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No. V-11026/12/2020 –Arms
Government of India
Ministry of Home Affairs
(IS Division/Arms Section)

MDC National Stadium, New Delhi,

Dated: 25th April, 2020

To,

All manufacturers of small arms and ammunition

Sub: Advisory to the companies having licence for manufacturing and /or proof test of small arms and ammunition under the provisions of the Arms Act, 1959 and the Arms Rules, 2016 - regarding

It has come to the notice of this Ministry that some companies, having licence for manufacturing and/or proof test of small arms and ammunition, have appointed new Director(s) in the Board of Directors, without obtaining prior approval of this Ministry, as mandated under Rule 55(8) of the Arms Rules, 2016 which states that prior approval of the licensing authority shall be mandatory for any change in the directorship of the company or any change in the key managerial personnel as defined in clause (51) of Section 2 of the Companies Act, 2013 (18 of 2013) or any change in the responsible person of the company. This has been viewed seriously in this Ministry.

2. To avoid such situation, following guidelines are issued to all the licensed manufacturers of small arms and ammunition, to be followed in case of appointment of new Director(s) / key managerial personnel / responsible person:

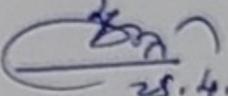
(i) Any existing licence holder who intends to add new Director(s) / key managerial personnel / responsible person, should submit a physical copy of the application to the Arms Section of this Ministry 90 days in advance, before the possible undertaking of such changes, along with required details including filled security clearance proforma and self-declaration in respect of the person, and receipt of submission of the application shall be obtained from the Arms Section. A copy of security clearance proforma and self-declaration is enclosed.

(ii) In case, the required or complete details are not provided with the proposal / application, the same would be returned by this Ministry and the period of 90 days would not be counted. The period of 90 days will start only after receipt of required or complete details by this Ministry.

(iii) In case, MHA clearance is not received after 90 days of receipt of the physical copy of the proposal / application by Arms Section of this Ministry, the company may go ahead with appointment of such person(s), provided a prior undertaking is submitted by the company to this Ministry that the appointee would be removed with immediate effect in case of denial of permission by MHA in future.

3. Any violation of the provisions the Arms Act, 1959 and / or the Arms Rules, 2016 in this regard may lead to cancellation of licences issued by this Ministry.

Enclosure: As above


28.4.2020.

(Sujeet Kumar)
Second-in-Command (Arms)
Tel: 23075115

IV. Details of share-holders of the applicant company (All firms/companies/entities/individuals having shareholding more than 5% or controlling stake in the applicant company):

Sl. No.	Full name of Individual / company	Parentage (name of father / mother) in case of individuals, and beneficial owner in case of companies	Date of birth in case of individuals, and registration number in case of companies	Permanent address / present address in case of individuals, and registered office and correspondence address in case of companies	Present position held, in any, in the applicant company	Nationality, in case of individual (if holding dual nationality, both must be clearly mentioned)/ country of registration (in case of company)	% of shares held in the company
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V (A). Details of ultimate beneficial owner(s) / company(ies) / organization(s) of the applicant company:

Sl. No.	Name of the ultimate beneficial owners / companies / organizations	Address of the company / individual / organisation	Date of birth and passport details in case ultimate beneficial owner is an individual	Registration number with date in case of ultimate beneficial owner is company / organization	Address of registered office, in case of ultimate beneficial owner is company / organization
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V(B). Ownership structure chart depicting the link between applicant company and ultimate beneficial owner / company / organisation

VI. Details of criminal cases, if any, against the company/ director(s) as per annexure

(Signature)

Note: The above self-declaration is to be filled and signed by the authorized signatory of the company.

Self-declaration for company and director(s) for whom security clearance is sought

- a. Name & address and registration number of the company :
- b. Name and address of owners (in case of proprietorship firm) / directors of the company :
1. _____
 2. _____
 3. _____
 4. _____
- c. Is the company owners (in case of proprietorship firm) / directors listed above, the subject of any
1. Preventive detention proceedings under Public Safety Act / National Security Act etc. : Yes / No
 2. Criminal investigation in which charge sheet has been filed : Yes / No
- d. If, Yes, please provide following details
1. Case / FIR number :
 2. Detention / warrant number, if any, :
 3. Police station / district / agency :
 4. Sections of law under which case(s) has / have been filed :
 5. Name and place of the court :
- e. The above mentioned details are in respect of both India and any other foreign country.

(Signature)

Note: The above self-declaration is required to be filled and signed by the authorized signatory of the company.