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NOTIFICATION

No.C.12015/2/2005-HM, the 15th January, 2010. In exercise of the power conferred by section 25 of the Private Security Agencies (Regulation) Act, 2005 (Central Act 29 of 2005), the Governor of Mizoram is pleased to make the following rules, namely -

1. Short title and commencement :

- (1) These rules may be called the Mizoram Private Security Agencies Rules, 2009.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :

- (1) In these rules, unless there is anything repugnant in the subject or context,-
 - (a) "Act" means the Private Security Agencies (Regulation) Act, 2005 (Central Act 29 of 2005);
 - (b) "Agency" means the Private Security Agency;
 - (c) "Controlling Authority" means an officer designated by notification under section 3 of the Act;
 - (d) "Form" means a Form appended to these rules;
 - (e) "License" means a license granted under these rules;
- (2) Words and expressions not defined in these rules 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 Form 1 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 1 for every proprietor, majority shareholder, partner and director of the company, as if they were also the applicants.
- (2) On receipt of application under sub-rule (1) of this rule, 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 District where the applicant intends to commence its activities. For the purpose, the Controlling Authority shall send to him a copy of the application for license and its attachments for verification and report.
- (4) The 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 under sub-rule (i) of this rule earlier operated any 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 an 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 anyone or more of the following manners :-

- (a) by verifying the character and antecedent 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 if the Agency does not have any adverse report regarding the person's character and antecedents from any other source as prescribed herein under;

- (c) by relying on the report received from the police authorities signed under the authority of the Superintendent of Police of the district 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 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 is residing and ascertain his identity and reputation from the respectable residents of the locality. They will also consult the records of the concerned police station and other records at the Police Headquarters before preparing the character and antecedents verification report. This report will contain the comments of the police on every claim of the person in the character and antecedents Form and also a general report about 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.
- (4) The Police will specifically comment if the engaging or employing the person under verification by the Agency will pose a threat to National Security.
- (5) 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.
- (6) 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 Agency requesting for verification of character and antecedents.
- (7) Character and antecedent's verification report once issued will remain valid for three years.
- (8) On the basis of verification, the Agency shall issue in Form III a character and antecedent 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 guard and Supervisor. 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 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 shall 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 and knowledge of preliminary steps to handle the situation;
 - (i) first-aid;
 - (j) crisis response and disasters management;
 - (k) defensive driving (compulsory for the driver of Armored vehicle and optional for others);
 - (l) rudimentary knowledge of the Indian Penal Code, 1860, the Code of Criminal Procedure, 1973 including knowledge of sections 37 and 39 of the Code of Criminal Procedure, 1973 regarding old to Magistrates and Police, right to private defense, procedure for lodging First Information Report in the Police Station, operative sections of the Arms-Act, 1959 and Explosives Act;
 - (m) badges of rank in police and military forces;
 - (n) preliminary knowledge to protect the scene of crime till the arrival of police and collecting of evidence in the scene of crime;
 - (o) knowledge regarding possible modes of collection of intelligence by foreign nationals;
 - (p) knowledge of article 51 A of Constitution of India regarding Fundamental duties;
 - (q) identification of different types of arms in use in public and police;
 - (r) use of security equipments and devices (for example; security alarms and screening equipments); and
 - (s) leadership and management (for supervisors only).
- (3) The private security guard and supervisor will have to successfully undergo the training prescribed under sub-rule (2). On completion of the training each successful trainee shall be awarded a certificate in Form IV by the training institute or organization.
- (4) The private security guard and supervisor will have to undertake refresher course training for fifty hours once every three years.
- (5) The Controlling Authority shall inspect the functioning of the training facilities from time to time either by himself or through the officers authorized by him in this behalf.

6. Standard of Physical fitness for security guards and Supervisor :

- (1) A person shall be eligible for being engaged or employed as security guard or supervisor if he fulfils the standards of physical fitness as specified below :-
 - (i) Height, 160cms for male and 150cms for female, Weight according to standard table of height and weight, Chest 80cms, with an expansion of 4cms. There will be no requirement of chest measurement for females:

Provided that a person belonging to the Gorkhas or Nepalis or Sikkimese or Scheduled Castes or Scheduled Tribes is eligible for relaxation of height and chest by 5cms.

- (ii) **eye sight:** Far sight vision 6/6, near vision 0.6/0.6 with or without, correction, free from colour blindness, shall be able to identify and distinguish colour display in security equipments and read and understand display in English alphabets and Arabic numerals,
- (iii) free from knock knee and flat feet and shall be able to run one Kilometer in six minutes,
- (iv) hearing ; free from defect; shall be able to hear and respond to the spoken voice and the alarms generated by security equipments,
- (v) the candidate shall have dexterity and strength to perform searches, handle objects and use force for restraining persons in case of need.

- (2) A candidate shall be free from 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.

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 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 under subsection (1) of section 7 of the Act, shall be made to the Controlling Authority in Form V.
- (2) Every application referred to in sub-rule (1) shall be accompanied by a fee, as specified in subsection (3) of section 7 of the Act, by way of demand draft or banker's cheque, payable to the Controlling Authority, (Mizoram Private Security Agencies), Government of Mizoram, Aizawl, which will be remitted to the head of account to be prescribed for the purpose.
- (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 acknowledgement to the applicant.

9. Grant of license :

- (1) The Controlling Authority, after receiving an application under sub-rule (1) of rule 8 of these rules shall grant a license in Form VI after completing all the formalities and satisfying himself about the suitability of the applicant under the provisions of the Act and also the need for granting the license for the area of operation applied for.
- (2) The Controlling Authority either by himself or through the officers authorized by him in this behalf, may verify the training and skills imparted to the private security guards and supervisors of any 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 required 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 principal 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. 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 supervisor and their training as prescribed in these rules as the condition on which the license is granted.

11. Renewal of license :

- (1) Every application by an Agency for renewal of the license shall be made to the Controlling Authority in the same Form as prescribed for the application for license in rule 8 above.
- (2) The fees payable for renewal of the license shall be the same as for the grant thereof.

12. Conditions for the renewal of license :

The renewal of the license under section 8 of the Act will be granted subject to the following conditions-

- (i) the applicant continues to maintain his principal 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 supervisors required under sub-section (2) of section 9 of the Act;
- (iii) the applicant continues to adhere to the conditions of the license;
- (iv) the police have no objection to the renewal of the license to the applicant.
- (v) The Form for application of renewal of license shall be in Form V.

13. Appeals and procedure :

Every appeal under sub-section (1) of section 140 of the Act shall be preferred in Form VII signed by the aggrieved person and presented to the Home Secretary of the State Government being the appellate authority, in person or sent to him by registered post.

14. Register to be maintained by the Agency :

The register required to be maintained under section 15 of 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 of the Act 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 or supervisor, 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 and the Supervisor will be returned to the Agency issuing it, once the private security guard or the Supervisor 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 issues it.

16. Other Conditions :

- (1) Every Agency shall 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 mark of the Agency.
- (2) The clothes worn by the private security guard and Supervisor while on 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 and Supervisor will carry a notebook and a writing instrument with him.
- (4) Every private security guard and Supervisor while on security duty will wear and display photo-identity card on the outer most garment above waist level on his person in a conspicuous manner.

Lalmalsawma,
Secretary to the Government of Mizoram,
Home Department.

FORM - I
(See Rule 3)

Form for verification of Antecedents of Applicant

Passpost size
Recent Photograph
attested by
Class I / Gr. A
Gazetted Officer

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

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 grant of license)

1. Name of Applicant (Initials not allowed)
Last name First name Middle 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 (copy of birth certificate to be enclosed)
5. Place of Birth : Village/Town
District State and Country
6. Father's/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 (a copy of evidence to be enclosed)
- (a) Telephone No./Mobile No.
- (b) Nature of residence : Home/Rented/Others

- 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 (a copy of evidence to be enclosed).....
- 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 year. Forms may be photocopied, but photograph and signature in original are required on each form.

- (i) Form To
- (ii) Form To
- (iii) Form 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:
(a copy of certificate to be enclosed)
 - (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 operate any Private Security Agency or were its partner, majority shareholder or Director? If yes, furnish the name, address of the Agency and its license particulars.

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 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.

(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 character and antecedent Report

FORM - II

(See Rule 4)

Passpost size
Recent Photograph
attested by
Class I / Gr. A
Gazetted Officer

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

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 Security Agency).

1. Name of Applicant (Initials not allowed)
Last name First name Middle 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 (A copy of birth certificate to be enclosed)
 5. Place of Birth : Village/Town
District State and Country
 6. Father's/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 (a copy of evidence to be enclosed)
- (a) Telephone No./Mobile No.
- (b) Nature of residence : Own Home/Rented/Others

- 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 (a copy of evidence to be enclosed).....
- 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 year. Forms may be photocopied, but photograph and signature in original are required on each form.
 - (i) Form To
 - (ii) Form To
 - (iii) Form 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:
(a copy of certificate to be enclosed)
 - (b) Previous posts held 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/Naturalization 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 any other prohibiting you 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)

Date

Place

(*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 with PIN code :

Police Station :

Mobile/Tel.No. :

22. Enclosures :

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

(Signature/T.I. of applicant)

FOR OFFICE USE ONLY

File No. :

Date of issue of character and antecedent Report

Name of district

N.B. : Cancel entries not applicable.

Comments :
.....
.....

Signature of the authorized person
of Private Security Agency with
Designation, seal and date.

FORM - III

(See Rule 4)

Name of the Private Security Agency

CHARACTER AND ANTECEDENT CERTIFICATE

This is to certify that Mr/Msson/
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. :

Office Seal :

Date of Issue :

FORM IV
(See rule 5)
Training Certificate

Serial Number :

Name of the Training Institute/Organization
Address of the Training Institute/Organization

License No.

Certified that son/daughter of resident
of has completed the prescribed training for the engage-
ment or employment as a Private Security Guard/Supervisor.

His signature is attested below.

Signature of the Certificate Holder

Signature of issuing Authority :
Designation :
Office Seal :

Place of issue :

Date of issue :

FORM - V
(See rules 8 and 11)

Application for New License/Renewal of License to engage in the Business of Private Security Agency

To,

The Controlling Authority,
Mizoram Private Security Agencies,
Home Department,
Government of Mizoram,
Aizawl - 796001.

The undersigned hereby applies for obtaining a licence 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. Address, where the applicant desires :
to start the 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. Qualification of staff engaged for imparting instruction :
Name :
Age :
Designation :
10. Equipments which will be used for security services :
 - (a) Door Framed Metal Detector (DFMD)
 - (b) Hand Held Metal Director (HHMD)
 - (c) Mine detector
 - (d) Other Detectors
 - (i) Wireless Telephone
 - (ii) Alarm Device
 - (iii) Armored Vehicles
11. The particulars of the uniform including colour in case the applicant intends to use any uniform for the Private Security guards and supervisors of the Agency.

FORM - VI
(See rule 9)

GOVERNMENT OF MIZORAM

**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 Authority of the State of Mizoram to run the
business of Private Security Agency in the district(s) of/State of (Strike out 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 Authority :
Designation :
Official Address :

FORM - VII
(See rule 13)

Form of Appeal

An Appeal under section 14 of the Act.

Appellant :
S/o/D/o.

R/o. :

Versus

Controlling authority/

The above named appeal to the (State Home Secretary)
..... from the order of Controlling Authority dated
day of against refusal of license/renewal of license to run Private Security Agency
..... and sets forth the following grounds of objection to the
order appeal from namely

GROUND S :

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

Enclosed list of documents :

Signature

Place :
Place :

Name and Designation
of the Appellant

Form - VIII
(See rule 14)
Register of Particulars
(Part - I Management details)

Sl.No.	Name of person(s) Managing	Parent's/ Father's Name.	Present address and phone no.	Permanent address.	Nationality	Date of joining/leaving the Agency
1	2	3	4	5	6	7
1.						

(Part II. Private Security Guard/Supervisor)

Sl.No.	Name of Private(s) Security Guard/ Supervisor	Parent's/ 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 the Customer and phone no.	Address of the place where security is provided	Number of Security Guards/ Supervisor 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 Ammunition equipments	Date of commencement of duty.	Date and time of ending of duty
1	2	3	4	5	6
1.					