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La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - II

சிறப்பு வெளியீடு

அதிகாரம் பெற்ற
வெளியீடு

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No. }	Puducherry	Friday	18th December 2009
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GOVERNMENT OF PUDUCHERRY

HOME DEPARTMENT

(G.O.Ms. No. 60, dated 14th December 2009)

NOTIFICATION

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 Lieutenant - Governor, Puducherry hereby makes the following rules, namely :—

1. *Short title and commencement* .— (1) These rules may be called the Puducherry Private Security Agencies (Regulation) Rules, 2009.

(2) They will come into force from the date of their publication in the official gazette.

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 these rules;

(e) “License” means a license granted under the Act;

(f) Words and expressions not defined in these regulations but defined in the Act, shall have the same meaning respectively assigned to them in the Act.

3. *Verification of the antecedents of the applicants.*— (1) Every applicant while making an application to the 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 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 applicants.

(2) On receipt of such application the controlling authority shall make such inquiries, 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 Superintendent of Police of the concerned jurisdiction 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 the antecedents of every individual in whose name the antecedent form is filled up, shall also furnish 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; and

(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 such person in any one or more of the following manner:—

(a) by verifying the character and antecedents of the person by itself ;

(b) by relying upon the character and antecedent verification certificate produced by the person :

Provided that the character and antecedent certificate shall be valid and the agency does not have any adverse report regarding the person's character and antecedents from any other source; as prescribed hereinunder, produced by the person provided it is valid and the agency does not have any adverse report regarding the person's character and antecedents from any other source ;

(c) by relying on the report received from the Police authorities signed under the authority of the Superintendent of Police or an officer of the equivalent or higher rank.

(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 the form to the respective Superintendent of Police.

(4) The State Government may prescribe the form and the manner in which the fee is to be deposited for the service of character and antecedent verification by Police.

(5) The Police will establish the 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 record of the concerned Police Station and other records at the District Police Headquarter before preparing the character and antecedents verification report. This report will contain the comments of the Police on every claim of the person in character and antecedent Form and also a general report about his activities including means of livelihood in the period of verification. The Police will specifically state that 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.

(6) The Police will specifically comment if the engaging or employing the person under verification by the private security agency will pose a threat to the national security.

(7) 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.

(8) The report of the Police regarding character and antecedents of a person will be graded as confidential. It will be addressed in named cover to a designated officer of the security agency requesting for character and antecedents.

(9) Character and antecedents verification report once issued will remain valid for three years.

(10) 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 not be taken back by such agency even if the person ceases to be the employee of that agency.

5. *Security training.*— (1) The controlling authority shall frame the detailed training syllabus required for training the security guards. 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) should be able to read and understand English alphabets and Arabic numerals as normally encountered in the identification documents, arms license, travel documents and security inspection sheet;
- (h) identification of improvised explosive devices;
- (i) first- aid;
- (j) crisis response and disaster management ;
- (k) defensive driving (compulsory for the driver of armoured 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 defences, procedure for lodging first information report in the Police Station, Arms Act (only operative 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); and

(q) leadership and management (for supervisors only).

(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 organisation.

(4) The competent authority will 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.

6. *Standard of physical fitness for security guards*.— (1) A person shall be eligible for being engaged or employed as security guard if he fulfils the standards of physical fitness as specified below:—

(i) Height, 160 cms. (for female 150 cms.), weight according to standard table of height and weight, chest 80 cms. with an expansion of 4 cms. (for females no minimum requirement for chest measurement).

(ii) **Eye sight**.— Far sight vision 6/6, near vision 0.6/0.6 with or without correction, free from colour blindness should be able to identify and distinguish colour display in security equipments

and read understand display in English alphabets and Arabic numerals.

(iii) Free from knock knee and flat foot and should be able to run one kilo meter in six minutes.

(iv) **Hearing.**— Free from defect; should be able to hear and respond to the spoken voice and 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 infectious disease. He should not be suffering from any disease which is likely to be aggravated by service or 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 prescribed 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 are 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 supervisor 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 clause (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 (1) shall be accompanied by a demand draft or banker's cheque showing the payment of fees as prescribed under clause (3) of section 7, payable to the controlling authority of the State concerned where the application is being made.

(3) Every application referred to in sub-rule (1) shall be either personally 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 of receipt by him of the application, grant an acknowledgment to the applicant.

9. *Grant of license* .—(1) The controlling authority, after receiving an application under sub-rule (1) of rule 8 shall grant a license to the private security agency in Form-VI after completing all 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 license of such security agencies which may not have adhered to the conditions of ensuring the revised training.

10. *Conditions for grant of license*.—(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 licensee shall inform the controlling authority regarding any change in the address of persons forming the agency, change of management within seven days of such change.

(4) The licensee 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 the 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 license.

(2) The fees chargeable for renewal of the license shall be the same as for the grant thereof.

12. *Conditions for renewal of licence.*— (1) 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.

(2) The form application 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 authorised 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 image in colour, full name of the private security guard, name of the agency and the identification number of the 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 card 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 issuing it, once the private security guard is no longer engaged or employed by it.

(6) Any loss or theft of photo identity card will be immediately brought to the notice of the 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 agency 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 organisation;
- (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 mark of the agency.

(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 tight nor too loose as to obstruct movement or bending of limbs.

(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 outermost garment above waist level on his person in a conspicuous manner.

FORM – I
(See rule 3)

FORM FOR VERIFICATION OF ANTECEDENTS OF APPLICANT

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 instruction 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 will render 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. Sex (male / female)

4. Date of birth

5. Place of birth : Village / Town
District,..... State and 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 the 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 marks:

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. Are you a citizen of India by: Birth/Descent/Registration/ Naturalisation: If you have ever possessed any other citizenship, please indicate previous citizenship

.....
.....

17. Have you at any 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.

Date :

Place : *Signature/thumb-impression* of applicant.*

20. **Enclosures :**

.....
.....
.....
.....
.....
.....
.....

Signature/thumb-impression of applicant.

(*Left hand-thumb-impression if male and right hand thumb-impression if female).

For official use only

File No. :

Date of issue of C and A Report

(Signature of Police Station In-charge)

Name of 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**

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 will render the candidate unsuitable for
employment/engagement in the private agency.)

1. Name of applicant as should appear in the photo identity
card (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 and 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 the address given at column (9) continuously for the last five year, 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 Government PSU/Statutory Bodies: Yes/No

16. Are you a citizen of India by: Birth/Descent/Registration Naturalisation. If you have ever possessed any other citizenship, please indicate previous citizenship.

.....
.....

17. Have you at any 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.

Date :

Place : *Signature/thumb-impression* of applicant.*

(*Left hand thumb-impression if male and right hand thumb-impression if female)

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

Name

Address

.....

Mobile /Tel. No

22. Enclosures:

.....

(Signature/thumb-impression of applicant)*

For official use only

File No. :

Date of issue of C and A Report

(Signature of Police Station In-charge)

Name of 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

(See rule 5)

TRAINING CERTIFICATE

Serial Number :

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
Guard 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 service 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. Address, where the applicant desires
to start his agency :
6. Name of the private security agency :
7. Name and addresses of proprietor, partner ,
majority shareholder, Director and Chairman
of the agency :
8. Name and extent facilities available :
9. Qualification of staff engaged for imparting instructions;
Name.....
Age.....
Designation.....

10. Equipments which will be used for security services
 - (a) Door Framed Metal Detector (DFMD)
 - (b) Hand Held Metal Detector (HHMD)
 - (c) Mine detector
 - (d) Others detectors
 - (i) Wireless telephones
 - (ii) Alarm devices
 - (iii) Armoured vehicles
 - (iv) Arms.
11. The particulars of the uniform including colour in case applicant intends to use any uniform for the private security guards and supervisors of the agency :
12. Does the applicant intends to operate in more than one districts? If so the name of the districts :
 1.
 2.
 3.
 4.
 5.
13. Does the applicant intend to operate in the entire State?
14. 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

Telephone number 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 89)

GOVERNMENT OF PUDUCHERRY

License to engage in the business of Private Security Agency

Serial No.....

Date.....

Shri.....(name of the applicant)

S/o.

R/o.

.....(full address).....

.....is granted the license by the controlling officer
for the State of

to run
the business of private security agency in the district(s) of/State of
(Strike off 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 rule 11)

Date of renewal

Date of expiry

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

Signature

Name of renewing authority

Designation

Official address

FORM – VII

(See rule 13)

FORM FOR APPEAL

An appeal under section 14 of the Act

Appellant.....

S/o.....R/o.

Versus

Controlling Authority

The..... above named appeal to the.....
(State Home Secretary).....from the order of (controlling
authority), dated..... day of..... and against
refusal of license to run private security agency.....and
setforth the following grounds of objection to the order appeal from
namely.....

1.

2.

3.

4.

Enclosed list of documents

.....

Date :

Signature

Place :

Name and designation of the appellant.

FORM – VIII

(See rule 10)

REGISTER OF PARTICULARS

(Part-I Management details)

Sl. No.	Name of person(s) managing the agency	Parent's/ father's name	Present address and phone No.	Permanent address and phone No.	Nationality	Date of joining/leaving the agency
(1)	(2)	(3)	(4)	(5)	(6)	(7)

1.

(Part-II Private Security Guards and Supervisor)

Sl. No.	Name of guard/supervisor	Father's name	Present address and phone No.	Date of joining/leaving the agency	Permanent address	Photograph	Badge No.	Salary with date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

1.

2.

(Part-III Customers)

Sl. No.	Name of customer and 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)	(2)	(3)	(4)	(5)	(6)
1.					

(Part-IV Duty roster)

Sl. No.	Name of the private security guard/supervisor	Address of the place of duty	Whether provided with any arms/ammunition	Date and time of commencement of duty	Date and time of ending of duty
(1)	(2)	(3)	(4)	(5)	(6)
1.					

FORM – IX

(See rule 15)

**PHOTO IDENTITY CARD FOR
PRIVATE SECURITY GUARD / SUPERVISOR**

Name of the Private Security Agency :

Name:

Official designation :

Identification No. :

Date of issue :

Valid up to :

Signature of the cardholder :

Signature of the Issuing Authority.

Office seal :

(By order of the Lieutenant-Governor)**L. KUMAR,**Joint Secretary to Government.

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