



Gun Violence

For Prelims: Arms (Amendment) Act 2019

For Mains: Challenges and Issues related to Society, Arms (Amendment) Act 2019

Why in News?

Gun violence is an issue that is hotly debated in different countries.

- Anti-gun activists have often pointed to the **killing of innocents in mass shootings** in public places and **called for a ban on the purchase of guns by civilians in US also** raise concerns over increasing **gun culture in India**.

What are the Arguments in favor of Access to Guns?

- Some people believe that **guns can actually make crime less likely** by raising the cost of committing a crime. They have particularly pointed out that it is hard to quantify the number of lives that have potentially been saved by civilians who held guns, leave alone the number of crimes that never happened **because the potential victims held a gun**.
- Some researchers have found that there is a **strong negative relationship between access to firearms among blacks in the US and incidents** of lynching. The finding implies that access to firearms helped blacks better protect themselves against incidents of lynching.

What is the State of Gun Ownership in India?

- The **Small Arms Survey of 2018** claimed that **civilian gun ownership in India** stands at an astounding 70 million, **second only to the US**.
 - The figure seems bizarre, given that gun licenses in India number just 3.4 million, over a third of them in Uttar Pradesh.
- **In 2016**, India ranked 3rd in terms of **gun-related homicides**, and over 90 % of the cases involved the use of unlicensed weapons. This indicates that the **seizure of illegal guns is just a small part of a larger problem**.
- According to the National Crime Records Bureau report of 2020, some **75,000 firearms were seized in that year**, about half of them from UP, which is widely known to be the hub of illegal arms manufacture.

What are the Gun Control Laws in India?

- **Arms Act of 1959:**
 - **About:**
 - It aims to be as extensive as possible to cover all aspects relating to the acquisition, possession, manufacture, sale, import, export, and transport of arms and ammunition in India.
 - **Requirements for Acquiring Gun License:**

- The minimum age requirement for acquiring a gun license in India is 21 years.
- The applicant must not have been convicted of any offence involving violence or moral turpitude five years prior to commencing the application, not of an 'unsound mind' and not a threat to public safety and peace.
- Property qualification is not a criterion for acquiring a gun license.
- Upon receiving an application, the **licensing authority (i.e., the Home Ministry)**, asks the officer in-charge of the nearest police station to submit a report about the applicant after thorough vetting within a prescribed time.
- **Other Features:**
 - It defines 'prohibited arms' as those that either discharge any noxious liquid or gas, or weapons that seek pressure to be applied on a trigger for discharge.
 - It allows the use of smooth bore gun with a barrel of not less than 20 inches for crop protection or sport.
 - **No entity is permitted** to sell or transfer any firearm **which does not bear the name of the maker**, manufacturer's number or any other visible or stamped identification mark.
- **Arms Amendment Act 2019:**
 - The Arms Act amended in 2019 reduces the number of firearms that an individual can procure **from 3 to 2**.
 - The validity of the license has been **increased from the present 3 years to 5 years**.
 - It also enlists specific provisions on curtailing the use of licensed weapons to ensure social harmony.
 - The **punishment of imprisonment is increased between 7 and 14 years**, along with a fine for the offense of acquisition, possession or carrying of prohibited ammunition without a license.
 - It prohibits the conversion of one category of firearms to another without a license.
 - Unlawful manufacture, sale and transfer are liable for an imprisonment term not less than seven years which could be extended to life, with a fine.

Way Forward

- One way is to impose severe gun controls and severely restrict who can buy or own a weapon. American laws are too loose and too lenient in this regard.
- India too needs to review and tighten laws relating to the acquisition and possession of firearms.

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