

SUPREME COURT OF INDIA

Recent Firing Incident,

Vs.

.....

Vinod Lakhina and Kusum Gulati,(Jj.)

21.11.2012

SUO MOTU PETITION No...../2012

ORDER

Vinod Lakhina,J.

1. The Court made the following

2. A recent firing incident, widely reported in the Press, resulting in the death of two persons, allegedly on account of use of firearms by some private security personnel is a matter of grave concern. It raises serious issues regarding the role of security agencies, especially the private ones. Some of the questions, that are of great

public importance and need to be urgently addressed, are:

“1.What is the legal regulatory framework under which the private security agencies operate?

2. What are the parameters/norms that are considered for issue of firearm/weapon licences to private security personnel?

3. What are the guidelines, if any, governing the use of such firearms/weapons, by private security personnel; if not, whether it is necessary to frame definite parameters on the subject?

4. What are the rights and duties of private security agencies under the law, particularly, vis-a-vis the criminal law of the land?Under these circumstances, we take suo motu cognizance of the said reports, relating, inter alia, to the licensing and working of private security agencies.Accordingly, for the present, we issue notice to the Ministry of Home Affairs, Union of India with a direction to file an affidavit explaining its stand on the aforementioned broad questions. The requisite affidavit shall be filed by a Senior Officer within two weeks from today.To ensure compliance, a copy of this order shall be sent to the office of Mr. Siddharth Luthra, learned Additional Solicitor General, forthwith for onward

transmission to the Secretary (Home). We would also request the learned ASG, who is present in Court, to assist us in this case. List the case on 6th December, 2012, after obtaining appropriate orders of Hon'ble the Chief Justice of India, regarding registration of this suo motu action.