

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 1549**

**TO BE ANSWERED ON THE 20TH SEPTEMBER, 2020/ BHADRAPADA
29, 1942 (SAKA)**

ILLEGAL TRADE IN FIRE-ARMS

†1549. SHRI GOPAL CHINNAYA SHETTY:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether illegal trade in fire-arms is flourishing in various parts of the country;

(b) if so, the details thereof;

(c) whether criminals are using such illegal firearms and various State Police or agencies are unable to control this increasing trend; and

(d) if so, the strategy adopted by the Union Government to amend the Arms Act for banning production and use of illegal arms?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI G. KISHAN REDDY)**

(a) to (c): As per the Seventh Schedule to the Constitution of India, “Police” and “Public Order” are State subjects; accordingly, enforcement of the provisions of the Arms Act, 1959, is mainly the responsibility of the respective State Governments and Union Territories. There are effective regulatory provisions under sections 19 to 25 of the Arms Act, 1959, which empower the law enforcement agencies to take appropriate action to curb illegal trade of firearms

and take action against the offenders. Ministry of Home Affairs has issued a detailed advisory on 01.03.2019 to the State Governments and Union Territories regarding monitoring mechanism for security and enforcement of provisions under the Arms Act, 1959, and the Arms Rules, 2016.

(d): The Arms (Amendment) Act, 2019, has strengthened the legal framework by amending the definition of manufacturing and widening the provisions relating to conversion of firearms. Penal provisions for some of the existing offences have been enhanced. Further, new offences such as organized crime, illicit trafficking and use of firearms in a rash and negligent manner have been defined along with penal provisions.
