

**Govt. of Bihar
Dept. Of Home**

**Action Plan Regarding
Implementation of Arms Act,
1959 & Arms Rules, 2016**

Government of Bihar
Department of Home

Action Plan regarding compliance of the order of The Supreme Court passed on 07.11.2024 in MA no.-393/2023 in SLP(crl) no.-12831/2022- Rajendra Singh Vs The State of Uttar Pradesh.

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1. To formulate an action plan for the implementation of the Act and for rules made thereunder in the respective State/UT.

The State of Bihar is committed to eradicate manufacture of unlicensed arms and ammunitions, their sale & transportation within the State and is also committed to ensuring swift and strong action if such cases occur within the state and to ensure that the perpetrators are punished according to law. For this purpose following action shall be taken on priority basis:-

- I. SSPs/SPs shall be nominated as Nodal Officers in districts for reviewing the action taken regarding eradication & manufacture of unlicensed arms and ammunition, their sale & transportation cases.
- II. Directions shall be issued to all SSPs/SPs to identify the places where manufacture of unlicensed arms and ammunition, their sale & transportation have been reported.
- III. Directions shall be issued to all SSPs/SPs to hold meeting **at least once a month** to review the action taken by local police. The District Magistrate and Senior/Superintendent of Police shall jointly monitor on quarterly basis, whereas the Commissioner and IG/DIG shall monitor jointly on half yearly basis.
- IV. In the light of directions issued by the Hon'ble Court, the DGP/HS shall regularly hold review meeting with Nodal officers and State Intelligence Heads.
- V. Official websites of the Home Dept. and Bihar Police shall display the guidelines issued by the Hon'ble Supreme Court.
- VI. Directions shall be issued to all nodal officers to register FIR against persons involved in manufacture of unlicensed arms and ammunition, their sale & transportation.
- VII. Harsh penalties as per the Act shall be imposed for unauthorized possession, manufacturing and distribution of firearms.
- VIII. Directions shall be issued to all nodal officers to take action against erring officials for negligence and misconduct with regard to control of unlawful manufacture of unlicensed arms and ammunitions, their sale & transportation.

The Nodal officers shall be made responsible for strict implementation of provisions made under Standard Operation Procedure

2. Inspection and audit of the existing licensed as well as unlicensed factories/workshops dealing with arms and ammunition through the notified authorities or officers.

District Magistrates shall submit quarterly data with regard to existing licensed as well as unlicensed factories/workshops dealing with arms and ammunition.

A detail report shall be submitted to the Home Department regarding First Information Reports (FIRs) registered, and the Charge sheet(s) filed with regard to manufacture of unlicensed arms and ammunition, their sale & transportation.

Home Department shall review the district wise report and it shall be presented before the committee constituted under the Chairmanship of Chief Secretary, Bihar. The committee shall examine the ATR and give its observations.

3. **To secure the data with regard to manufacture, sale, transportation of illegal arms and ammunition.**

Nodal Officers shall be responsible for collecting intelligence/information regarding manufacture, sale & transportation of illegal arms and ammunition. Local police administration will make field verification regarding existence of such factory/shops. If it is found that such kind of factory/shops are existing, the nodal officers concerned shall take immediate action.

The data has to be collected from various internal and external sources. Internal data shall be compiled by the district administration where as external data shall be collected by PHQ from external sources/with other agencies and organizations.

In any case, local police administration shall not conceal the identity and address of the person involved in manufacture of unlicensed arms and ammunition, their sale & transportation. If any malafide is found against any particular officer/men, strict action is/shall be taken against him.

Collected Data shall be uploaded on department's website as well as district website.

4. Steps to be taken with regard to prevention of smuggling of illegal arms and ammunition.

The Special Task Force established under the Director General of Police, Bihar shall be actively involved in the process of prevention of smuggling of illegal arms and ammunition.

Analytics and Artificial Intelligence shall be deployed to track and trace consignments, patterns, and modules to prevent smuggling of illegal arms.

Cross-border coordination shall be effectively improved between different agencies and states to counter smuggling. This can involve sharing intelligence, increasing communication, and implementing joint operations to identify and intercept smuggled arms and ammunition.

5. **A study to be conducted on the use of illegal arms and ammunition in crime against society and against the State and steps for its prevention.**

Following Steps shall be taken for prevention of use of illegal arms and ammunition in crime against society :-

1. Reporting of illegal possession of firearms through a confidential information system shall be encouraged.
2. Mandatory firearm safety training for all license applicants has been introduced. It will be ensured strictly.
3. Regular inspections shall be conducted on licensed arms dealers and manufacturers to ensure compliance.
4. Modern ballistic tracking/testing systems to trace firearms used in crimes shall be deployed.
5. Dedicated anti-illegal arms trafficking units at state level shall be established.
6. Coordination with intelligence agencies to track and dismantle gun-running networks shall be strengthened.
7. Harsh penalties as per the laws for unauthorized possession, manufacturing, and distribution of firearms shall be imposed.
8. Digital firearms tracking using RFID and biometric-linked firearms licenses shall be implemented.
9. Periodic policy reviews shall be conducted to adapt to evolving security threats.
10. Informants providing credible information on illegal arms trade shall be rewarded.
11. Neighborhood watch programs to enhance local security shall be strengthened.

A database to track the movement of arms and ammunition shall be established.

6. Any other aspect that the Committee may think it just and proper to develop upon.

1. To develop online system of Arms licenses, where application, its process and disposal shall be tracked strictly.
2. To develop online system of tracking the use of ammunitions.
3. A Proposal for creation of Fast Track Courts may be mooted for speedy trial of cases registered under Arms Act. It will have deterrent effect on persons involved in the manufacturing of unlicensed arms and ammunition, their sale & transportation.

Action Plan regarding implementation of Arms Act, 1959 & Arms Rules, 2016

Suggestions

1. **Action Point No. 1:** To formulate an action plan for the implementation of the Act and for rules made thereunder in the respective State/UT:
 - In the proposed Point-III, the existing second sentence may be replaced with the following words: "The District Magistrate and Senior/Superintendent of Police shall jointly monitor on quarterly basis, whereas the Commissioner and IG/DIG shall monitor jointly on half yearly basis."
2. **Action Point No. 2:** Inspection and audit of the existing licensed as well as unlicensed factories/ workshops dealing with arms and ammunition through the notified authorities or officers:
 - No further suggestions
3. **Action Point No. 3:** To secure the data with regard to manufacture, sale, transportation of illegal arms and ammunition:
 - In the first paragraph, "collecting data from valid sources" may be replaced by "collecting intelligence/information".
 - The 3rd paragraph *seems based on the presumption* that local police administration conceals the identity and addresses of the persons involved in manufacturing of unlicensed arms and ammunition, their sale & transportation. *This generalization must be avoided.* In any case, there are so many layers of monitoring. If any malafide is found against any particular officer/men, strict action is/shall be taken against him.
4. **Action Point No. 4:** Steps to be taken with regard to prevention of smuggling of illegal arms and ammunition:
 - No further suggestions
5. **Action Point No. 5:** A study to be conducted on the use of illegal arms and ammunition in crime against society and against the State and steps for its prevention:
 - No further suggestions
6. **Action Point No. 6:** Any other aspect that the Committee may think it just and proper to develop upon:
 - A Proposal for creation of Fast Track Courts may be mooted for speedy trial of cases registered under Arms Act. It will have deterrent effect on persons involved in the manufacturing of unlicensed arms and ammunition, their sale & transportation.
