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

MDC National Stadium, New Delhi,

Dated: 25 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.
- 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

(Sujeet Kumar)

Second-in-Command (Arms)

Tel: 23075115

#### Security clearance proforma for arms and ammunition manufacturing / proof testing up to 12.7 mm calibre

(All fields are mandatory)

#### I. Details in respect of applicant company:

SI.	Name of the	Registration	Registered office	Previous name of	Complete details	Address of	Details of
No.	company	number with date	address and	the company, if	about the	manufacturing	earlier
			correspondence	any	proposed	/ proof testing	approvals,
			address		activities	site	if any (ref.
							no. and
							date)

### II. Details in respect of Foreign Collaborator, if any:

SI.	Name	of	foreign	Registrat	tion	Registere	ed office address	Prev	ious name of	Type of collaboration with the applicant
No.	collaborator	r in re	spect of	number	with	and	correspondence	the	company, if	company viz. technical / product patent /
	the propose	ed activ	vities	date		address		any		manufacturing etc.

#### III. Details in respect of Board of Directors of the applicant company:

SI.	Full names of	Present position	Date of	Parentage	Present and	Nationality	Passport no.	Contact
No.	directors in BoD of the	held and since	birth	(Father/mother	permanent		and date of	address and
	applicant company	when (date)		name)	address		issue, if any	telephone
								number

# 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):

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

#### V (A). Details of ultimate beneficial owner(s) / company(ies) / organization(s) of the applicant company:

SI.	Name of the	Address of the	Date of birth and passport	Registration	Address of registered office, in
No.	ultimate	company / individual	details in case ultimate	number with date	case of ultimate beneficial owner
	beneficial	/ organisation	beneficial owner is an	in case of	is company / organization
	owners /		individual	ultimate beneficial	
	companies /			owner is	
	organizations			company /	
				organization	

- 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.	Nar	me & address and registration number of the company	:	
b.		me and address of owners (in case of proprietorship fir rectors of the company	m)	:
	1.			
	2.			
	3.			
	4.			
C.	Is tl	he company owners (in case of proprietorship firm) / dany	irectors	listed above, the subject
	1.	Preventive detention proceedings under	:	Yes / No
	2.	Public Safety Act / National Security Act etc. Criminal investigation in which charge sheet has been filed	:	Yes / No
d.	lf, Y	es, please provide following details		
	1.	Case / FIR number	•	
		Detention / warrant number, if any,		:
		Police station / district / agency	:	
		Sections of law under which case(s) has / have been	filed	:
	5.	Name and place of the court		:
e.	The	e above mentioned details are in respect of both India a	and any	other foreign country.
				(Signature)
		The above self-declaration is required to be filled a bry of the company.	and sig	ned by the authorized