

SINDH JUDICIAL ACADEMY

SINDH ARMS ACT, 2013 WITH SINDH ARMS RULES, 2018

Amendment up to date till: 04-09-2023



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CERTIFICATE OF PROOFREADING

This is to certify that the proof reading of the updated copy of *Sindh Arms Act, 2013 and Sindh Arms Rules, 2018* has been done by me carefully. To the best of my knowledge, the Bare Act of above mentioned enactment is now free of errors and ready for reading and publication.



SINDH ARMS ACT, 2013

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THE SINDH ARMS ACT, 2013.

SINDH ACT NO. V OF 2013.

AN ACT

to reform the legislation pertaining to the arms and ammunition in the Province of Sindh.

Preamble. -WHEREAS it is expedient to reform the legislation pertaining to arms and ammunition in the province is being enacted to curb the proliferation of arms and ammunition, whether licenced or not, which disrupts the social harmony and development, vitiates the law and order affairs, and directly contributes to the barbarity of violence. This act envisages to ensure that arms licenses are issued to the *bonafide* persons in the province.

It is hereby enacted as follows: -

CHAPTER-I PRELIMINARY

1. Short title, extent and commencement. (1) This Act may be called the Sindh Arms Act, 2013.

(2) It extends to the whole of the Province of Sindh.

(3) It shall come in to force on such date as Government may notify in the official gazette.

2. Definitions. -In this Act, unless there is anything repugnant in the subject or context –

(a)“**acquisition**”, with its linguistic variations and connotations, includes hiring, borrowing or accepting as a gift or inheritance;

(b) “**ammunition**” means ammunition for any firearm, ¹[arms] and includes –

- (i) rockets, bombs, gun powder, shells, detonators, cartridges, grenades;
- (ii) articles designed for torpedo service and submarine mining;
- (iii) other articles containing, or designed or adapted to contain, explosive, fulminating or fissionable material or noxious liquid, gas etc. whether capable of use with firearms or not;
- (iv) charges for firearms and accessories for such charges;
- (v) fuses and friction tubes; and

¹ Word inserted by Sindh Act No. XXXV of 2023 S. 2(a) dated 4th September 2023

(vi) parts and machinery for manufacturing ammunition;

(c) “**arms**” means ²[and includes firearms and] articles, designed as weapons of offence or defence and includes rifles, pistols, revolvers, grenades, swords, bayonets, and other lethal weapon. It shall also include machinery (and its parts) for manufacturing arms, but excludes articles designed solely for domestic or agricultural purposes and weapons incapable of being used otherwise than as toys or of being converted into serviceable weapon;

(d) “**firearms**” means ³[and includes arms and] weapons designed to discharge a projectile or projectiles of any kind by the action of gun powder or any explosive or other forms of energy ⁴[as may be notified by the Home Department from time to time,] and includes –

(i) artillery hand-grenades, riot-pistols or weapons of any kind designed for the discharge of any noxious liquid, gas etc.;

(ii) accessories for any such firearm, intended to diminish the noise or flash caused by the firing thereof;

(iii) parts of, and machinery for manufacturing fire-arms; and

(iv) carriages, platforms and appliances for mounting, transporting and serving artillery;

(e) “**Government**” means the Government of Sindh;

(f) “**licensing authority**” means an officer or authority empowered to grant or renew licenses under the rules;

(g) “**prescribed**” means prescribed by rules;

(h) “**prohibited arms**” means –

(i) firearms so designed that, if pressure is applied to the trigger, missiles ⁵[bullets or cartridges] discharge until pressure is removed from the trigger or the magazine containing the missiles ⁶[bullets or cartridges] is empty, or

(ii) weapons designed for the emission of any noxious liquid, gas etc. and included artillery, anti-aircraft and anti-tank firearms and such other arms as the Provincial Government may, by notification in the Official Gazette, specify to the prohibited arms;

(i) “**public servant**” has the same meaning as in section 21 of the Pakistan Penal Code (1860);

² Word inserted by Sindh Act No. XXXV of 2023 S. 2(b) dated 4th September 2023

³ Word inserted by Sindh Act No. XXXV of 2023 S. 2(c) dated 4th September 2023

⁴ Word inserted by Sindh Act No. XXXV of 2023 S. 2(c) dated 4th September 2023

⁵ Word inserted by Sindh Act No. XXXV of 2023 S. 2(d) dated 4th September 2023

⁶ Word inserted by Sindh Act No. XXXV of 2023 S. 2(d) dated 4th September 2023

(j) **“rules”** means the rules made under this Act;

(k) **“transfer”**, includes letting on hire, lending, giving, shifting and parting with possession.

⁷[(l) **“shooting range”** means and includes a fire range or gun range or a specialized facility, venue or field or a place either indoor or outdoor to be earmarked specifically for the usage of training, practice of targets, controlled shooting and competition by the persons having valid arms licenses for lawful purposes including sport shooting but does not own or sell or rent arms and ammunition;

(m) **“shooting club”** means and includes a fire range or gun range or specialized facility, venue or field or a place either indoor or outdoor to be earmarked specifically for the usage of training, practice of targets, controlled shooting and competition by the persons having valid arms license for lawful purpose and maintain stock of arms and ammunition as authorized by the Home Department under license;

(n) **“spoils shooting association”** means a non-profit organization or an association of persons duly registered under The Societies Registration Act, 1860, whose activities shall exclusively include target practice or target shooting competitions using non-prohibited arms or firearms and ammunition at any identified approved shooting range;

(o) **“operator”** means a person who has obtained a license under Section 12 to operate a shooting range;

(p) **“Appellate Authority”** means the Chief Minister Sindh or an Officer to whom the powers have been delegated by him.]

CHAPTER-II ACQUISITION AND POSSESSION OF ARMS & AMMUNITION

3. Licence for acquisition and possession of fire arms and ammunition. (1) No person shall acquire, possess, or carry any firearm and ammunition unless a licence is issued to him in accordance with the provisions of this Act and the rules:

Provided that a person may, without himself holding a licence, carry any firearm or ammunition in the presence, or under the written authority of the holder of the licence, for repair or for renewal of the licence or for use by such holder.

(2) The number of firearms to be allowed to any person, at any time, shall be in accordance with the rules so prescribed.

4. Licence for the manufacture, sale, etc. of arms and ammunition. -No person shall –

⁷ New clauses added by Sindh Act No. XXXV of 2023 S. 2(e) dated 4th September 2023

(a) manufacture, sell, transfer, convert, repair, test; or

(b) expose or offer for sale or transfer or possess for sale, transfer, conversion, repair, any firearm or any other arms of specific description or any ammunition, unless he holds a licence issued in accordance with the provisions of this Act and the rules:

Provided that a person may sell or transfer any arms or ammunition which he lawfully possesses for his own private use, to another person who is entitled by this Act, to possess such arms or ammunition but the person who has sold or transferred any firearm or ammunition under the provisions of this Act, shall, immediately after the sale or transfer, inform the Home Department, Government of Sindh, in writing about such sale or transfer and the particulars of the person to whom the firearm, ammunition or other arms has or have been sold or transferred.

14-A. Ballistic Signature. (1) The Arms Dealer shall ensure by taking verified thumb impressions of the purchaser from NADRA and taking their CNIC copies and other particulars which will be notified from time to time and shall forward to Forensic Lab, for record keeping.

(2) The Arms Dealer shall, immediately after selling any fire arm weapon, provide the Forensic Lab. Two empty cartridges fired from the weapon purchased for registration of ballistic signature.

(3) The Arms Dealer shall ensure to register the weapon in the Forensic Lab, along with all particulars which include dealers' receipt, make, model, number and ballistic signature particulars etc.

(4) The officials in the Forensic Lab shall collect the samples of two empty cartridges or bullets after immediate fire from weapon purchased and shall keep the record.

(5) After completion of registration the purchaser shall be allowed to possess the weapon and for further process for registration.”

5. ⁸**[Prohibition of transportation of arms and ammunition]** No person shall bring into or take out of Sindh or any of its districts, arms ammunition ⁹**[as notified by the government in the official gazette]** ¹⁰~~[or military stores]~~ of a firearm or convert an imitation firearm into a firearm unless a licence has been issued in accordance with the provisions of this Act and the rules.

Explanation. - The phrase “imitation firearm” implies anything which has the appearance of a firearm, ¹¹**[and having such material which can be converted to arm]** whether it is capable of discharging any shot, bullet or other missile or not.

6. Prohibition of acquisition, possession, manufacture or sale of prohibited arms or ammunition. No person shall -

¹ New Section 4-A, Inserted by Sindh Act No. XXVII of 2016, S.2, dt.17th October, 2016.

⁸ Words replaced by Sindh Act No. XXXV of 2023 S. 3(a) dated 4th September 2023

⁹ Words inserted by Sindh Act No. XXXV of 2023 S. 3(a) dated 4th September 2023

¹⁰ Words deleted by Sindh Act No. XXXV of 2023 S. 3(a) dated 4th September 2023

¹¹ Words inserted by Sindh Act No. XXXV of 2023 S. 3(b) dated 4th September 2023

- (a) acquire, possess or carry; or
- (b) manufacture, sell, transfer, convert, repair, or test; or
- (c) expose or offer for sale or transfer or possess for sale, transfer, conversion, repair, or test, any prohibited arms or prohibited ammunition unless he has been exclusively authorized by Government, in this behalf.

Provided that all the arms licences for prohibited bore weapons issued under the provisions of Pakistan Arms Act, 1965, to the extent of Province of Sindh, shall continue to remain valid until reviewed and cancelled under this Act:

7. Prohibition of sale or transfer of firearms without identification marks. (1)

No person shall obliterate, remove, modify or forge any name, number or other identification mark stamped or otherwise shown on a firearm.

(2) No person shall sell or transfer any firearm which does not bear the name of the maker, manufacturer's number or other identification mark stamped or otherwise shown thereon in a manner approved by Government.

(3) Whenever any person possesses any firearm, without such name, number or other identification mark or on which such name or other identification mark has been obliterated, removed, modified or forged, it shall be presumed, unless proved otherwise, that he has obliterated, removed, modified or forged that name, number or other identification mark:

Provided that with regard to any person who possesses, at the commencement of this Act, any firearm without such name, number or other identification mark stamped or otherwise shown thereon, the provisions of this sub-section shall not take effect until the expiry of one year from the date of such commencement.

8. Prohibited of acquisition or possession, or sale or transfer of firearms to certain classes of persons.

(1) Notwithstanding any of the provisions of this Act, no person shall –

(i) who is below the age of twenty five years, or

¹²[Provided that restriction of age shall not apply to the person, who has acquired the job in any public or private sector organization and the employer of such public or private organization has issued a letter for obtaining arms license for discharge of his official duties.]

(ii) who is not permanent resident of Province of Sindh,

¹Provided that the conditions of permanent resident of Province of Sindh shall not be applicable to the personnel of Armed Services and Civil Armed Forces, employees of Federal Government, autonomous bodies or corporations, Directors or

¹² New Proviso added by Sindh Act No. XXXV of 2023 S. 4(a) dated 4th September 2023

¹ New Proviso Added by Sindh Act No. II of 2017, S.2, dt, 22nd March, 2017.

Senior Management of Public and Private Limited Companies and tax payers (paying income tax not less than five hundred thousand rupees in the last financial year), posted or working in the Province of Sindh.

(iii) who has been convicted of any offence involving violence or moral lapses, leading to imprisonment for a minimum term of six months, at any time during a span of five years after the expiry of the sentence, or

(iv) who has been ordered to execute under chapter VIII of the code of Criminal Procedure, 1898, ¹³[or under 11EE (2)(a) of Anti-Terrorism Act, 1997] a bond for keeping peace or for displaying good behavior, at any time during the term of the bond,

acquire, possess or carry any firearm or ammunition, sell or transfer any firearm or ammunition to, or convert, repair, or test any firearm or ammunition for, any other person whom he knows, or has reason to believe –

(i) to be prohibited from acquiring, possessing or carrying any firearm or ammunition, or

(ii) to be of unsound mind at the time of such sale or transfer, or such conversion, repair or test.

(2) Notwithstanding anything contained in clause (i) of sub- section (1), a person who has not attained the prescribed age may use, under prescribed conditions such firearms as may be recommended in the course of his training ¹⁴[& sports shooting competitions] in the use of firearms.

¹⁵[(3) Notwithstanding anything contained in this section a person cannot carry arms, who has not undergone basic training to handle firearm by the registered training and / or teaching institute or organization or Arms & Ammunition dealer , as may be prescribed.]

9. Licence for import and export of arms, etc.¹⁶[ammunition, manufacturing machinery for arms and ammunition in the province of Sindh] (1) No person shall bring into, or take out of Sindh or any of its districts, any arms or ammunition unless he holds a licence issued in accordance with the injunctions of this Act and the rules:

Provided that -

- (a) a person, who is entitled by this Act, to possess arms or ammunition, may without a licence, bring into, or take out of, Sindh such arms or ammunition in justifiable quantities;
- (b) a person, being a bonafide tourist, belonging to any such country as notified in the Official Gazette by the Federal Government, and who is not prohibited by

¹³ Words inserted by Sindh Act No. XXXV of 2023 S. 4(b) dated 4th September 2023

¹⁴ Words inserted by Sindh Act No. XXXV of 2023 S. 4(c) dated 4th September 2023

¹⁵ New clause added by Sindh Act No. XXXV of 2023 S. 4(d) dated 4th September 2023

¹⁶ Words inserted by Sindh Act No. XXXV of 2023 S. 5(a) dated 4th September 2023

the laws of that country to possess any arms or ammunition, may, without a licence under this section, but in accordance with such conditions as may be prescribed, bring with him into Sindh, arms and ammunition in justifiable quantities only to be used by him for the purposes of sports.

Explanation. - The word “tourist” means a person, not being a citizen of Pakistan, visiting for a maximum period of six months, with the sole object of recreation, sightseeing, or participation in a representative capacity in official meetings, international conferences, associates or other bodies.

(2) Notwithstanding anything contained in the proviso to sub- section (1), where the Home Department Sindh or any other office so empowered by Government has any doubt as to the applicability of clause (a) or clause (b) of that proviso to any person claiming that such clause is applicable to him, or as to the reasonableness of the quantities of arms or ammunition in the possession of any person referred to in such clause, or as to the use to which such arms or ammunition may be employed by such person, may confiscate the arms or ammunition in the possession of such person until the orders of the Federal Government have been received in this regard.

10. Power to prohibit import or export of arms etc. - Government may, by notification in the Official Gazette, prohibit the bringing into, or the taking out of Sindh, such arms or ammunitions as may be specified.

11. Power to restrict or prohibit transport of arms. (1) Government may, by notification in the Official Gazette -

- (a) direct that no person shall transport across Sindh, arms and ammunitions of specific description unless he holds a licence along with written authority duly issued in consonance with the provisions of this Act and the rules made thereunder; or
- (b) forbid such transport altogether.

CHAPTER- III PROVISIONS RELATING TO LICENCES

12. Grant of Licences. (1) An application for the grant of a licence under Chapter- II shall be made to the licensing authority in such form, containing such particulars and accompanied by such fee, as may be prescribed.

(2) On receipt of an application, ¹⁷[Home Department or] the licensing authority, after ¹⁸[scrutinizing the required documents as may be prescribed, and after] conducting the requisite antecedent check, ¹⁹[and other conditions of handling, training of the arms, as may be prescribed] shall, by order in writing, either grant or refuse the licence.

¹⁷ Words inserted by Sindh Act No. XXXV of 2023 S. 6(a) dated 4th September 2023

¹⁸ Words inserted by Sindh Act No. XXXV of 2023 S. 6(a) dated 4th September 2023

¹⁹ Words inserted by Sindh Act No. XXXV of 2023 S. 6(a) dated 4th September 2023

²⁰(3) The Licensing Authority may, on receipt of an application under sub-section (1) with sufficient and valid reasons, extend the license to whole of Pakistan.

²¹**[12-A Grant of License for shooting range. (1) An application for the grant of license to operate a shooting range or shooting club shall be made to the Home Department, providing the particulars and accompanied by the prescribed fees.**

(2) The code of conduct, curriculum and other conditions to manage the affairs and operate a shooting range shall be notified by the Home Department from time to time.]

²²**[12-B Grant of Arms Licenses to the Sports Shooting Clubs. An application for grant of arms licenses to the prescribed limits shall be made to the Home Department by the authorized person of the Sports Shooting Club, subject to such conditions as laid down in the Rules, and accompanied by the prescribed fees.]**

13. Refusal of Licences. - (1) Notwithstanding anything in section 12, ²³[12-A & 12-B] the licensing authority shall refuse to grant -

- (a) a licence under section 3, if it is required for any prohibited arms or prohibited ammunition;
- (b) a licence in any other case under Chapter-II ²⁴**[and Chapter-III of Act;]**
- (c) where such licence is required by a person whom the licensing authority has reason to believe –
 - (i) to be prohibited by this Act from acquiring, possessing or carrying arms or ammunition; or
 - (ii) to be of unsound mind; or
 - (iii) to be for any reason, unfit for a licence under this Act; or
- (d) where the applicant is convicted of any offence punishable under the Pakistan Penal Code;
- (e) where the licensing authority deems it necessary for the security of the public peace or safety to refuse to grant such licence;
- (f) where the applicant possesses more than one Computerized National Identification Card or multiple passports.

(2) The licensing authority shall not turn down any application for licence merely on the premise that applicant does not own adequate property.

²⁰ New Sub-Section Inserted by Act. No. XXIV of 2014, S.2, dt, 22nd December 2014.

²¹ New Section inserted by Sindh Act No. XXXV of 2023 S. 7 dated 4th September 2023

²² New Section inserted by Sindh Act No. XXXV of 2023 S. 8 dated 4th September 2023

²³ Words inserted by Sindh Act No. XXXV of 2023 S. 9(a) dated 4th September 2023

²⁴ Words inserted by Sindh Act No. XXXV of 2023 S. 9(b) dated 4th September 2023

(3) When the licensing authority refuses to grant a licence to any person, it shall record a reasoned decision in writing for such refusal and communicate to the applicant, the reasons of the same, unless the licensing authority holds that such communication is detrimental to the public interest.

14. Duration and Renewal of licence. - (1) A licence under section 3, unless revoked earlier, shall continue to be in force, for a period of one year from the date of its issuance:

Provided that such licence may be granted for a shorter period if the applicant so desires or if the licensing authority, for reasons to be recorded in writing, considers that the licence should be granted for a shorter period.

(2) Every licence shall, unless the licensing authority for cogent reasons to be recorded in writing decides otherwise, be renewable ²⁵**[for such period as may be ordered by the licensing authority]** for the same period for which the licence was originally granted and shall be so renewable from time to time.

15. Fees and forms for licence. The fees on payment of which, and the form on which a licence shall be granted or renewed, shall be in accordance with the rules as may be prescribed:

Provided that a licence may contain such conditions, as may be considered crucial by the licensing authority, in any particular case.

16. Suspension and revocation of licences. (1) The licensing authority may, if it deems fit and having recorded a reasoned decision in writing, suspend or revoke a licence for an indefinite period -

- (a) if the licensing authority is satisfied that the holder is prohibited by this Act, from acquiring, possessing or carrying any arms or ammunition, or is of unsound mind, or is for any reason unfit for a licence under this Act; or
- (b) if the licensing authority deems it necessary for the security of the public peace or for public safety to suspend or revoke the licence; or
- (c) if the licence was obtained by the suppression of material information or on the basis of wrong information provided by the holder of the licence or any other person on his behalf at the time of application; or
- (d) if any of the conditions of the licence has been flouted.

(2) The licensing authority may also revoke a licence on the application of the holder himself.

(3) Where the licensing authority makes an order, suspending or revoking a licence, it shall record in writing the reasons and communicate to the holder the

²⁵ Words inserted by Sindh Act No. XXXV of 2023 S. 10 dated 4th September 2023

same, unless in any case, the licensing authority is of the opinion that it will not be in the public interest to do so.

(4) The authority to whom the licensing authority is subordinate, may, by order in writing, suspend or revoke a licence on any ground on which it may be suspended or revoked by the licensing authority, and the foregoing provisions of this section shall, apply in relation to the suspension or revocation of a licence by such authority.

(5) A court convicting the holder of any offence under this Act or the rules may also suspend or revoke the licence:

Provided that if the conviction is set aside on appeal, the suspension or revocation shall become void.

(6) An order of suspension or revocation under sub-section (5) may also be made by an Appellate Court or by the High Court when exercising its powers of revision.

(7) Government may, by order in the Official Gazette, suspend or revoke or direct any licensing authority to suspend or revoke all or any licence granted under this Act.

(8) On the suspension or revocation of a licence under the section, the holder shall immediately surrender the licence to the authority by whom it has been suspended or revoked or to such other authority as may be specified in the suspension order.

²⁶[(9) If the license of an individual or a dealer or a shooting range or shooting club is suspended or permanently revoked:-

(a) in case of an individual, the arms and ammunitions registered on the basis of that license shall immediately be deposited with the relevant police station in the prescribed manner under intimation to the Home Department;

(b) in case of a dealer or shooting range or shooting club, whose license has permanently been revoked, the arms and ammunitions registered on the basis of that license shall immediately be deposited with the relevant police station in the prescribed manner under intimation to the Home Department;]

17. Issuance of licences to companies. -A company shall be accountable for the proper use and custody of the arms for which licences have been issued and such arms shall be exclusively engaged for the security of the functionaries, premises and property of the company under the rules so prescribed.

18. Appeals. (1) A person aggrieved by an order of the licensing authority, refusing to grant ²⁷[under this Act] a licence or varying the conditions of a licence or, suspending or revoking a licence, may file an appeal against that order to an appellate authority within prescribed period ²⁸[(30) days from the date of order.]

²⁶ New sub-section added by Sindh Act No. XXXV of 2023 S. 11 dated 4th September 2023

²⁷ Words inserted by Sindh Act No. XXXV of 2023 S. 12(a) dated 4th September 2023

²⁸ Words Subs by Sindh Act No. XXXV of 2023 S. 12(a) dated 4th September 2023

(2) No appeal shall be admitted if it is filed after the expiry of the period prescribed:

Provided that ²⁹[the delay in filing the appeal may be condoned] if the appellant satisfies the appellate authority that he had sufficient cause for not filing the appeal within the stipulated period.

(3) The period prescribed for an appeal shall be computed in accordance with the provisions of the Limitation Act, 1908.

Provided that no appeal shall be disposed of, unless the appellant has been given a reasonable opportunity of being heard.

(4) Every order of the appellate authority confirming, modifying or reversing the order appealed against shall be final.

CHAPTER-IV POWERS AND PROCEDURE

19. Power to demand production of licence or carry permission. (1) Any police officer or any other official specially empowered by Government may demand the production of licence or carry permissions issued by the Home Department, Government of Sindh from any person, carrying arms or ammunition.

(2) If such person refuses or fails to produce the licence or carry permission, the officer concerned may require him to give his particulars and if such officer considers it expedient, seize from that person the arms or ammunition which he is carrying.

³⁰[**Explanation:** the phrase “carry permission” used in the Section shall mean a document issued by the Home Department for carrying the weapon outside of Residential / institutional premises of the license holder under Section 144 of Cr.P.C, as per conditions laid down in the carry permission document.]

(3) If such person refuses to give his particulars or if the officer concerned suspects that person of giving false particulars or of intending to abscond, the officer may arrest him without a warrant.

20. Search and seizure by Magistrate or Police Officer. (1) Whenever any Magistrate or any officer of Police Station not below the rank of Assistant Sub-Inspector has reason to believe -

- (a) that any person possesses arms or ammunition for any criminal purpose, or otherwise;
- (b) that such person cannot be left in the possession of any arms or ammunition without endangering public peace or safety,

the such Magistrate or such police officer, after recording the reasons in writing, cause a search to be made of the house or premises, tent, vessels boat, vehicles

²⁹ Words inserted by Sindh Act No. XXXV of 2023 S. 12(b) dated 4th September 2023

³⁰ Explanation Added by Sindh Act No. XXXV of 2023 S. 13 dated 4th September 2023

including public place, occupied by such person or in which the such Magistrate or Police officer has reasons to believe that such arms or ammunition are to be found, he may seize the same for an indefinite period, despite that person being entitled by this Act to keep the same in his possession.

21. Seizure under orders of Government. - Government may, at any time, order the seizure of any arms or ammunition in the possession of any person, notwithstanding that such person is entitled by this Act, to possess and may confiscate the same for such period as it deems fit for public peace and safety.

22. Check posts conducting search. - Government may, if it deems expedient, establish check posts across the Province to conduct the search of arms and ammunition and monitor their movement. Police officer or Officials specifically authorized by Home Department shall conduct the aforementioned search of the boxes and luggage used in carrying the materials upon detained vehicles.

CHAPTER-V OFFENCES AND PENALTIES

23. Punishment for certain offences. (1) Whoever -

- (a) acquires, possesses, carries or control any firearm or ammunition in infringement of section 3, shall be punishable with imprisonment for a term which may extend to fourteen years and with fine;
- (b) manufactures, sells, transfers, converts, repairs, tests, or offers for sale or transfer, or possesses for sale, transfer, conversion, repair, test, any arms or ammunition in contravention of section 4; or
- ³¹[(bb) transports within or takes out of Sindh or any of its districts arms, ammunitions or firearms in contravention of Section 5, 10 or 11; or
- (bbb) acquires, possesses, carries, sales or manufactures any prohibited arms or ammunitions in contravention of Section 6; or]
- (c) sells or transfers any firearm which does not bear the name of the maker, manufacturer's number or other identification mark stamped or otherwise shown thereon as required by sub-section (2) of section 7 or acts in contravention of sub-section (1) of that section; or
- (d) brings into, or takes out of, Sindh, any arms or ammunition in contravention of section 9; or
- (e) transports any arms or ammunition in contravention of Section 10; or
- (f) fails to deposit arms or ammunition as required by section 21; or

³¹ New clauses inserted by Sindh Act No. XXXV of 2023 S. 14 dated 4th September 2023.

(g) being a manufacturer or dealer in arms or ammunition, fails, on being required to do so, by rules made under section 39, to maintain a record or to make all such entries as are required by such rules or intentionally makes a false entry or prevents or obstructs the inspection of such record or prevents or obstructs the entry into any premises or other place where arms or ammunitions are manufactured or kept or intentionally conceals such arms or ammunition or refuses to point out where the same are manufactured or kept, shall be punishable with imprisonment for a term which may extend to ten years and with fine.

(2) Whoever being a person to whom provisions of section 8 applies, acquires, possesses or carries any firearm or ammunition in contravention of that section shall be punishable with imprisonment for a term which may extend to seven years and with fine.

(3) Whoever having sold or transferred any firearms or ammunition or other arms under the proviso to section 4, fails to inform the Home Department, Government of Sindh, of such sale or transfer, shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to rupees fifty thousand, or with both.

(4) Whoever when required under section 19 to give his particulars, refuses to furnish the same or gives false particulars, shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to rupees fifty thousand or with both.

24. Punishment for possessing arms with intent to use for unlawful purposes.

-Whoever possesses arms or ammunition licensed or unlicensed with the aim to use them for any unlawful purpose or to facilitate any other person to use them for any unlawful purpose ³²~~[shall, whether such unlawful purpose has been materialized or not,]~~ the license holder, the user and the person who has no license, be punishable with imprisonment for a term which may extend to ten years and with fine.

³³**[24-A. Punishment for running / operating arms and ammunition dealership or a shooting range or shooting club without having license. Whoever operates or runs or manages the affairs of the arms and ammunition dealership or shooting range or shooting club at any place without getting license shall be punishable with imprisonment for a term which may be extended to three years or fine which may extend up to rupees ten million or with both.]**

25. Punishment for use and possession of firearms or imitation firearms in certain cases.

-Whoever uses or attempts to use firearm licensed or unlicensed or an imitation firearm with the purpose to commit any crime, any unlawful act or to resist or prevent his lawful arrest or detention or of any other person shall be punishable with imprisonment for a term which may extend to ten years and with fine.

Explanation. - The expression “imitation firearm” has the same meaning as in section 5.

³² Words deleted by Sindh Act No. XXXV of 2023 S. 15 dated 4th September 2023

³³ New Section inserted by Sindh Act No. XXXV of 2023 S. 16 dated 4th September 2023

26. Punishment for vexatious recovery and arrest. -If any police officer or seizer or witness is declared responsible for fake vexatious recovery, seizers and arrest under this Act by the court or competent authority after detailed enquiry shall be punishable with imprisonment for a term which may extend to three years and with fine:

Provided that the sanction of Government shall be required in the case of police personnel.

27. Punishment for intentionally purchasing arms from unlicensed person or for delivering arms to person not entitled to possess. Whoever -

- (a) purchases any firearms or any other arms of such description as may be prescribed or any ammunition from any other person knowing that such other person is not licensed or authorized under section 4; or
- (b) delivers or sells any arms or ammunition to any person who is not entitled under this Act to possess such arms or ammunition, shall be punishable with imprisonment for a term which may extend to seven years and with fine.

28. Punishment for contravention of license. -Whoever violates any condition of a licence or any provision of this Act or rules made thereunder for which no punishment is provided in this Act, shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to rupees fifty thousand, or with both.

29. Power to confiscate. - Where any person is convicted under this Act of any offence, it shall be the discretion of the convicting court to direct whether the whole or any portion of such arms or ammunition, vehicle or other means of conveyance and any container or object used to conceal the arms or ammunition, shall be confiscated:

30. Offences by companies. - (1) Where an offence under this Act has been committed by a company, the person who at the time of the offence, was in charge of, or was responsible to the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that such person shall not be liable to punishment under this Act, if he proves that the offence was committed without his knowledge and that he exercised all due circumspection to prevent its commission.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. - For the purposes of this section –

- (a) “company” means a body corporate, and includes a firm or other association of individuals; and
- (b) “director in relation to a firm” means a partner in the firm.

31. Power to disarm. - Any person going armed without a license or a written authority duly issued by the Home Department, Government of Sindh, shall be disarmed and arrested without a warrant by the officer in charge of the nearest police station and shall be produced before the Magistrate concerned within twenty-four hours of such arrest.

CHAPTER-VI MISCELLANEOUS

32. Criminal responsibility of persons in occupation of premises in certain cases.- Where any offence under this Act has been committed, and arms and ammunitions are found in any premises, vehicle or other place in the joint occupation or under the joint control of several persons, each of such persons in respect of whom there is suspicion that he was cognizant of the existence of the arms or ammunition in the premises, vehicle or other place shall, unless proven otherwise, be liable for that offence in the same manner as if it was committed by one person alone.

33. Information to be given regarding certain offences. - Every person cognizant of the commission of any offence under this Act shall give information of the same to the officer in charge of the nearest police station or the Deputy Commissioner having jurisdiction. However, in the absence of rational substantiation, the burden of proof shall lie upon the person, giving information.

34. Arrest and searches. -Except as otherwise provided in this Act –

- (a) all arrests and searches made under this Act or under any rules shall be executed in line with the provisions of the Code of Criminal Procedure, 1898, except section 103 of the Code:

Provided that any Police officer or person present on the spot can be witness of search and recovery.

- (b) any person arrested and arms or ammunition seized under this Act, shall be delivered immediately to the officer in charge of the nearest police station and that officer shall prosecute that person under this Act on behalf of State.

35. Offences to be cognizable. (1) All offences under this Act shall be cognizable within the meaning of the Code of Criminal Procedure, 1898 and triable by the court of Sessions.

(2) All the offences under this Act shall be non-bail able.

36. Protection of action taken in good faith. -No suit, prosecution or other legal proceeding shall lie against any person for anything done in good faith or intended to abide by this Act.

37. Due verification before issuance. -Thorough verification of credentials and antecedents, by various agencies, of the persons applying for arms licence shall be mandatory:

Provided that nothing contained in this section shall apply to the Gazetted officers of Government.

38. Power to exempt. - If Government is of the view that it is expedient in the public interest to exempt any person or classes of persons, or exclude any description of arms or ammunition from the operational ambit of this Act, it may do so by notification in the Official Gazette, subject to such conditions and under such rules as may be prescribed.

39. Power to make rules. - Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act, ¹including the following matters:

-

- (a) the jurisdiction, control and functions of licensing authorities;
- (b) the form and particulars of application for the grant or renewal of a licence;
- (c) the form in which and the conditions subject to which any licence may be granted or refused, renewed, suspended or revoked;
- (d) the period for which any licence shall continue to be in force;
- (e) the fees payable in respect of any application for the grant or renewal of a licence and in respect of any licence granted or renewed and the manner of paying the same;
- (f) Licence in which the maker's name, the manufacturer's number or other sign or mark of a firearm shall be stamped or otherwise shown thereon;
- (g) the firearms that may be used in the course of trainings, the age-limits of persons who by use them and the conditions for their use by such persons;
- (h) the authority to whom appeals may be preferred under section 18, the procedure to be adopted by such authority and the period within which appeals shall be preferred, the fees to be paid in respect of such

¹ The word "including" substituted by word "ensuring" vide S.2 (i) of Sindh Act No. XXXV of 2021 dt, 28th December, 2021.

appeals and their refunds;

- (i) the entry and inspection of any premises, in which arms or ammunition are manufactured or in which arms or ammunition are kept by a manufacturer or dealer, by any police officer or any official exclusively empowered by the Government in that behalf.
- (j) ²[the disposal of Firearms and any other article as weapon not required before any Court of Law, in any case, appeal or revision;
- (k) ³[any other rules for carrying out purposes of this Act keeping in view advances in technology and use of the same for the purpose.

40. Act not to apply certain cases. - This Act shall not apply to –

- (a) a public servant in the discharge of his official duty;
- (b) any weapon which is obsolete or of antiquarian significance or in disrepair, rendering it incapable of being used as a Firearm, either or without repair;
- (c) the acquisition, possession or carrying by a person, of minor parts of arms or ammunition which are not intended to be used with complementary parts, acquired or possessed by that or any other person.

41. Repeal and saving. (1) The provisions of the Pakistan Arms Ordinance, 1995, in its application to the Province of Sindh, except the provisions relating to manufacturing including conversion, export or import of arms and ammunition, are hereby repealed.

(2) Notwithstanding the repeal under subsection (1), anything done, rules or regulations made, given, proceedings commenced or other action taken or purportedly to have been taken under the repealed Ordinance, shall be deemed to have been validly done, under this Act and shall remain in force until amended, altered or repealed under the provisions of this Act.

**BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH**

**G.M. UMAR FAROOQ ACTING
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH**

Record of Amendments in Sindh Arms Act, 2013(Act. No. V of 2013)

² New Section 41 Added by Sindh Act No. XV of 2015, S.2, dt, 18th March, 2015.

³ New clause (j) & (K) added by Sindh Act. No. XXXV of 2021, S.2 (ii), dt, 28th December, 2021.

(1 st March 2013)					
Act No & Passing Year		Date of Amendment	Sections Effected	Whether updated or not	
				Yes	No
1 st (Amd)	Sindh Act No. XXIV of 2014	22 nd Dec, 2014.	Inst. New Sub-Section (3) in Sect.12	✓	
2 nd (Amd)	Sindh Act No. XV of 2015	18 th March, 2015.	Added New Section.41 aft, Sec.40	✓	
3 rd (Amd)	Sindh Act No. XXVII of 2016	17 th October, 2016.	Inst. New Sub. Section 4-A aft, Sec.4	✓	
4 th (Amd)	Sindh Act No. II of 2017	22 nd March,2017	Added New proviso u/c ii of S.8	✓	
5 th (Amd)	Sindh Act No. XXXV of 2021.	28 th Dec,2021	Added new clauses (j) & (K) under Sect.39	✓	
6 th (Amd)	Sindh Act No. XXXV of 2023.	28 th August,2023	S.2,5,8,9,12,13,14,16,18,19,23,24.	✓	
				✓	
				✓	
				✓	
				✓	
				✓	

GOVERNMENT OF SINDH

HOME DEPARTMENT

Karachi Dated 25 May, 2018

NOTIFICATION

No.SO(Arms)HD-L(110)/12/26:(The Sindh Arms Rules-2018), In exercise of powers conferred under section 39 of Sindh Arms Act, 2013, the Government of Sindh is pleased to make the following Rules:

1. **SHORT TITLE** (1) These Rules may be called "**The Sindh Arms Rules, 2018**" They shall come into force throughout Sindh Province with effect from the date of its publication in official gazette.

CHAPTER-I

2. ELIGIBILITY FOR PERSONAL ARMS LICENSE

2.1 Eligibility to apply for personal arms license;

Subject to Rule 2.3 every citizen of Pakistan having the age not less than 25 years and domiciled in Sindh province shall be eligible to apply for personal arms license. Provided that the conditions of permanent residence in the province of Sindh shall not be applicable to the personnel of Armed Forces and Civil Armed Forces, employees of Federal Government, autonomous bodies or corporations, Directors or Senior Management of Public and Private Limited Companies and tax payers (paying income tax not less than five hundred thousand rupees in the last financial year) posted or working in the Province of Sindh

2.2 Eligibility to apply for an institutional license.

Such institutions which are established or registered or incorporated under a law for the time being in force and run for a lawful purpose may apply for institutional arms license:

2.3 Ineligibility for personal arms license, retainer-ship or to carry or go armed on the authority of an institutional license. A person shall be ineligible for personal arms license or to carry or go armed on the authority of an institutional license or as a retainer, if he is:

- a. Held guilty of an offence against state or of murder, dacoity robbery, theft; or an offence involving moral turpitude, cruelty or violence; or any other offence prescribed in this regard by the flame Department from time to time; or
- b. suspected to be a member of a proscribed organization;

- c. not considered suitable by the local police in view of his general conduct or previous record; or
- d. infirm mentally or psychologically to an extent that, in the opinion of licensing authority his carrying or going armed will be inadvisable for his own safety or life or for the safety or life of other persons; and

3. LICENSING AUTHORITIES AND PROCEDURE

3.1 Licensing authority.

Subject to these rules the following shall be the authorities to approve issuance of licenses as per the prescribed quota / category:

- i Chief Minister Sindh.
- ii Home Minister Sindh
- iii Home Secretary Sindh.
- iv Deputy Commissioner.

3.2 Application for personal arms license.

An eligible person may apply to the Home Department or the Deputy Commissioner of the District where he is domiciled or carries out business, for personal arms license non-prohibited bore (NPB) in Form 1. Every application under this Rule shall be accompanied with the following documents:

- a. A copy of National Identity Card duly attested by an officer in BS-17 or above;
- b. Three passport size colored photographs duly attested (two on back side and one on the face side) in the aforesaid manner,
- c. C. A copy of the Domicile Certificate or suitable proof of his carrying out business in the district concerned duly attested in the aforesaid manner; and
- d. Duly notarized affidavit on a stamp paper in the value of not less than Rs.100/- to the effect that he is of a good character, has not been held guilty of any offence mentioned at Rule 2.3, is not suffering from any mental or psychological disease as mentioned in the same clause Any application which is incomplete in any respect shall be dealt in terms of Rule 3, 4

3.3 Application for institutional arms license.

An eligible institution may through an authorized person, apply to the Home Department, for an institutional arms license non-prohibited bore (NPB) in Form 2. Every application under this Rule shall be accompanied with the following documents:

- a. A copy of National Identity Card of the person making application duly attested by
- b. an officer in BS-17 or above; Three passport size colored photographs of the person making application duly
- c. attested (two on back side and one on the face side) in the aforesaid manner; Letter of authorization duly signed by head of the institution if application is made through an authorized person;

- d. A copy of the license, registration, incorporation, no-objection certificate, or any other authority where such license, registration, non-objection certificate or authority in respect of establishment, continuance or operation of the institution is required under any law for the time being in force or lawful instructions of the Government;
- e. Name or a list of names of the head / and a body legal authorized to take decisions of
- f. the institution; A brief on the institution, its mandate and operation, need for institutional arms licenses and intended use of arms covered by the license in specific terms;
- g. A list of persons duly signed by the head of the institution who are likely to carry out or go armed under the authority of the institutional license;
- h. Duly notarized affidavit made by the head (s) of the institution on a stamp paper in the value of not less than Rs. 100/- to the effect that the arms shall be used only for the purpose mentioned above and by persons eligible within the meanings of Rules 2.1 and 2.3.

Any application which is incomplete in any respect shall be dealt in terms of Rule 3.4. For the purpose of this Rule, the term head of the institution shall mean to include an owner, chief agent or employee responsible for operations of the institution on behalf of owner (s) or any member of board of director or trustee of the institution.

3.4 Incomplete application not to be processed.

An application which is incomplete in any respect shall be returned forthwith to the applicant with an endorsement, by a clerk specifically deputed for this purpose, as to areas in which it is incomplete or deficient.

3.5 Verification of credential etc. of applicant.

Subject to Rule 3.6 no license or retainer ship permission shall be issued unless the licensing authority under Rule 3.1 has obtained a report in this matter from the local police and, if required, also from any other appropriate agency and upon such report or reports it is satisfied with respect to the credentials and the propriety of the activities of the applicant and in case of a personal arms license, the conduct of the applicant. Home Department will issue guidelines to Police for issuance of verification of character and antecedent report of applicant. In case of any institutional license, police report under this Rule shall be submitted by or under the authority of District Superintendent of Police.

3.6 Verification of certain persons not required.

No verification as mentioned under Rule 3.5 supra shall be required in respect of;

- a. Members of Parliament or Provincial Assembly of the Sindh;
- b. Persons who are in the service of Pakistan in BS-17 and above or have retired from such service;

- c. Serving Commissioned and Junior Commissioned Officer of the armed forces of Pakistan.

For the purpose of these rules, persons in the service of Pakistan shall mean persons in the service of federation or the Province of Sindh or employed against a post in connection with the affairs of Federation or the Province of Sindh, or a member of a service common to the Federation and the Provinces.

3.7. Forms of arms licenses.

Every arms licenses shall be issued in appropriate form as prescribed in the Rules
ibid.

3.8 Validity of license and renewal.

Validity period of an arms license shall be for one, three, or five calendar years at discretion of the licensing authority. Every arms license shall, unless renewed in the following manner, remain valid for one, three or five years from the date of issuance. Subject to the payment of fee as specified under Rule 5.1, a license may be renewed within three calendar months of the date of expiry without late fee / penalty. Where a license is not renewed within five years of its expiry, it shall be deemed to have been cancelled, unless the licensing authority on an application decides otherwise.

3.9. Extension of validity of a license to whole of Pakistan.

Every license issued by a Deputy Commissioner shall be valid for the whole of the province of the Sindh. But the Home Department may, on receipt of an application with sufficient and valid reasons, may extend the validity of license to whole of Pakistan in the following cases:

- a. In case of transfer and posting of any employee i.e. Civil / Army or Private Sector whosoever, across the Provinces.
- b. In case of the licensee having business or more than one branches of his/their business across the Provinces.
- c. In case of residence/ agricultural lands across the Provinces.
- d. One who is required to travel to other provinces pursuant to his job /business and/or public work.
- e. In case of Public Office Holders functioning across the provinces.
- f. In case of owners of companies having branches in two or more than two provinces.

The person applying for All-Pakistan License will be required to furnish evidence that he/his business/company falls in any of the above categories.

3.10 Purchase and entry of arms on a license.

A license shall, within sixty days of the issuance of the license, purchase an arm of the category to which the license pertains and apply to the concerned licensing

authority for its entry in the license. The Home Department or the Deputy Commissioner concerned may, on an application, extend the weapon purchase and entry period in special circumstances.

3.11 Reporting to Police Station.

Licensee shall produce the license and the weapon before the local Police Station within 15 days of purchase of weapon for the entry in the relevant register to be kept at the Police Station. Noncompliance shall render the license to be cancelled. The Home Department on the application may extend reporting period not exceeding 30 days in special circumstances.

3.12 Duplicate Licenses.

Subject to payment of fee under Rule 5.7, the licensing authority may, on an application in Form 4 issue a duplicate license where the original license has been lost, damaged misplaced or has otherwise become unusable. Every application under this clause shall be accompanied with:

- a. a copy of National Identity Card of the person making the application, duly attested by an officer in BS-17 or above;
- b. One photograph of the person making application duly attested (two on back side and one on the face side) in the aforesaid manner;
- c. a police report in case where the original license has been lost or stolen;
- d. proof of last renewal of license;
- e. duly notarized affidavit on stamp paper in the value of not less than Rs.100/- stating the period up to which renewal of fee has been paid and that the original license has actually been lost, damaged, misplaced or has otherwise become unusable, as the case may be.

No duplicate license shall be issued unless the licensee has paid all outstanding renewal fees, if any due against him as per the proof of last renewal available and produced by him.

4. MONTHLY LICENSE QUOTA

4.1 Monthly license quota.

With a view to control proliferation of arms, Home Department may from time to time, prescribe the maximum number of arms licenses in a calendar month. Till such time a new quota is prescribed by the Home Department under this Rule, the following quota shall be observed:

- a. Chief Minister/Home Minister (No Limit)
- b. Home Secretary Sindh (200 per month)
- c. All Deputy Commissioners (50 each per month) of Karachi

- d. Deputy Commissioners (100 each per month) of Hyderabad, Sukkur, Larkana, Mirpurkhas & Shaheed Benazirabad.
- e. Deputy Commissioners (75 each month) of all other Districts
- f. Defense Personal Quota (No limit) under Chief Minister/Home Minister
- g. Companies/Businessmen / Institutional Licenses (No Limit) under Chief Minister Sindh/Home Minister Sindh in addition to the existing quota.

4.2 Foreign Diplomats.

Chief Minister Sindh / Home Minister Sindh will issue license(s) to foreign diplomats upon the recommendations of Ministry of Foreign Affairs.

4.3 Number of weapons on one license book.

Only one weapon shall be allowed on one arms license book

5. FEE ETC. FOR ARMS LICENSE

5.1 Fee and charges etc.

Grant of an arms license shall be subject to the payment of such fee and other charges as may be fixed by the Home Department from time to time through notification in the official Gazette. Till such time as new fee and charges structure is imposed, following structure shall be followed:

License category		Rate
1.	Initial fee for Personal Arms license plus Book charges	Rs.4500/- Rs.500/-
2.	Initial fee for Company/ Businessman / Institutional Arms license plus Book charges	Rs.6,500/- Rs.500/-
3.	Annual renewal fee for Personal Arms license <u>Valid for Sindh</u> <u>Valid for Pakistan</u> Late payment fee one time penalty on each year	Rs.500/- Rs.1000/-
4.	Annual renewal fee for Company/ Business Institutional Arms License <u>Valid for Sindh</u> <u>Valid for Pakistan</u> Late payment fee one time penalty on each year	Rs.500/- Rs.1000/-
5.	Extending validity to whole of Pakistan	Rs.2500/-
6.	Duplicate/loss of license fee	Rs.1000/-
7.	Endorsement on Increase of ammunition	Rs.1000/-
8.	Retainer ship fee	Rs.5000/-
9.	Lost weapon entry	Rs.500/-
10.	Processing Fee	Rs.1000/-

5.2 Fee on issuance of permits to carry weapons through retainer ship.

Grant of a carry permit shall be subject to payment of fee equal to initial personal arms licensing fee i.e. Rs. 5,000/- and security clearance from Police and Special Branch.

5.3 Gratis licenses.

Nothing in Rule 5.1 or 5.2 supra shall apply to Gratis Arms License. Two Gratis Arms License may be issued to a member of Majlis-e-Shoora (Parliament) belonging to Sindh province, member of the Provincial Assembly of Sindh, an Employee of Federal Government in BS-17 or above for the time being serving in Sindh province and an Employee of Sindh Government in BS-17 or above and a member of the Armed Forces of Pakistan (in accordance, to Army Regulations (Instructions), 2000 as amended from time to time) subject to payment of processing fees. The Army Regulation Instructions currently applicable are given in schedule-I of these rules.

Provided that the recipients of the military awards are also authorized for gratis arms license as per the following details:

Military Award	Entitlement
Nishan-e-Haider, Nishan-e-Imtiaz (M), Hilal-e-Jurrat, Hilal-e-Imtiaz (M), Sitara- e-Jurrat, Sitara-e-Imtiaz (M), and Sitara-e-Basalat.	1 Pistol or Revolver 1 Rifle 1.22 bore Rifle 2 Shot Guns
Tamagha-e-Imtiaz(M)	1 Pistol or Revolver 1 Shot Gun 1.22 bore Rifle
Tamagha-e- Jurrat Tamagha -e- Basalat.	1 Pistol or Revolver 1 Shot Gun
Imtiaz Sanad	1 Shot Gun

5.4 Renewal fee and penalty.

A License may be renewed after expiry of three months period mentioned in Rule 3.8 subject to payment of penalty equivalent to the renewal fee for each calendar year intervening the date of expiry and the date on which it is renewed.

5.5 Power to waive off penalty for failure to renew a license.

The Home Department may, on an application and after due consideration of the case, reduce penalty under Rule 5.4 to on half or a part thereof.

5.6 Manner of payment of fee etc.

On a date to be notified by the Home Department, all fees relating to grant of an arms license and ancillary matters shall be paid through National Bank of Pakistan on the prescribed challan.

6. MISCELLANEOUS

6.1 Authorized Officer.

(i) Subject to general control of the Home Secretary, the authority of the Home Department under these rules shall be exercised in the following manner:

- a. Every license shall be issued, suspended, cancelled or transferred with the approval of an Additional Secretary of the Home Department specifically authorized in this behalf;
- b. Subject to sub-Rule 'a' above, a license may be issued, suspended, cancelled or transferred of validity thereof extended to whole of Pakistan under the hand and seal of authorized Officer and a co-signatory to be appointed by the Home Secretary from time to time.

(ii) The responsibilities of the Authorized Officer shall, among other things, include:

- a. Ensuring that all matters relating to issuance, renewal and processed and decided strictly in accordance with law.
- b. Ensuring safe custody of official seal;
- c. Maintenance of record as mentioned under these Rules.
- d. Submission of monthly report on issuance of arms licenses etc. to the Home Secretary.

Authorized Officer shall keep the Home Secretary generally informed on the implementation of these Rules and matters relating to arms licenses.

6.2 Suspension of license.

Licensing authority may suspend a license where it is of the opinion that the licensee has become ineligible in terms of Rules 2.1, 2.2 or 2.3 or has otherwise contravened any provision of these Rules or the Act, on report of district Police and submission of challan in the court of law. Licensing authority shall immediately inform the licensee as well as the District Police Officer concerned of the suspension of license and in case the license is suspended by the Home Department, similar information may also be given to the Deputy Commissioner concerned.

6.3 Cancellation of license.

Licensing authority may, after due notice, cancel an arms license where it is of the opinion that the license has become ineligible in terms of Rules 2.1, 2.2 or 2.3 or has otherwise contravened any provision of these Rules or the Act, or the license has not been renewed for the past five years. Every licensing authority shall immediately inform the licensee as well as the District Police officer concerned of the cancellation of license and in case the license is cancelled by the Home Department, similar information may also be given to the Deputy Commissioner concerned.

6.4 Extent of authority under Rules 6.2.and 6.3.

The authority of the Home Department to suspend or cancel an arms license under Rules 6.2 and 6.3 shall extend to all licenses issued in the province. The like authority of the Deputy Commissioner shall be restricted to licenses issued from the district placed under his charge.

6.5 Retainership permission.

A Licensing authority may, on an application in Form 5, allow appointment of one retainer of a licensed arm subject fulfillment of conditions as prescribed for grant of new arms license in these rules, Retainer shall be authorized to hold and carry arms license only in presence of licensee and shall not use weapon in any case,

6.6 Transfer of License.

All arms licenses shall be non-transferable. However, a license may be transferred to one otherwise eligible legal heir of a deceased licensee subject to acquiescence of other heirs and fulfillment of other conditions applicable to a new applicant under these Rules or Act.

6.7 Record of Licenses.

All Arms licenses issued in the Home Department or by a Deputy Commissioner shall be entered in a register to be kept in form 6 attached. Every Deputy Commissioner shall prepare the above register in duplicate form. Every year, duplicate register shall be maintained in two parts with first part containing record of license issued between 1st January to 30th June and second part between 1st July (31 December, The first part of the duplicate register shall be sent to Home Department by 31st July and second part by 31 January. The register in the Home Department shall be maintained by the Authorized Officer district-wise.

6.8 Licenses of other Provinces / ICT.

Arms License issued by any authority other than Government of Sindh shall not be valid until and unless its validity has been extended by the authorized officer with the approval of Home Department, provided that holder of such license (in case of visit to Sindh Province) has informed/reported the SHO of Police Station of jurisdiction of stay within 24 hours and incase of transfer of residence within 07 days.

6.9 Right of Representation against Orders.

Any person aggrieved by an order under these Rule may make a representation to the Government.

7. CONVERSION OF WEAPON CATEGORY -- A licensee shall apply to the Home Department for change / conversion of weapon category on the arms license the Department after satisfying itself shall approve the request.

8. JOURNEY PERMIT. -- A licensee, going armed on a journey in or through any other Province or Capital Territory, as the case may be, shall be granted by the Home Department subject to conditions mentioned thereto.

CHAPTER-II

LICENSE FOR MANUFACTURING, REPAIR, SALE OR KEEPING FOR SALE OF ARMS, AMMUNITION

9. ISSUANCE OF THE ARMS DEALERSHIP LICENSE - (1) License for manufacturer repair, sale, purchase or keeping for sale deposit the arms or ammunition shall be issued by Home Department in the manner specified.

2. (a) A License on Form-IX is meant for manufacture, convert, sell or keep for sale non-prohibited bore (NPB), Pistols/Revolvers, Shotguns & ammunition thereof

(b) A License on Form-X is meant for retail/ wholesale to sell and keep for sale arms & ammunition of non-prohibited bore (NPB) (Pistols/Revolvers & Shotguns) thereof

(c) A License on **Form-XI** is meant for manufacture, convert, sell or keep for sale non-prohibited bore (NPB) breech-loading rifles, parts of breech loading rifles, ammunition for rifles

(d) A License on **Form-XII** is meant for retail / wholesale to sell and keep for sale non-prohibited bore (NPB) breech-loading rifles, parts of breech loading rifles, ammunition for rifles

(e) License on **Form-XIII** is meant to keep for safe custody of fire-arms and ammunition deposited by their owner for that purpose may be granted in Form-XIII to the holder of a license, in Form-IX, Form-X, Form-XI or Form-XII by the Government.

(f) Repair Permit is meant to repair or to keep for repair purpose the licensed weapons of non-prohibited bore (NPB).

10. ELIGIBILITY TO APPLY FOR ARMS DEALERSHIP LICENSE- Any person or a firm of the person or firm may apply for grant of license by submitting an application along with documents as prescribed.

11. APPLICATION FOR THE GRANT OF ARMS DEALERSHIP LICENSE- Every application for the grant of license shall be accompanied by legible copies, certified to be true by an officer of the Government in BS-17 or above, of the following documents and shall be scrutinized through the following procedure:

(a) Computerized national identity card and domicile of residence in case the applicant is a natural person;

(b) Letter of the firms for authorization, computerized national identity card of the authorized person making application certificate of registration and name or names of the owner or owners or directors;

- (c) Proof of registration with tax authorities (Both Federal and Provincial) like national tax number, sale tax registration number or both, in case the applicant is a firm or a company;
- (d) Statement of account to indicate financial standing for the proposed business;
- (e) Proof of availability of sufficient space for carrying out business such as documents indicating ownership or lease agreement; and
- (f) any other document which the applicant intends to submit in relation to his suitability for the grant of license.

12. ELIGIBILITY FOR GRANTING ARMS DEALERSHIP LICENSE TO NATURAL PERSON- The Government shall not grant license unless the applicant, who is a natural person and:

- (a) is an adult citizen of Pakistan;
- (b) does not suffer from any physical or mental defect which might impairs his capacity to carry out the proposed business;
- (c) has clean criminal record and has never been convicted for any heinous offence;
- (d) has never been convicted for any heinous offence under any ordinance or any rules or an offence involving moral turpitude, fraud, perjury, forgery or breach of trust or any other similar offence;
- (e) has reasonable financial and other means including space to carry out the proposed business; and
- (f) does not maintain any relation with a proscribed organization or criminal elements or is otherwise not involved in any anti-social activities,

13. ELIGIBILITY FOR GRANTING LICENSE TO LEGAL PERSON- The Government shall not grant a license to a firm or a company unless the firm or the company fulfills the following conditions:

- (a) the firm, or company is lawfully registered;
- (b) a license for manufacturing, repair or sale or keeping for sale of arms or ammunition issued, at any time, in the name of the firm, company or any of its owners, partners or directors, has not been black listed previously;
- (c) every owner/ partner or director of the firm or company, has a clean criminal record, and has never been convicted of a heinous offence or an offence under any

ordinance, rules or involving moral turpitude; fraud, perjury, forgery or breach of trust or any other similar offence;

- (d) the firm or company has reasonable financial and other means or resources including space to carry out the proposed business; and
- (e) any owner, partner or director of the firm or the company does not maintain any relation with a proscribed organization or criminal elements or is otherwise not involved any anti-social activities.

14. DETERMINATION OF SUITABILITY OF APPLICANT FOR GRANT OF ARMS MANUFACTURER, DEALERS LICENSES- (1) For the purpose of determining the suitability of an applicant for the grant of license in a particular category the Home Department may direct holding of an inquiry, as it deems necessary.

(2) The Home Department shall call and assess the reports for purpose of this rule from the following offices:

- (a) Additional Inspector General (Counter Terrorism Department), Deputy Inspector General of Police (Special Branch), and head of District Police with respect to an applicant's previous criminal history, general conduct or linkages with any proscribed organization or involvement in any terrorist activity.
- (b) Deputy Commissioner with respect to suitability of the applicant in general, his financial standing and suitability of proposed place of business; and
- (c) Civil Defence Officer (in case of manufacturer) with respect to the suitability of place of business.
- (d) In addition to above said reports Home Department may also seek reports/ NOCs from other departments/agencies to examine the merits of case and suitability of the applicant.
- (e) The following Committee after examining the application and relevant reports shall submit its recommendations to Home Secretary Sindh whether the request for grant of arms dealership license merits consideration or otherwise:
 - i Special Home Secretary Sindh
 - ii Additional Secretary Home (concerned)
 - iii Deputy Secretary Home (Concerned)

15. REPAIR PERMIT- Repair Permit shall be granted to a person who possesses experience in the relevant field and fulfills conditions laid down for provision of personal arms licenses as mentioned in Arms Act, 2013/Rules.

16. DURATION OF A LICENSE- Every license issued, unless otherwise cancelled under relevant rule shall remain valid for a period of one year from the date of issuance of the license.

17. RENEWAL OF LICENSE- (1) The Home Department may renew a license for a period of one year.

Such renewal of a license shall be, subject to the payment of fee and the determination that the licensee continues to meet suitability criteria and, for this purpose the Home Department may cause to be held an inquiry, as it deems appropriate.

18. SUSPENSION OF LICENSE- (1) The Home Department may, on its own information or on receipt of a complaint, suspend a license in one or more of the following circumstances, where a licensee;

- (a) Appears to have become ineligible for the license;
- (b) Appears to carry out business in violation of the terms of the license;
- (c) Fails to carry out business for two years during a calendar year or to renew the license for three consecutive years except where any such failure, in the view of the Department resulted from reasons beyond the control of the licensee;
- (d) Fails to maintain record of transaction of arms and ammunition as required under the rules or any instructions issued by the Department or
- (e) Violates any law, rule or instruction issued by the Department.

(2) A license may be suspended for period of three months at a time which period may be extended in similar manner.

(3) No license shall be suspended without first giving the licensee a reasonable opportunity of being heard either in person or through any person authorized by the licensee.

19. CANCELLATION OF LICENSE- (1) The Home Department may, on its own information or on receipt of a complaint, cancel a license in one or more of the following circumstances:

- (a) On repetition of an act which constitutes ground for suspension of a license;
- (b) Where in view of the Department a licensee has become ineligible to hold the license; or involved in any criminal or heinous offence.
- (c) Where a licensee is found to be involved in unlawful sale or supply of arms, ammunition
- (d) Where a licensee is found to run business from a place other than the place mentioned in the license; or

(e) Where the business is carried out by a person other than the licensee or a sale agent of the licensee.

(2) No licenses shall be cancelled without first giving the licenses a reasonable opportunity of being heard either in person or through any person authorized by the licensee.

20. TRANSFER OF ARMS DEALERSHIP LICENSE IN CASE OF DEATH OR INCAPACITATION/INVALIDATION- (1) The Department may, in case of death of a licensee or his being incapacitated/invalidated to carry out business on account of mental or physical health or some other compelling circumstance, transfer his license in the following manner:

- a) In case of death or incapacitation/invalidation of a licensee due to loss or mental faculties, to a legal heir or any other person as may be authorized by the licensee or all legal heirs through a no objection certificate on a stamp paper in the amount of not less than Rs.100/- duly certified by a Notary Public, and
- b) In case of an incapacitated/ invalidated licensee who retains full mental faculties, to such person, including a legal heir, as may be authorized by him through a no objection certificate in the manner provided in clause (a)

2. Transfer of license shall be subject to the following conditions:

- a) All transfers shall be made on an application which shall not be considered unless a non-refundable processing fee as may be prescribed by the Home Department has to be deposited;
- b) The legal heir or person referred to in this clause shall meet the same eligibility criteria as specified for grant of new license.
- c) No application for transfer of license shall be considered on inheritance basis if the same is made after six months death/ incapacitation / invalidation of licensee.

21. CHANGE OF TITLE- Title / Name of any company/shop/ firm shall be changed by the Home Department on the recommendations of Deputy Commissioner concerned.

22. ADDITION OR INCLUSION OF SALE AGENT IN LICENSE- maximum- two (02), Sale agents/authorized agent shall be added to arms dealership licenses, for sale or purchase subject to verification from concerned Deputy Commissioner & Senior Superintendent of Police.

23. ADDITION OR INCLUSION OF PROPRIETORSHIP/PARTNERSHIP/DIRECTORSHIP- Maximum Five Proprietorship/partnership / directorship shall be added to arms dealership licenses and manufacturing subject to fulfillment of conditions as prescribed for fresh licensee.

24. CHANGE OF ADDRESS/LOCATION- Place of any company/shop/firm shall be changed by the Home Department on the recommendations of Deputy Commissioner concerned.

25. ENHANCEMENT OF QUANTITY- The Home Department may, after such inquiry as it may appropriate to ascertain the suitability of licensee, enhance the quantity of arms and ammunition on arms dealership license.

26. REDUCTION OF QUANTITY- The Home Department may, on its own information or on a complaint, reduce the quantity on arms dealership or manufacturers license.

27. TRANSPORTATION, PURCHASE AND SALE OF ARMS & AMMUNITION- (1) Only a licensee holding a license is eligible for transportation, purchase and sale of arms and ammunition.

(2) A team of representative of the Deputy Commissioner and a head of District Police shall check the stock position of a licensee from online inventory.

(3) The Home Department may issue a transportation license or no objection certificate to a licensee,

28. LICENSE FOR THE IMPORT- A licensee shall, after obtaining the imports license regarding arms or ammunition from the Federal Government inform the provincial Government in this respect and a copy of the same shall be provided for endorsement and record

29. BALLISTIC SIGNATURE- (1) The Arms Dealer shall ensure by taking verified thumb impressions of the purchaser from NADRA and taking their CNIC copies and other particulars which will be notified from time to time and shall forward to Forensic Lab, for record keeping.

2. The Arms Dealer shall, immediately after selling any fire arm weapon, provide the Forensic Lab two empty cartridges fired from the weapon purchased for registrations of ballistic signature.

3. The Arms Dealer shall ensure to register the weapon in the Forensic Lab, alongwith all particulars check dealers receipt, make, model, number and ballistic signature particular etc.

4. The officials in the Forensic Lab shall collect the samples of two empty cartridges or bullets after immediate fire from weapon purchased and shall keep the record.

5. After completion of registration the purchaser shall be allowed to possess the weapon and for further process for registration.

30. INSPECTION OF MANUFACTURERS / DEALERS / REPAIR SHOPS OF ARMS & AMMUNITION- The entry and inspection of any premises, in which arms & ammunition are manufactured, sold / purchased or repaired are deposited by a manufacturer or dealer, by any official exclusively empowered by the Home Department in that behalf.

31. REPEAL AND SAVING- (1) New Arms License Policy-2012 (dated 18.12.2012) and Arms Rules-1924 (to the extent of Sindh province) are hereby **repealed**.

(2) Notwithstanding the repeal under sub-section (1) anything done, rules or regulations made, notification or order issued, officer appointed, notice given, proceedings commenced or other action taken or purportedly to have been taken under the above said repealed Rules/Policy, shall be deemed to have been validly done, made, issued, appointed, given, commenced or taken, under these rules and shall remain in force until amended, altered or repealed under the provisions of Act & Rules.

32. REMOVAL OF DIFFICULTIES- If any difficulty arises in giving effect to any provision of these rules the provincial government may make such order or direction, not inconsistent with the provisions of these rules / Act, as may appear to it to be necessary of the purpose of removing such difficulty.

(QAZI SHAHID PERVEZ)

Secretary to Government of Sindh

Karachi Dated 25th May, 2018

No.SO (Arms) HD-L (110)/12/26

Cc to:-

1. The Secretary Ministry of Interior Government of Pakistan Islamabad.
2. The Secretary Ministry of Foreign Affairs Government of Pakistan Islamabad.
3. The Principal Secretary to Governor Sindh.
4. The Principal Secretary to Chief Minister Sindh.
5. The Chairman Planning & Development Board Govt. of Sindh, Karachi.
6. The Senior Member Board of Revenue, Govt. of Sindh Karachi.
7. The Registrar, High Court of Sindh, Karachi.
8. The Director General of Pakistan Rangers Sindh Karachi.
9. The All Administrative Secretaries Government of Sindh.
10. The Chairman Chief Minister Inspection Team, Govt. of Sindh Karachi,
11. The Chairman Anti-Corruption Establishment Govt. of Sindh Karachi.
12. The Home Secretary Punjab, KPK, Balochistan & Gilgit Baltistan.
13. The Inspector General of Police Sindh Karachi.
14. The Prosecutor General, Sindh, Karachi.
15. The Commissioner (All) in Sindh.
16. The Secretary Provincial Assembly Sindh Karachi.
17. The Deputy Commissioner (All) in Sindh.
18. The Senior Superintendent of Police (All) in Sindh.
19. The Superintendent Sindh, Government Printing Press, Karachi.
20. The Deputy Secretary (Staff) to Chief Secretary Sindh.
21. PSO to Home Minister Sindh,

22. PSO to Home Secretary Sindh,

(Ahmed Ali Shaikh)
SECTION OFFICER (ARMS)

