

EXTRAORDINARY

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separate compilation

PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT

Notification

Jammu, the 5th of May, 2022

SO-227. In exercise of the powers conferred by section 25 of the Private Security Agencies (Regulation) Act, 2005 (Act No. 29 of 2005), the Lieutenant Governor hereby makes the following rules ; namely :

1. **Short title and commencement.** (1) These Rules may be called the Jammu and Kashmir Private Security Agencies (Regulation) Rules, 2022.

(2) They shall come into force from the date of their publication in the Official Gazette.

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CID, J&K, for verification/report, which shall endeavor to provide it within
fifteen (15) days of receipt of requisition.

(5) Wherever any applicant's antecedents have been verified in any other State earlier and license is granted, and such documents are furnished by the applicant, the same shall also be forwarded to the CID, J&K by the Controlling Authority and will be taken into account by the verifying agency.

(6) Form-I shall be accompanied by a demand draft or banker's cheque or electronic evidence showing the payment of fees as prescribed under sub-section (3) of section 7 of the Act, payable to the Controlling Authority of the State concerned where the application is being made.

(7) The application referred to in sub-rule (1) shall be either personally delivered to the Controlling Authority or sent to him by registered post or through electronic means.

(8) 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 electronic or digital acknowledgment to the applicant.

(9) The Controlling Authority, after receiving an application in Form-I shall grant a license to the private security agency in Form-IV after making such enquiry as it considers necessary, and after compliance with the provisions of the Act.

(10) The Controlling Authority either by itself or through its officer or any other means shall verify the premises of the private security agency at the address or addresses provided by the agency.

(11) The Controlling Authority shall cause a physical copy of the licence to be delivered by post within fifteen days of issue to the principal office of the private security agency in the State concerned as mentioned in the application for grant of license which the private security agency shall be bound to display at its place of business.

(12) In case of rejection of the application for grant of licence, no order of refusal shall be made unless

- (a) the applicant has been given a reasonable opportunity of being heard ; and

(b) the grounds on which license is refused is mentioned in the order.

4. Conditions for grant of license. (1) The licensee shall successfully undergo a training relating to the private security as prescribed by the Controlling Authority within the time frame fixed by it.

(3) The training shall be for a minimum period of six working days. The training shall broadly include the following subjects, namely :ô

(a) VIP Security ;

(b) Internal Security ;

(c) Institutional Security.

(a) Fire-Fighting ;

(b) Disaster/Emergency Management Protocol ;

(c) Security duties ;

(d) Checking of various documents ;

(e) Information security ;

(f) Access Control ;

(g) Explosives, IEDs ;

(h) Anti Sabotage Checks (ASC) ;

(i) Security related equipment ;

(j) Communication equipment ;

(k) Patrolling;

(1) Post duties.

(a) The Private Security Agencies (Regulation) Act, 2005 (29 of 2005) ; and

(iv) **Management of Security Agencies :**

(b) Training of personnel of private security agencies ;

(d) **Data Sharing Protocol.**

(a) Interface with Public ;

(vi) Private Security Personnel-DOs and DONs (Conduct Rules).

(5) The licensee shall inform the Controlling Authority regarding any change in the address of persons forming the Agency.

(6) The licensee shall not change the management, forming the Agency unless approval is sought from the Controlling Authority and the Controlling Authority may seek report from the CID, J&K, before such approval is granted.

(5) In case of non-receipt of the application for renewal of licence within the period mentioned in sub-rule (1), the agency shall be treated as unlicensed agency after the expiry of license.

(7) The fees chargeable for renewal of the licence shall be the same as for the grant of licence as mentioned in sub-rule (6) of rule 3.

(8) Applications received after the period stipulated in sub-rule (1) and before the expiry of license shall not be processed for renewal of licence.

(9) The Controlling Authority shall pass an order on application for renewal of license in Form-I within thirty days from the date of receipt of application complete in all respects.

(10) The validity of renewed license shall be counted from the date of expiry of the previous license and shall be up to a period of five years irrespective of its date of renewal. In case the application is decided by the Controlling Authority after expiry of the existing license, the intervening period shall deem to be under valid license.

(11) The Controlling Authority and the Private Security Agencies shall not be liable for delays occurring by reason of circumstances beyond human control, including but not limited to acts of civil or military authority, national emergencies, riot, acts of God.

6. Conditions for renewal of license. The renewal of the licence shall be granted subject to the following conditions, namely :

- (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-rule (2) of rule 8 of these rules ;
- (iii) The applicant continues to adhere to the license conditions ;
- (iv) The applicant has no criminal antecedents as may be verified from a database of crime and criminals as also obtained from other means as provided in proviso to sub-rule (4) of rule 3.

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of character and antecedents irrespective of period fixed in sub-rule (5) of
rule 7 if it deem fit and proper.

(6) On the basis of character and antecedents verification, the
agency shall issue in Form-VII a character and antecedents certificate and
this certificate shall not be taken back by such Agency even if the person
ceases to be employee of that Agency.

8. Security Training. (1) The Controlling Authority shall frame
the detailed training syllabus required for training the security guards in
accordance with National Skill Qualification Framework. For entry level,
this training shall be for 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 instruction 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 proper wearing of uniform ;
- (b) physical fitness training ;
- (c) physical security of the assets, security of the building
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 of documents, arms license, travel documents
and security inspection sheet ;
- (h) identification of improvised explosive devices ;
- (i) first aid ;
- (j) crisis response and disaster management ;

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- (k) defensive driving (compulsory for the driver of Armored 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 defense, procedure for lodging first information report in the Police Station, Arms Act and Rules (only operative part) ; and 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 equipment and devices (for example security alarms and screening equipment) ; and
- (q) Leadership and management (for supervisors only).

(3) The security guard shall have to successfully undergo the training prescribed by the Controlling Authority in training institute or organizations recognized by it.

(4) On completion of the training each successful trainee shall be awarded a certificate in Form-VIII by the Training Institute.

(5) The recognized training certificates issued to the guards/supervisors from Training Institutes from others States may be accepted in the Union Territory of Jammu and Kashmir.

(6) The Controlling Authority shall inspect the functioning of training facility from time to time either by itself or through its officers. Normally such inspection shall be conducted at least two times every year.

(7) All the training agencies shall submit a list of successful trainees to the Controlling Authority in the manner prescribed by it.

(8) Based on training completed and requirement of the job, private security agency may have their own designations provided that no agency shall adopt any of the ranks of the armed forces, paramilitary forces or State Police Forces.

(9) 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 training agency.

(10) The Controlling Authority may review the continuation or otherwise of license of such security agencies which may not have adhered to the conditions of trained personnel on its rolls.

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

- (i) Height, 160 cms. (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 color blindness, should be able to identify and distinguish color display in security equipment and read and understand display in English alphabets and Arabic numerals.
- (iii) Free from knock knee and flat foot and should be able to run one kilometer 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 equipment.
- (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.

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(3) Agency shall ensure that every private 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.

10. Provision for Supervisors. (1) There shall be one supervisor to supervise the work of not more than fifteen private security guards.

11. Appeals and procedure. Every appeal under sub-section (1) of section 14 of the Act shall be preferred in Form-IX signed by the aggrieved person or his authorized advocate and presented to the Home Secretary to the State Government in person or in electronic or digital form or sent to him by registered post.

12. Register to be maintained by the Agency. The register required to be maintained under the Act by the Agency shall be maintained electronically in Form X.

13. 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-XI.

(2) The photo identity card shall convey a full-face image in color, full name of the private security guard, name of the Agency and the employee 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 shall 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 shall be immediately brought to the notice of the Agency that issued it.

- (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.

(3) Every private security guard shall carry a notebook and a writing instrument with him.

(5) The agency shall ensure recording of CCTV footage in the premises where the services will be provided and shall save records up to two months for facilitating the investigating agencies in any case(s) if need be.

15. Repeal and savings. (1) All existing rules and orders in force immediately before the commencement of these rules relating to matters covered by these rules are hereby repealed.

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(2) Notwithstanding such repeal, any appointment, order made or
action taken under the provisions of the rules/orders so repealed shall be
deemed to have been made or taken under the corresponding provisions of
these rules.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner/Additional Chief Secretary.

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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. Additional details of the Private Security Agency (if applicable) :
 - (a) CIN No.
 - (b) ESI No.
 - (c) EPF No.
 - (d) Labour Licence No.
 - (e) Labour Registration No.

Recognition details of Training agency

11. Equipments which will be used for Security servicesô

- Signature
Name of the applicant,
Address of the application,
Telephonic number of the applicant,
Date of application.

Enclosure :

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1. Name of applicant (Initials not allowed)
Last nameFirst 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 (DD/MM/YYYY):
5. Aadhaar No.
6. PAN No.
7. Place of Birth : Village/Town
District..... State and Country.....
8. Father's Full Name/Legal Guardian's Full Name (including surname, if any) : (Initials not allowed).....
9. Mother's Full Name (including surname, if any), (Initials not allowed)

10. If married, Full Name of the Spouse (including surname, if any), (Initials not allowed).....

Telephone No./Mobile No.

13. Permanent Address including Street No./Police Station, Village and District (with PIN Code)

From..... To.....
Address.....

16. Other Details :

(b) Previous positions held if any along with name and address of employers :

(d) **Visible Distinguishing Mark :**

S.No.	Assessment Year	Copy of ITR enclosed	(Yes/No)
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2.

(f) Affidavit incorporating the provisions of section 6 of the Act
enclosed : Yes/No

17. Did you earlier operate any Private Security Agency or were its

- The information given by me in this form and enclosures is true and I am solely responsible for accuracy.

.....

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4. That the deponent or any of the Proprietor/Partner/Director has not been convicted of any offence in connection with promotion, formation or management of a company (any fraud or misfeasance committed by him in relation to the firm/agency/company), including an undischarged insolvent.
5. That the deponent or any of the Proprietor/Partner/Director has not been convicted by a competent court for an offence, the prescribed punishment for which is imprisonment of not less than two years.
6. That the deponent or any of the Proprietor/Partner/Director has not beenô
 - a. Keeping links with any organization or association which is banned under any law on account of their activities which pose threat to national security or public order ; or
 - b. Indulging in activities which are prejudicial to national security or public order.

12. That the deponent and all the Partners/Directors of the firm/agency, company will comply, conditions of licence and in letter and spirit with the provisions of the Private Security Agencies (Regulation) Act 2005 (29 of 2005) and the relevant rules notified by the State Government JUT administration under the Act and also comply with the instructions issued from time to time by the Controlling Authority appointed under the Act, while managing private security agency with the name and title M/s.....

Verification : I,..... hereby solemnly affirm on
(date) that the contents of the above affidavit are true and correct to the
best of my knowledge and belief and nothing has been concealed therein.

Note :ô

- i. Point No. 4 to 8 relates to compliance of section 6 of the Act.
- ii. Point No. 9 relates to compliance of section 9(2) of the Act.
- iii. Point No. 10 and 11 relates to compliance of section 11 of the Act.
- iv. Strike the points which are not applicable.

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RENEWAL

Sl. No.	Date of Renewal	Date of expiry
1.		
2.		
3.		
4.		

Official Address.

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10. Present Residential Address, including Street No./Police Station, Village and District (with PIN Code)_____

11. Please give the date since residing at the above-mentioned address:
DD/MM/YYYY_____

From_____	To_____	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

14. 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_____

(e) Height (cms.) : _____

FORM-VIII

Serial number

Name of the Training Agency
Address of the Training agency

Certified that _____ son/daughter of _____ resident
of _____ has completed the prescribed training for the
engagement of employment as a Private Security Guard/Supervisor
confirming to National Skill Qualification Framework (NSQF) standards
from _____ to _____.

Signature of issuing authority
Designation

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END OF PART I

(Register A – Management details)

Prüfung	Prüfung	Prüfung	Prüfung
Prüfung	Prüfung	Prüfung	Prüfung

S. No.	Name of person(s) managing the Agency	Parent's/ Father's name	Present address & Phone No.	Permanent Address	Nationality	Date of joining/ leaving the agency
1						

[illegible]

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S. No.	Name of the 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

(Register D : Duty Roster)

(Register D : Duty Roster)

S. 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 ending of duty

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FORM-XI

PHOTO IDENTITY CARD OF PRIVATE SECURITY GUARD/ SUPERVISOR

Official Seal