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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
HOME AND HILL AFFAIRS DEPARTMENT
INTERNAL SECURITY BRANCH, NABANNA
325, Sarat Chatterjee Road, Howrah-711102

NOTIFICATION

No. 244-IS/PVT-60/2021

Dated, 28th day of February, 2025

In exercise of the powers conferred by section 25 of the Private Security Agencies (Regulation) Act, 2005 (29 of 2005) and in supersession of the West Bengal Private Security Agencies (Regulation) Rules, 2007, except as respects things done or omitted to be done before such supersession, the Governor is pleased to make the West Bengal Private Security Agencies (Regulations) Rules, 2024.

Rules

1. Short title and commencement. — (1) These rules may be called the West Bengal Private Security Agencies (Regulations) Rules, 2024.

(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 (29 of 2005);
- (b) "Agency" means the Private Security Agency;
- (c) "Controlling Authority" shall have the same meaning as assigned to it in clause (b) of section 2 of the Act;
- (d) "Form" means, a Form appended to these rules and includes a digital version of it;
- (e) "Licence" means a licence granted under the Act.

- (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. Application for grant of licence. — (1) Every agency while making an application in Form I to the Controlling Authority for the grant of licence shall also enclose the Form II for verification of his antecedents.

- (2) If the applicant is a company, a firm or an association of persons, the application in Form I shall be accompanied by Form II for every proprietor or majority shareholder, partner or director of the company, as if they were also the applicants. In addition, he shall submit an Affidavit in Form III incorporating the details in relation to the provisions contained in sub-section (2) of section 7 of the Act.

- (3) On receipt of Form I, Form II, and Form III, the Controlling Authority shall make such inquiries, as it considers necessary to verify the contents of the application and the particulars of the applicant.

- (4) Every application referred to in sub-rule (1) shall be accompanied by receipted challan in T.R. Form/ GRIPS e-Challan under head of Account "018-Fees under the Private Security Agencies (Regulation) Act, 2005, for regulating the functioning of Security Agencies" with detailed heads "13-Licence Fees" & "16-Other Fees" subordinate to the Receipt Head of Account "0070-other Administrative Services-60-other Services-800-other Receipts including Census" showing the payment of fees as prescribed under sub-section (3) of section 7 of the Act.

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

- (6) On receipt of the application referred to in sub-rule (1), the Controlling Authority shall after noting thereon the date of receipt of the application, issue an electronic or digital acknowledgment to the applicant.

- (7) The Controlling Authority, after receiving an application in Form I shall grant a licence 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 or reject the same within a period of sixty days from the date of receipt of the application complete in all respect:

Provided that 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 licence is refused is mentioned in the order.

(8) The Controlling Authority either by itself or through its officer or any other means or concerned police authority having jurisdiction over the applicant shall verify the premises of the private security agency at the address or addresses provided by the agency.

(9) The Controlling Authority shall cause to deliver the licence either physically or digitally within fifteen days of issue to the principal office of the private security agency which the concerned private security agency shall be bound to display at its place of business.

4. Verification of the antecedents of the applicants

(1) The Controlling Authority shall obtain a no objection certificate from the Superintendent of Police of the concerned District, or the Commissioner of Police of the concerned Commissionerate, as the case may be, or an officer authorised by him not below the rank of Deputy Commissioner of Police, where the applicant intends to commence its activities. For the purpose, the Controlling Authority shall send to him a copy of the application for licence and its attachments for verification and report.

(2) The Superintendent of Police, or the Commissioner of Police, or an officer authorized by him not below the

rank of Deputy Commissioner of Police, as the case may be, 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 (1) of rule 3, 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 Agency.

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

(2) The Controlling Authority shall frame the detailed training syllabus required for training the licensee.

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

(i) Present security scenario:

(a) VIP Security

(b) Internal Security

(c) Institutional Security;

(ii) Role and Functioning of Private Security Agencies:

(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

(l) Post duties

(iii) Legal provisions:

(a) The Private Security Agencies (Regulation) Act, 2005 (29 of 2005) and its associated Rules.

(b) Relevant Labour Laws

(iv) Management of Security Agencies:

(a) Uniform

- (b) Training of personnel of private security agencies
 - (c) Documentation and records to be maintained by the licensee
 - (d) Data Sharing Protocol
 - (v) Interface with public, Police and other departments:
 - (a) Interface with Public
 - (b) Liaison with police and other concerned Government Departments
 - (vi) Private Security Personnel - DO's and DON'Ts (Conduct Rules)
- (4) The licensee shall inform the Controlling Authority regarding any change in the address of persons forming the Agency or change of management within thirty days of such change.
- (5) The licensee shall immediately intimate to the Controlling Authority about any criminal charge framed against the persons forming the Agency or against a private security guard or supervisor engaged or employed by the Agency, in the course of performance of duties as a private security agency. A copy of such communication shall also be sent to the officer-in-charge of the police station where the person charged against resides.
- (6) Every licensee shall abide by the requirements of physical standards for the private security guards and their training as prescribed in these rules as the condition on which the licence is granted.
- (7) Save as provided in these rules, the fees paid for the grant of licence shall be non-refundable.
- (8) The licensee shall commence its activities within six months of obtaining the licence.
- (9) Commencement of activities shall include the establishment of office premises and engagement of supervisors as provided under sub-section (3) of section 9 of the Act and in accordance with rule 11.
- 6. Renewal of licence.** — (1) Every Agency shall apply to the Controlling Authority for renewal of the licence in Form I along with Form II and Form III not less than forty-five days before the date of expiry of the period of validity thereof and after complying with other conditions of section 8 of the Act.
- (2) If the applicant is a company, a firm or an association of persons, the application in Form I shall be accompanied by Form II for every proprietor or majority shareholder, partner or director of the company as if they were also the applicants.
- (3) The Controlling Authority, after receiving an application in Form I shall grant a renewal of licence in Form IV after making such enquiry as it considers necessary and after compliance with the provisions of the Act.
- (4) In case of non-receipt of the application for renewal of licence within the validity period, the agency shall be treated as un-licensed agency after the expiry of validity.
- (5) No application for Renewal of licence shall be accepted after expiry of validity of licence. In such case the Agency may apply for fresh licence as per section 7 of the Act.
- (6) The fees chargeable for renewal of the licence shall be the same as for the grant of new licence as mentioned in sub-section (6) of section 7 of the Act.
- (7) The Controlling Authority shall pass an order on application for renewal of licence in Form IV within thirty days from the date of receipt of application complete in all respects.
- (8) The validity of renewed licence shall be counted from the date of expiry of the previous licence and shall be up to a period of five years irrespective of its date of renewal.

7. Conditions for renewal of licence.— 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 9 of these rules;
- (iii) the applicant continues to adhere to the conditions of grant of licence;
- (iv) the applicant has no criminal antecedents as may be verified from a database of crime and criminals and /or physical verification by the police authority having jurisdiction.

8. 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 any one or more of the following manner, namely:-

- (a) by relying upon the report received from the police authority based upon records/ electronic databases of crime and criminals maintained by police authority, and/or by physical verification by the concerned police authority as the case may be, for verification of the character and antecedents of such person/s.
 - (b) by relying on the report received from the police authorities signed under the authority of the Superintendent of Police or an officer of the equivalent or higher rank of the concerned district or the Commissioner of Police, or an officer not below the rank of Deputy Commissioner of Police, as the case may be.
- (2) The person desirous of getting employed or engaged as a security guard or supervisor shall submit Form V to the Agency. In addition, he shall submit an Affidavit in Form VI incorporating the details in relation to the provisions contained in sub-section (2) of section 10 of the Act.
 - (3) The State Government shall arrange to accept the prescribed fee to be deposited electronically for character and antecedent verification.
 - (4) The authority to which the application is made shall ensure that the character and antecedent verification report is issued within fifteen days of the receipt of the character and antecedent form.
 - (5) Once issued, Character and antecedents' verification report shall remain valid for three years irrespective of the change in employer status.
 - (6) On the basis of character and antecedents' verification, the verification authority shall issue in Form VII a character and antecedents certificate and this certificate shall be valid as prescribed under sub-rule (5) of rule 8, even if the person ceases to be the employee of that Agency.

9. Security Training.— (1) The Controlling Authority shall frame the detailed training syllabus required for training the security guards in accordance with the subjects as mentioned in sub-rule (2) hereinafter. For entry-level, this training shall be for a minimum period of a 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 a minimum of 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/ 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, write and speak in Bengali language and able to understand basic English conversation and understand English / Hindi alphabet and Arabic numerals as normally encountered in identification of documents, arms licence, travel documents and security inspection sheets;
 - (h) identification of improvised explosive devices;
 - (i) first-Aid;
 - (j) crisis response and disaster management;
 - (k) defensive driving (compulsory for the driver of an Armoured vehicle and optional for others);
 - (l) handling and operation of non-prohibited weapons and firearms (optional);
 - (m) rudimentary knowledge of the Indian Penal Code, right to private defence, procedure for lodging first information report in the police station, Arms Act (only operative sections); 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);
 - (q) leadership and management (for supervisors only); and
 - (r) local language and culture.
- (3) The security guard shall have to successfully undergo the training prescribed by the Controlling Authority.
- (4) On completion of the training each trainee shall have to undergo an evaluation as prescribed by the controlling authority to be considered as a successful candidate for enrolment as a private security guard or supervisor. A certificate in Form VIII shall be issued by the training institute to such successful trainees.
- (5) The Controlling Authority shall inspect the functioning of training facility from time to time either by itself or through its own officers. Normally such inspection shall be conducted at least two times every year.
- (6) All the training agencies shall submit a list of successful trainees to the Controlling Authority in the manner prescribed by it.
- (7) 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.
- (8) 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.
- (9) The Controlling Authority may review the continuation or otherwise of licence of such security agencies which may not have adhered to the conditions of trained personnel on its rolls.
- (10) All the Private Security agencies shall submit a list of enrolled guards/ supervisors to the Controlling Authority in the manner prescribed by it.

- 10. Standard of physical fitness for security guards.-** (1) A person shall be eligible for being engaged or employed as security guard if he fulfils 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: Farsighted vision 6/6, near vision 0.6/0.6 with or without correction, free from colour blindness, should be able to identify and distinguish colour display in security equipment and read and understand display in English / Bengali alphabets and Arabic numerals.
 - (iii) Free from knock knee and flat foot and should be able to run one kilometre 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 the 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.
- (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 standards as prescribed for the entry level.
- 11. 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 supervisors so that at least for every six private security guards there is one supervisor available for assistance, advice and supervision.
- 12. 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.
- 13. 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.
- 14. 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 colour, the full name of the private security guard, the 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 and to the local police authority.

15. **Other conditions.**— (1) Notwithstanding whether the Agency mandates its private security guards to put on the uniform while on duty or not, every private security 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 eyelets and laces;
 - (e) a headgear which may also carry the distinguishing mark of the Agency.
- (2) The clothes worn by the private security guard while on active duty shall be such that they do not hamper his efficient performance. In particular, they shall neither be too tight nor too loose to obstruct movement or bending of limbs.
- (3) Every private security guard shall carry a notebook and a writing instrument with him.
- (4) Every private security guard while on active security duty shall wear and display a photo-identity card issued under section 17 of the Act, on the outermost garment above waist level on his person in a conspicuous manner.

By order of the Governor

Sd/-

(Nandini Chakravorty)

Home Secretary

&

**Principal Secretary to the Government of West Bengal
Home & Hill Affairs Department**