(2) The licensee shall intimate the name, parentage, date of birth, permanent address, address for correspondence and the principle profession of each person forming the Agency within fifteen days of receipt of the license to the Controlling Authority.

(3) The licenses shall inform the Controlling Authority change in the address of persons forming the Agency, change of within seven days of such change.

(4) The licenses shall immediately intimate to the Controlling Authority about any criminal charge framed against the persons forming the Agency or against the private security guard or supervisor engaged or employed by Agency, in the course of their performance of duties as private security agency. A copy of such communication shall also be sent to the officer in charge of the police station where the person charged against resides.

(5) Every licensee shall abide by the requirements of physical standards for the private security guards and their training as prescribed in these rules as the condition, on which the license is granted,

(6) Save as provided in these rules, the fees paid for the grant of license shall be non-refundable.

(11) Renewal of license:-

(1) Every Agency shall apply to the Controlling Authority for renewal of the licensee.

(2) The fees chargeable for the renewal of the license shall be the same as for the grant thereof or at the rate chargeable at that time as per the rate fixed by the State Government from time to time as per the rate fixed by the State Government from time to time.

12. Conditions for renewal of licensee.-

The renewal of the license will be granted subject to the following conditions;- ,

(i) The applicant continues to maintain his principle place of business in the jurisdiction of the Controlling Authority.

(ii) The applicant continues to ensure the availability of the training for its private security guards and superiors required under sub-section (2) of section 5 of the Act.

(iii) The applicant continues to adhere to the license conditions.

(iv) The police have no objection to the renewal of the license to the applicant.

(v) The form for applicant of renewal of license will be same as the form for the application for original license.

13. Appeals and procedure:-

(1) Every appeal under sub-section (1) of section 14 of the Act shall be preferred in Form VII signed by the aggrieved person or his authorized advocate and presented to the appellate officer in person or sent to him by registered post.

(2) The Controlling Authority may prescribe a fee for the appeal to be filed under section 14 of the Act and the manner in which such fee will be paid.

14. Register to be maintained by the Agency:-

The register required to be maintained under the Act by the Agency shall be in form VIII.

15. Photo Identity Card:-

(1) Every photo identity card issued by the Agency under sub-section (2) of section 17 shall be in Form IX.

(2) The photo identity card shall convey a full face imago in colour, full name of the private security guard, name of the Agency and the identification number of first individual to whom the photo identity card is issued.

(3) The photo identity card shall clearly indicate the individual's position in the Agency and the date up to which the photo identity cards is valid.

(4) The Photo identity card shall be maintained up to date and any change in the particulars shall be entered therein.

(5) The photo identity card issued to the private security guard will be returned to the Agency it, once the private security guard is no longer engaged or employed by them.

(6) Any loss or theft of photo-identity card will be immediately brought to the notice of to Agency that issued it.

16. Other conditions:-

(1) Notwithstanding whether the Agency mandates its private security guards to put on uniform while on duty or not, every private security will issue and make it obligatory for its security guards to put on:

- (a) an arm badge distinguishing the Agency;
- (b) shoulder or chest badge to indicate his position in the organization;
- (c) whistle attached to the whistle cord and to be kept in the left pocket;
- (d) shoes with eyelet and laces;
- (e) a headgear which may also carry the distinguishing marks of the Agency.

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(2) The clothes worn by the private security guard while on active duty shall be such that they do not hamper in his efficient performance. In particular they will neither be too loose nor too loose as to obstruct movement or bending of limbs. The uniform so provided should not be Khaki uniform.

(3) Every private security guard will carry a Notebook and a writing instrument with him.

(4) Every private security guard while on active security duty will wear and display photo-identity card issued under section 17 of the Act, on the outer most garment above waist level on his person in a conspicuous manner.

17. Responsibilities of Security Agency in case of a criminal activity by the Security guard or supervisor:-

If a private security guard or supervisor is involved in a criminal case at the place of his duty, it is the Security Agency which shall be responsible for reporting the matter to the nearest police station as well as the police station of his native place.

18. Issue of arms license to security guard/supervisor, etc:-

(1) No arms license shall be issued in the name of security Agency. All arms license shall be issued in the name of individual security guard/supervisor in their personal capacity and the license shall be of non-prohibited small arms.

(2) No more than two security guards may be deployed for providing security to any person at any time at any place.

19. Police Officer to inspect the premises, records of the agency:-

No police officer below the rank of the officer-in-charge of a police station shall inspect the premises, records of the security agency. During the inspection by police officer security agency shall render all co-operation and assistance. In case any irregularity is found during inspection the inspection report will be submitted to the concerned District Superintendent of Police or the DCP as the case may be, at the earliest possible time.

S.C DAS
Principal Secretary to the Govt. of Assam
Home and Political Department

Form -I
(See rule 3)

Thumb Impression of the Applicant -----
Signature of the Applicant -----

Passport size
recent
photograph
attested by
Class -I
Gazetted

For Official use only		
Form number	Name of the police station sent for police verification	Date

Fee Amount Rs. ----- cash/D.D. -----

Name of Bank ----- D.D. No -----

Please read the instructions carefully before filling the form.

Please fill in BLOCK LETTERS: (CAUTION: Please furnish correct information. Furnishing of incorrect information or suppression of any factual information in the form the candidate unsuitable for grant of license).

1. Name of applicant (Initials not allowed)

Last name ----- First name -----

2. If you have ever changed your name, please indicate the previous name(s) in full.

3. -----

4. Sex (male/female) -----

5. Date of Birth -----

6. Place of Birth : Village/Town -----

District ----- State & Country -----

7. Father's Full Name/Legal Guardian's Full Name (including surname, if any):
(Initials not allowed).

8. Mother's Full Name (including surname, if any) : (Initials not allowed).

9, (If married, Full Name of Spouse (including surname, if any). (Initials not allowed)

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10. Present Residential Address, including Street No./ police station, village and District (with PIN Code)

Telephone No./Mobile No. -----

10, Please give the date since residing at the above mentioned address : DD MM YYYY

11. Permanent Address including Street No/police station village and District (with PIN Code).

12. If you have not resided at fog address given at Column (9) continuously for the last five years, please furnish the other address (addresses) with duration(s) resided. You should furnish additional photocopies of this form for each additional place of stay during the last five years. Forms may be photocopied but photograph and signature in original are required on each form.

From.....To.....From.....To.....

13. In case of stay abroad particulars of all places where you have resided for more than one year after attaining the age of twenty-one years.

14. Other Details :

(a) Educational Qualifications :

(b) Previous positions held if any along with name and address of employers :

(c) Reason for leaving last employment :

(d) Visible Distinguishing Mark :

15. "Did you earlier operated any Private Security Agency or were its partner, majority shareholder or Director? If yes then furnish the name, address of the Agency and its license particulars.

16. Arc you a citizen of India by : Birth/Descent/Registration.

Naturalization:

If you have ever possessed any other citizenship, please indicate previous citizenship -----

17. Have you at my time been convicted by a court in India for any criminal offence and sentenced to imprisonment? If so, give name of the court, case number and offence. (Attach copy of judgment).

18. Are any criminal proceedings pending against you before a court in India? If so, give name of court, case number and offence -

19. Self- Declaration:

The information given by me in this form and enclosures is true and I am solely responsible for accuracy.

(Signature/T.I. of applicant)

Date
Place.....

20. Enclosures:

(Signature/T.I. Of applicant)
(Left Hand Thumb Impression if Male and Right Hand Thumb Impression if Female).

FOR OFFICE USE ONLY

File No
Date of issue of C&A Report -----
(Signature of Police Station in Charge)
Name of the Police Station -----
Name of Police District. -----

*N.B. Cancel whatever is not applicable.

Form –II

(See rule 4)

Form for Verification of Character and Antecedents of
Security Guard and Supervisor

Passport size
recent
photograph
attested by
Class –I
Gazetted

Thumb Impression of the Applicant -----
Signature of the Applicant -----

For Official use only		
Form number	Name of the police station sent for police verification	Date

Fee Amount Rs. ----- cash/D.D. -----

Name of Bank ----- D.D. No -----

Date of Issue -----

Please read the instructions carefully before filling the form. Please fill in BLOCK LETTERS:
(CAUTION: Please furnish correct information. Furnishing of incorrect information or suppression of
any factual information in the form the candidate unsuitable for employment/engagement in the
Private Agency).

1. Name of applicant (Initials not allowed)
Last name ----- First name -----
2. If you have ever changed your name, please indicate the previous name(s) in full.
3. Sex (male/female) -----
4. Date of Birth -----
5. Place of Birth : Village/Town -----
District ----- State & Country -----
6. Father's Full Name/Legal Guardian's Full Name (including surname, if any):
(Initials not allowed).

7. Mother's Full Name (including surname, if any): (Initials not allowed)

8. If married, Full Name of Spouse (including surname. If any). (Initials not allowed)

9. Present Residential Address, including Street No/police station, village and District (with PIN Code)

Telephone No./ Mobile No. _____

10. Please give the date since residing at the above mentioned address : DD MM YYYY

11. Permanent Address including Street No/police station: village and District (with PIN Code)

12. If you have not resided at fog address given at Column (9) continuously for the last five years, please furnish the other address (addresses) with duration(s) resided. You should furnish additional photocopies of this form for each additional place of stay during the last five years. Forms may be photocopied but photograph and signature in original are required on each form.

From.....To.....From.....To.....

13. In case of stay abroad particulars of all places where you have resided for more than one year after attaining the age of twenty-one years.

14. Other Details :

(a) Educational Qualifications :

(b) Previous positions held if any along with name and address of employers :

(c) Reason for leaving last employment :

(d) Visible Distinguishing Mark :

(e) Height (cms) -----

15. Are you working in Central Government/State Govt./PSU/Statutory Bodies Yes/No

16. Are you a citizen of India by: Birth/Descent/Registration/Naturalization:

If you have ever possessed any other citizenship, please indicate previous citizenship -----

17. Have you at my time been convicted by a court in India for any criminal offence and sentenced to imprisonment? If so, give name of the court, case number and offence. (Attach copy of judgment).

18. Are any criminal proceedings pending against you before a court in India? If so, give name of court, case number and offence -

19. Has any court issued a warrant or summons for appearance or warrant for arrest or an order prohibiting your departure from India? If so give name of court, case number and offence.

20. Self- Declaration:

The information given by me in this form and enclosures is true and I am solely responsible for accuracy.

(Signature/T.I. of applicant)
(Left Hand Thumb Impression if Male and Right Hand Thumb Impression if Female)

Date

Place.....

21. Particulars of person to be intimated in the event of death or accident.

Name -----
Address -----
Mobile/Tele.No -----

22. Enclosures:

(Signature/T.I. Of applicant)

FOR OFFICE USE ONLY

File No

Date of issue of C&A Report -----

(Signature of Police Station in Charge)

Name of the Police Station -----

Name of Police District. -----

*N.B. Cancel whatever is not applicable.

Form –III
(See rule 4)

CHARACTER AND ANTECEDENT CERTIFICATE

This is to certify that Mr./Ms -----Son/Daughter of ---
----- whose particulars are given below
has good moral character and reputation and that the applicant has been staying at the following
address continuously for the last one year.

Date of Birth:

Place of Birth:

Educational Qualification:

Profession:

Present Address

Permanent Address

Issuing Authority
Signature
Name
Designation
Address/Tel. No.
Date of Issue.

Form-IV.

(Sec rule 5)

Training Certificate.

SI No,

Name of the Training Agency

Address of the Training Agency

License No.

Certified that -----son/daughter of -----
----- resident of has -----completed the prescribed
training for the engagement or employment as a Private Security from till -----
--

His signature is attested below.
Signature of the Certificate Holder.

Signature of issuing authority
Designation

Place of issue
Date of issue

Form-V
(See rule 8)

APPLICATION FOR NEW LICENSE/RENEWAL OF LICENSE TO ENGAGE IN THE
BUSINESS OF PRIVATE SECURITY AGENCY.

To
The Controlling Authority,

The undersigned hereby applies for obtaining a license to run the business of operating services in the area of Private Security Agencies.

1. Full name of the applicant:
2. Nationality of the applicant:
3. Son/Wife/daughter of:
4. Residential address:
5. Addresses, where the applicant desires to start his Agency:
6. Name of the Private Security Agency
7. Name and address of Proprietor, partner, Majority/shareholder, Director and Chairman of the Agency:
8. Name and extent of facilities available:
9. Qualifications of staff engaged for imparting instructions:
Name :
Age :
Designation :
10. Equipment which will be used for Security services:
 - (a) Door Framed Metal Detector (DFMD).
 - (b) Hand Held Metal Detector (HHMD)
 - c) Mine detector
 - (d) Other detectors -
 - (i) Wireless Telephones
 - (ii) Alarm Devices
 - (in) Armored Vehicles
 - (iv) Arms.
11. The particulars of the uniform including color in case the applicant intends to use any uniform for the Private Security Guards and Supervisors of the Agency.
12. Does the applicant intend to operate in more than one district? If so, the name of the Agency.
1. -----2-----3-----4-----5-----
14. Does the applicant intend to operate in the entire State?
15. Does the applicant possesses the training facility in its own or will get it on outsourcing basis? The name and address of training facility should be furnished.

Signature
Name of the applicant
Address of the applicant
Tel No. of the applicant

Date of application

Enclosures:

1. Copy of current Income Tax Clearance certificate.
2. Affidavit as prescribed in Section 7 Sub-section(2) of the Act.
3. Other enclosures

Form-VI
(See rule 8)
GOVERNMENT OF ASSAM
License to engage in the business of Private Security Agency

Sl. No -----

Date

Shri -----(Name of the Applicant)

S/o -----

R/o ----- (Full Address) ----- is granted license by the Controlling Officer for the State of Assam to run the business of Security Agency in the District(s) of State of (Strike of the inapplicable words) ----- with office at ----- (address of the office)

Place of issue:

Date of issue:

This license is valid up to -----

Signature
Name of granting Authority
Designation
Official Address.

RENEWAL
(See rule8)

Date of Renewal

Date of expiry

- 1.
- 2.
- 3.
- 4.

Signature
Name of Renewing Authority
Designation
Official Address

(Part-III Customers)

Sl. No	Name of the Customer & Phone No.	Address of the place where Security is provided	Number and ranks of Security Guards provided	Date of commencement of services	Date of discontinuation of services
1					

(Part-IV Duty Roster)

Sl. No	Name of the Private Security Guard/Supervisor	Address of the place of duty	Whether provided any arms/ ammunition	Date and time of commencement of duty	Date & time of ending of duty
1					

Form-IX
(See rule II)

**Photo-Identity Card for Private Security Guard/Supervisor
(Name of the Private Security Agency).**

Photograph of the holder
duly attested by the Issuing Authority

Name:

Official Designation:

Identification No.:

Date of issue :

Valid up to:

Signature of the cardholder

Official Seal

Signature of the Issuing Authority

S. C. DAS,
Principal Secretary to the Govt. of Assam
Home & Political Department, Dispur