

**GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
DEPARTMENT OF REVENUE**

**LOK SABHA  
UNSTARRED QUESTION NO. 1327**

**TO BE ANSWERED ON FRIDAY 22<sup>nd</sup> DECEMBER, 2017  
PAUSHA 01, 1939 [SAKA]**

**Confiscation of Weapons by Customs Department**

**1327. SHRI ASHWINI KUMAR:**

**Will the Minister of FINANCE be pleased to state:**

- (a) whether the Government sells/proposes to sell weapons confiscated by the Customs Department to the people's representatives who are license holders;**
- (b) if so, the details thereof and the criteria laid down in this regard; and**
- (c) the number of such weapons that have been sold to people's representatives as per latest available record of the Government?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF FINANCE [REVENUE]  
(SHRI SHIV PRATAP SHUKLA)**

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**(a) Yes, Sir.**

**(b) As per the existing guidelines regarding disposal of confiscated fire arms, Non-Prohibited Bore (NPB) weapons can be sold to sitting Members of Parliament on first come first serve basis after receiving their confirmation in writing that they do not own/possess any weapon at present. The orders of Minister of State for Finance (Revenue) will be obtained in each specific case. A copy of the detailed guidelines dated 15.07.2002 in this regard is annexed.**

**(c) As per latest available records till date, 867 such weapon have been sold to the sitting Members of Parliament/VIPs.**

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**ANNEXURE TO LOK SABHA UNSTARRED QUESTION NO. 1327 REGARDING  
'CONFISCATION OF WEAPONS BY CUSTOMS DEPARTMENT' FOR ANSWER  
ON 22.12.2017**

**F.No.711/30/2002-Cus(AS)**

Government of India  
Ministry of Finance  
Department of Revenue

New Delhi, the 15 July, 2002

To

1. The Chief Commissioner of Customs,  
Kolkata/Chennai/Ahmedabad/Mumbai/New Delhi
2. The Chief Commissioner of Customs & Central Excise  
Jaipur/Lucknow/Pune/Hyderabad/Bangalore
3. The Commissioner (PO), Directorate of Preventive Operations,  
New Delhi
4. The Commissioner of Customs (Gen.), New Delhi

**Subject:- Policy guidelines regarding disposal of confiscated fire arms.**

Sir/Madam,

I am directed to state that the consolidation of all policy instructions issued from Oct'1987 till date regarding disposal of confiscated fire arms has been engaging attention of the Board for quite some time and with the approval of the Hon'ble Minister of State for Finance (Revenue), it has been decided to formulate the revised policy guidelines for disposal of confiscated fire arms as under:-

- a) The prohibited bore weapons will be confiscated and appropriated only for the departmental use/or to persons specifically allotted by Ministry.
- b) Confiscated non-prohibited bore weapons would be given to the departmental officers on lease terms on a selective basis subject to the condition that on retirement/superannuation, these weapons would be returned to the Department. The lease of fire arms to departmental officers will be governed by the instructions contained in this Department's letters No. 711/54/86-Cus(AS) dated 30.10.87 and 2.6.1988.



- c) If after meeting these two requirements, non prohibited bore confiscated weapons were available, these can be sold to sitting Members of Parliament on first come first serve basis after receiving their confirmation in writing that they do not own/possess any weapon at present. The orders of Minister of State for Finance (Revenue) will be obtained in each specific case even if such requests are addressed to Hon'ble Finance Minister.
- d) Only one weapon will be allotted to an MP from the confiscated stock and no replacement will be permissible even in cases the first weapon allotted has either been lost or stolen or become defective or non-serviceable due to excessive use or obsolescence.
- e) The resale/transfer of NPB weapon after it is sold to Member of Parliament is subject to the condition that such a person will not dispose it off for a period of ten years from the date of purchase. Thereafter, he shall be free to dispose it off or keep it. However, at his demise, the disposal of such weapon will be dealt by his legal heirs in accordance with the general laws.
- f) The sale price of NPB weapon to MP will be governed by the instructions contained in this Ministry's letter No. 711/150/92-Cus(AS) dated 6.5.1999.
- g) The sale of NPB weapon to MPs has been centralised in Delhi and this will be done only by the Commissioner of Customs (General), New Custom House, IGI Airport, New Delhi.
- h) All Commissionerates will transfer the NPB weapons which have become ripe for disposal to Commissioner of Customs (General), New Delhi immediately.
- i) The Commissioner of Customs (Gen.), Delhi will inform the Ministry about the balance of fire arms available with them in the prescribes format on a monthly basis to enable the Ministry to take decision on the requests received from Members of Parliament.
- j) Any relaxation in the existing guidelines would require the specific approval of the Hon'ble Finance Minister in each case.

2. These policy guidelines will come into force with immediate effect. All previous instructions issued in this regard will stand modified to the extent indicated above.



3. All Commissionerates are requested to comply with these instructions scrupulously. Difficulties, if any, in implementation of these guidelines may be brought to the notice of the Board.

Yours faithfully,

-sd-/15.7.2002  
(V.K. Khanna)

Under Secretary to the Govt. of India

Copy to:-

1. All Members of the CBEC
2. All officers of and above the rank of Under Secretary to CBEC

Copy for information to:-

1. PS to FM/PS to MOSF(R).
2. PPS to Secretary (R)/PPS to Chairman (EC)

-sd-/15.7.2002  
(V.K. Khanna)

Under Secretary to the Govt. of India