



SECURITY OUTSOURCING STANDARDS



Bombay Chamber of Commerce and Industry

Preface

The environment we operate in is highly dynamic and it exposes each one of us to various risks. Thereby making it important for each one of us to imbibe the Safety culture and make it our priority no 1 both in our professional and personal life. It involves a major behavioural change especially for individuals who undermine the impact of safety in their lives. No matter the size or type of the business, workplace safety and security procedures are a necessity as they help protect employees as well as equipment and business property. With recent regulations it has become imperative for employers to ensure that safety and security are included in all aspects of their business and in turn expect employees to contribute through their responsible behavior. A safe and secured environment will enhance productive efficiency and promote the overall wellbeing of all employees. A visible commitment and active involvement at all levels is the key to ensure a continued safe environment.

From government offices to corporate facilities, private homes, neighborhoods and shopping centers have felt the need to protect themselves from rising terror threats and crime that are plaguing India. There are numerous private security agencies mushrooming across the country to meet the unprecedented surge in the demand for private security.

The members of Security Group of Sustainability Committee, Bombay Chamber has prepared a Manual on Security Outsourcing Standards to help the members who do not have experience and knowledge of hiring security agencies for their respective organizations. We have tried to address the basic standards and quality requirements that should be adhered to, while selecting a private security service provider and the laws that govern them.

We hope that this manual will be useful to our members in creating safe and secure environment for their business and employees.

Ashok Barat



President

Uday Khanna



President Elect

Mumbai, June 2012



Index

Preamble	1
Recommended Structure of the Security Agency	5
Training	5
Standard of Physical Fitness for Security Guards	7
Weapons Training	7
Monitoring Operations	8
Manpower Management and Welfare	9
Payment and Emoluments	9
Accreditation of Security Provider	9
Compliance	9
Statutory Records	10
Direct / Indirect Liability	10
Compensation of Loss of Property	10
Selection and Rejection	10
Change of Personnel	11
Rotation of Personnel	11
Background Verification	11
Performance Evaluation	11
Audit	11
Guidelines for New Infrastructure	11
Annexure A - SOP for Opening fire for contractual Gunman	13
Annexure B – List of DGE Approved Training Institutions	19



PREAMBLE

In much of India, the first line of defense against crime, earns less than Rs.5000/-a month and is armed with little more than a shiny belt buckle and a moth-eaten baton.

It is estimated that India's \$2 billion private security sector employs about 5 million people, 1.3 million more than India's police and armed forces combined.

In many areas of India, a police presence is "non existent," and/or inadequate. But just adding more guards and more people is not a solution, instead; rigorous selection, better training, increased pay scales and, in many cases, arming guards, will improve things.

Many guards are farm workers in small villages. Through job fairs, "city contacts" and local offices in rural states like Uttar Pradesh, Madhya Pradesh, Rajasthan, Bihar, Orissa and Punjab, companies sign on thousands of young men at a time, put them through training camps, then send them to guard client locations.

Many of the recruits are men who tried and failed to enter the police or military but still crave a job with a uniform. Most of them earn a starting salary of about Rs.4, 000/-a month. Another group of security guards are migrant labours who work as security guards to supplement their rural agricultural income through city based jobs as cab / auto drivers, carpenters and in most cases as security guards.

Before the training, most of the recruits have never been to an office park or a factory environment – ridden an elevator, used a fire extinguisher or, often, seen a rifle.

In about a weeks' time, they are supposed to be able to regulate the personnel, vehicle or material entry and exit process at shopping malls, corporate office parks, apartment blocks and even public transportation in India's urban areas, ascertain the veracity of documentation and even provide event and executive protection. They are also supposed to be the first responders to security incidents and crisis situations and are supposed to produce high-end results in minimum possible time in the most organized, safe and professional manner because of unavailability of adequate fire and medical emergency services in many parts of India.



The huge private manned guarding sector remains unregulated. It (mostly) by and large dominates the protection industry in India. Born in the 60's this sector started with a handful of large players. Today, companies like G4S, SIS, Tops, SDB CISCO, Peregrine, Checkmate, Premier, NISA, SPS, Krystal and some others operate through their various regional and city offices to offer protection services nationwide. However, smaller companies dotting the landscape, in a bid to carve out a share of the market, resort to cost-cutting, which in turn brings down the quality of service provided. Large players, on the other hand, provide in-house training facilities, job orientation programs which reflect in the quality of service they provide.

In a bid to regulate the manned guarding sector, the Indian Government passed the 2005 Private Security Agencies Regulation Act which, in reality, is yet to take off. Security in India is inconsistent from state to state, because majority of states have not yet adopted the PSARA. Adoption of the Act was left at the discretion of the respective state governments. Each state must pass the PSAR in its legislature and then set up a controlling authority. Experts say the PSAR has been implemented in only 10 of India's 28 states. Implementation in many other states appears to have been delayed by efforts of business groups opposed to regulation.¹

There are numerous other private security agencies mushrooming across the country to meet an unprecedented surge in the demand for private security. From government offices to corporate facilities, private homes, neighborhoods and shopping centers, virtually every organization is looking for ways to protect itself from terror threats, street crime and corporate espionage that are increasingly plaguing India.

Much of the demand for private security has been precipitated by the series of bomb blasts that have rocked India over the past two decades. India is now one of the world's most terror-prone countries. India's crime rates, already some of the highest in the world, are also rising, as is the incidence of corporate espionage, though there are no official figures for this. But with a police force of just about 1.6 million, India has just 1.45 cops for every 1,000 citizens, much lower than the global average of 3 per 1,000, as per a UN report. Little wonder, then, that the country is home to the largest private force in the world, with 5.5 million guards across the country.

The organized private security business — industry estimates put its worth at Rs 5,000 crore — is growing at 35 %².

1. <http://www.securitymanagement.com/article/india%E2%80%99s-growing-security-industry-005676>
2. <http://www.projectsinfo.in/News.aspx?nId=bCiZesdhFtqx6G6FU188JA>



(The total size of the sector including smaller firms that do not file IT returns is pegged at Rs 10,000-15,000 crore.)³

Despite increased investment, private security's end users have not yet seen a change in the quality of officers, though clients have expressed a desire to see a better-trained work force. India's Private Security Agencies Regulation Act, 2005 (PSARA), was created to improve private security standards in the country by issuing licenses to security companies. It also sets minimum standards for security guards, such as 160 hours of training before deployment.

Partnerships are being formed between local providers and those located in Israel, Europe, and the United States. This is one positive development. APS Group of India, for example, recently formed a joint venture with ARES Group of Israel; the Israeli firm will provide advanced security training and consultancy services to its local partner.

Also, the Israeli Military Institute now offers training courses for Indian security executives, which could improve the quality of the security industry.

More rigorous training is needed in fitness, firefighting, reading and writing in English.

- (a) In addition, some states in India have their own regulations for the security industry as also prevalent in the United States. For example, Maharashtra has the Maharashtra Security Guard Board Act (MSGB) which the security service provider should have a license issued under the PSAR Act 2005.
- (b) The service provider should have a formal structure for management and relevant infrastructure:-
 - ◆ No sub-let companies should be employed.
 - ◆ Proprietary agencies should be run by ex-uniformed services personnel, having held Class I gazetted officer rank.
 - ◆ In private limited companies – preferably former uniformed services Class I gazetted officers should be in key management positions, having not less than 5 years of commissioned service and a minimum of 5 years of exposure in corporate service.
 - ◆ The service provider should preferably have ISO 9001 certification.

3. <http://ventureintelligence.blogspot.com/2008/11/growing-with-each-blast.html>



- ◆ The agency should have basic infrastructure, which should include, administrative / corporate office and training facility.
 - ◆ The agency should have adequate supervisory / operations staff to ensure smooth operations. The operational head should be a former commissioned military / IPS officer.
 - ◆ The professional background of the management staff should be former police / para military / armed forces.
 - ◆ Civilians employed by the security agency in operational duties, should have attended security certification courses run by recognized institutions.
- (c) The principal employer(client) should carry out due diligence on the security agency before hiring it, to verify if the promoter/s of the security agency are
- ◆ Not convicted by any court of law.
 - ◆ Not linked with any banned organization/s.
 - ◆ Not dismissed from government service for any misconduct.
- (d) It is recommended that based on over all requirement, the security provider/ MSGB must categorize industry specific training. *[We cannot develop a training module due to the vast scope of the subject]*
- ◆ IT / out sourcing establishment
 - ◆ Chemical plants and other private factories.
 - ◆ Manufacturing sector (small and large units)
 - ◆ Shopping malls and residential apartments.
 - ◆ Critical infrastructure of national importance such as Airports, Oil and gas installations.
 - ◆ Highly sensitive Establishment like Government offices, Public sector undertakings etc.
 - ◆ Specialized training like protection of VVIPs, Security during events and functions

Maharashtra has the Maharashtra Security Guard Board (MSGB), which was created in 1981 after the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981, was passed with retrospective effect from 29th June, 1981. The MSGB primarily regulates the welfare of the guards (by setting a minimum wage) rather than regulating standards for security. It is not yet clear, whether the PSARA will take precedence over the MSGB or vice versa. The scope of the Act extends to the whole State of Maharashtra and the Act applies to persons who work as Security Guards in any Factory or



Establishment through Agencies but it does not apply to persons who are direct and regular employees of the Factory or Establishment. The MSGB also provides security guards to companies, in addition to being a regulatory body. In the aftermath of the Mumbai terror attacks, some in the security industry are also pushing for the government to grant licenses for private security guards to carry weapons. Currently, most security guards in the country are unarmed. The few armed guards in the country are individuals who have been granted an arms license and have their own weapon.

Keeping these points in mind the Bombay Chamber of Commerce and Industry has come out with guidelines for its member companies, to help them choose a suitable and capable security service provider.

1. RECOMMENDED STRUCTURE OF THE SECURITY AGENCY

- ◆ Structure for members on the Board of Directors to include Defence and Police officer with minimum five years of experience in the corporate security.
- ◆ Flexible and sound organization structure for operational department to manage day to day functions of the security agency.
- ◆ Suitable staff for imparting basic training of security guards and security supervisors.
- ◆ Adequate training infrastructure and facilities available.
- ◆ Have capacity to meet the minimum provisions laid down in the PASAR Act.

2. TRAINING

The security agency should have a detailed training syllabus required for training the security guards. This training shall be for a minimum period of hundred hours of classroom instruction and sixty hours of field training, spread over at least twenty working days. The Ex-servicemen and former police personnel shall however be required to attend a condensed/ refresher programme only, of minimum forty hours of classroom instructions and sixteen hours of field training spread over at least seven working days.

It is recommended that the security guards be within the age group of 18 to 50 yrs, and the supervisory staff to be not more than 58 yrs.

Qualification of the candidates should be:

- ◆ Security guards should have passed 10th examination.
- ◆ Security supervisors should have passed 12th examination.



- ◆ Graduates or candidates with diploma courses in security technologies would be required for operating technical equipment like CCTV, vehicle scanners, baggage scanners, control rooms etc.
- ◆ Language skills should include local language / Hindi and English.
- ◆ Physical fitness – Medical category shape 1
- ◆ A list of Directorate General of Resettlement (DGR) approved training establishments are given in Annexure B.

The training should include the following subjects:

- ◆ Conduct in public, grooming and proper wearing of uniform.
- ◆ Physical fitness training.
- ◆ Physical security, security of assets, security of the building, personnel security and household security.
- ◆ Fire fighting.
- ◆ Crowd control.
- ◆ Examining / identification of identity documents like identity cards, passports and smart cards.
- ◆ Should be able to read and understand local / Hindi / English alphabets and numerals as normally encountered in the identification documents, *challans*, and security inspection sheet etc.
- ◆ Identification & knowledge of improvised explosive devices.
- ◆ First aid.
- ◆ Crisis response and disaster management.
- ◆ Defensive driving (compulsory for the driver of armed vehicle and optional for others).
- ◆ Handling and operation of non-prohibited weapons and firearms (optional).
- ◆ Rudimentary knowledge of Indian Penal Code, right to private defence, procedure for lodging first information report in the police station, Arms Act (only operative sections), Explosives Act (operative sections).
- ◆ Badges of rank in police and military.
- ◆ Identification of different types of arms in use in public and police.
- ◆ Use of Security equipments and devices (for example; security alarms and screening equipments).
- ◆ Leadership and management (for supervisors only).
- ◆ Ethics and professionalism.
- ◆ Soft skills, communication and people handling.



- ♦ Advance training – will depend on the industry of operation. Each industry will have different requirements; hence this type of training can be carried out on site along with the client's representatives.
- ♦ Training should be imparted from approved agencies / training centers.
- ♦ Institutional training should be mandatory for Supervisors /Asst. Security Officer level cadre.

3. STANDARD OF PHYSICAL FITNESS FOR SECURITY GUARDS

Security guards should fulfill the standards of physical fitness as specified below

- ♦ Height – min. 160 cms (Male); min 150 cm (Female), weight according to standard table of height and weight, chest 80 cms with an expansion of 4 cms (Male)
- ♦ Eye sight: far sight vision 6/6, near vision 0.6/0.6 with or without correction, free from color blindness, should be able to identify and distinguish color display in security equipments and read and understand display in English alphabets and Arabic numerals.
- ♦ Medical category shape 1.
- ♦ Free from knock knee and flat foot.
- ♦ Hearing: should be able to hear and respond to the spoken voice and the alarms generated by security equipments.
- ♦ Security guards should be free from evidence of any contagious or infectious disease. He should not be suffering from any disease which is likely to be aggravated by service or is likely to render him unfit for service or endanger the health of the public.

The security agency shall ensure that every security guard working for it undergoes a medical examination after every twelve months from his last such examination so as to ensure his continued maintenance of physical standard as prescribed for the entry level.

4. WEAPON TRAINING

This committee recommends that the government review the weapon license policy. The State Government is requested to make weapon licencing process simpler and less complicated, without diluting the required checks and balances:

- ♦ The Government to identify an agency to facilitate training for weapon licence holders.
- ♦ The Government to facilitate training for commercial use of weapons.



- ◆ The Licensing policy should be separate for commercial use, self protection, crop protection and sports. If the principal employer (client) requires armed guards, then the employer must ensure:
- ◆ Background verification of the license holder.
- ◆ Verification of the license.
- ◆ Ability and criteria to use the weapon.
- ◆ No employment to civilian license holders, due to their lack of formal training / handling of weapons, unless certified by an authorized government agency.

In light of present threat scenario, terrorists are armed and trained with automatic weapon systems like AK series assault rifles, rocket launchers etc. which are difficult to counter by security guards armed with 12 bore shotguns. In cases where protection of critical infrastructure that offer high value targets (like power stations/telecom centers/ HQs of major industries etc), the Government should allow allotment of restricted bore weapon system (5.56 mm/ AK series/ carbines) to be handled by ex-serviceman who are well trained and disciplined (this policy is being successfully followed along the LOC in Aknoor-Rajouri sector).

At present we do not have suitable acts under the IPC to protect gunmen who are deployed at various locations with valid gun license to fire in self-defense as well as safe guarding company assets. There are no clear cut guidelines on the issue of opening fire (by private gunmen at commercial establishments) from Government authorities. An attempt has been made to clear the issue on the rights of private security guards deployed with weapons in Annexure-A

5. MONITORING OPERATIONS

- ◆ Post wise instructions should be documented and located at each post, so that each security guard is aware of the work expected from him.
- ◆ The security agency must ensure the following monitoring process for new units by senior staff/management:-
 - ▶ 1st week – visit every day.
 - ▶ 2nd week – visit every alternate day.
 - ▶ 3rd week – visit twice in the week.
 - ▶ 4th week onwards – one visit per week. Night checking – one visit per week by the night checker should be mandatory.

To effectively manage the deployed guards at each client location, security agencies should deploy a dedicated / shared assignment / project manager.



This should also be considered to be incorporated in the SLA that is signed with the security agencies.

6. MANPOWER MANAGEMENT AND WELFARE

The principal employer (client) must ensure that the following facilities are provided to the staff from the security agency

- ◆ Basic amenities – change rooms, toilets etc.
- ◆ Medical assistance.
- ◆ Meals/ dining area.
- ◆ Basic protective equipment and standard equipment should be issued by the security agency, to help the guard carry out his duties.
- ◆ Adequate insurance cover.

7. PAYMENT AND EMOLUMENTS

- ◆ The principal employer must pay the laid down wages as per Maharashtra Guard Board notifications that cover all statutory dues.
- ◆ Rates for ex-servicemen should be higher due to their higher skill sets.
- ◆ Pay of persons with specialized skills to be higher than that of standard guarding personnel.
- ◆ Hazard allowance must be paid to security personnel employed in industries where dangerous material is manufactured/ handled.
- ◆ The insurance cover for the personnel working in hazardous environments should be doubled or should be higher than those serving in normal environments.

8. ACCREDITATION OF SECURITY PROVIDER

Based on the above referred parameters all security providers must be put through security audit once a year carried out by competent agency (Government or Private or Board of experienced officers). Based on the report and feedback, the security provider should be graded for its efficiency. The types of grades can be worked out suitably so that the status and standards of security provider are highlighted and principal employer can expect minimum level of security standards from the guards. The agency should also conduct periodic internal audits and keep the records for reference.

9. COMPLIANCE

The security agency should follow and comply with the provisions of all the labour laws including the Minimum Wages Act, 1948, Payment of Bonus Act 1961, Provident Fund and Miscellaneous Provisions Act. 1952, Employee



State Insurance Act, 1948, Private Security Agencies (Regulation) Act, 2005 and the Private Security Agencies Central Model Rules, 2006, service tax and other government related liabilities and the principal employer shall not be responsible in any manner whatsoever for any default on the part of security agency. Further, the security agency agrees that in case of any default on the part of the security agency, if the principal employer is made liable for making any payment and/ or otherwise, the security agency shall indemnify the principal employer for such payments/ cost etc.

10. STATUTORY RECORDS

The security agency should maintain all the statutory records such as Muster Roll, Wage Register, Attendance Card, etc. under the relevant provisions of the Contract Labour (Regulation and Abolition) Act, 1970 and rules framed there under. The security agency would be required to produce the said statutory records for inspection whenever called for by the principal employer (client) and/or statutory authorities.

11. DIRECT / INDIRECT LIABILITY

Any statutory obligation cast on the security agency due to existing legislation and/or future legislation/ordinances shall be applicable during the subsistence of this contract. The security agency shall not create any direct or indirect liability on the principal employer.

12. COMPENSATION OF LOSS OF PROPERTY

In case of any theft or pilferage that takes place due to the negligence of the security staff provided by the security agency, the security agency shall compensate/indemnify the principal employer for the loss suffered by the principal employer. Depending on a case to case basis the principal employer may deduct not more than 10% of the contracted fees to compensate for the loss.

It is recommended that the principal employer insure assets that are of considerable value as security agencies would not be able/ willing to compensate for loss of assets of considerable monetary value.

13. SELECTION AND REJECTION

The principal employer shall have the right of refusal during deployment of supervisors and guards and undisputable right of rejection during the period of this deployment. That in case the principal employer finds a particular guard/ supervisor as ineffective/ unfit and request to the security agency to change that guard/ supervisor, the security agency shall comply with the request of principal employer within 72 hours.



14. CHANGE OF PERSONNEL

The security agency shall not, without written intimation and confirmation from the company, change any guard / supervisor / security equipment operators deployed on the assignment. This would also be applicable on the agency Single Point of Contact.

15. ROTATION OF PERSONNEL

The security agency should rotate the duties of the personnel deployed on the assignment as per the agreed duration.

16. BACKGROUND VERIFICATION

The security agency shall conduct the required background verification checks on all the candidates who are deployed on the assignment as per the agreed terms and conditions.

17. PERFORMANCE EVALUATION

Security agency shall on a regular basis evaluate the performance of all the security personnel / guards deployed on the assignment and produce the results to the management.

18. AUDIT

The principal employer shall reserve the rights to audit the functioning and documentation of the Agency from time to time through internal and external agencies.

19. GUIDELINES FOR NEW INFRASTRUCTURE (Securitization of Infrastructure):

All new infrastructure being developed for corporate offices / critical infrastructure and other related hubs / Exclusive Economic Zone (EEZ) should have mandatory security facilities / norms which should be approved as per standard laid down by the Government (as in case of Fire dept approval). This will set the tone for higher security standards expected out of security service provider. Some of the issues could be:

- ◆ Standardization of guidelines for security depending on the type of infrastructure.
- ◆ Physical security guidelines and related infrastructure.
- ◆ Minimum level of security technology as part of the project.
- ◆ Internal landscaping and open spaces including car parking.
- ◆ Internal areas and related access to various categories of visitors and manpower.

ANNEXURE A



SOP for Opening Fire for Contractual Gunman

Objective: To authorize contractual gunman/ own security officers and staff located at critical infrastructure /sites to fire in self defense in order to protect himself, personnel's and the property of the company.

Scope: The scope covers the procedure to be followed for opening fire by the contractual gunman, own security officers and staff with valid weapon license to fire arms with in/ out side company premises while on duty for his self defense and safeguarding company assets.

Situations: As security officer on duty at the critical infrastructure of the client, one must closely monitor the arising situation which might lead to opening of fire by the gunman. The following scenarios must be closely monitored and higher management including Chief Security & Vigilance officer must be kept informed.

- Violent activity and damage to company property and loss of life due to agitation/ dharna/ self emulation/ local labor unrest.
- Regional/local unrest from villagers and population surrounding the power plant/ dams/critical infrastructure sites like penstock/ duct line etc with tacit support from local politicians and mafias resulting in damage and loss.
- Organized crime/theft/pilferage/sabotage in and around the critical infrastructure.
- Terrorist attack/ forceful entry/ bomb blast and related activity by anti-national elements and terrorist organizations within or outside the company's critical infrastructure on land or at sea.

Responsibility: HOD (Security) is responsible for implementation of this procedure to ensure lawful firing from the fire arms of authorized contractual gunman, own security officers and staff while on duty, only in self defence while protecting life, property and assets of the company.

Procedure:

- Deployment of authorized gunman at critical locations for the safeguarding of company assets from any type of intrusion/forceful entry.



- Proper maintenance of documents of muster/deployment of locations for the posting of authorized contractual gunman withholding valid gun license/gate pass/safety pass.
- Authorized contractual gunman must be well trained and medically fit to handle/maintain the allotted fire arms and ammunitions while on duty and wholly responsible for safe custody of fire arms and ammunitions.
- On confirmation by the gunman that intruder or person making forceful entry in the power plant/ site is ignoring the warning orders given by the gunman and is in possession of armed weapons and has attempted to use armed weapon or has attempted to physically assault the gunman with aim of causing grievous injuries and threatening life, the gunman may open fire under conditions referred under the IPC-100, the Right of Private Defence.
- Immediately the gunman must flash message to alert to security control Room and all other security personnel deployed in the power plant about the situation for more assistance to tackle/control the situation.
- Gunman must use his presence of mind to tackle this type of situation based on actual ground realities and also ensure that intruder / attacker was in process of causing physical assault with the aim of endangering the gunman's life.

Right of private defense under Indian Penal Code

Chapter IV (general exception), sections 96 to 106 explain the provisions of the Right of private defense. The right of private defense rests on the general principle that where a crime is endeavored to be committed by force, it is lawful to repel that force in self defense.

Basic Principle: Self preservation is the private instinct of every human being. Every man has the right of private defense his own body, property and the body and property of his nearer. This basic principle has been recognized in the IPC to give protection to the wrong doer, who commits a criminal act in the course of protecting his person, property, body and property of his nearest.



Right to private defense and IPC.

S.96, defines that nothing is an offence which is done in the exercise of the right of private defense, which lays down the general rule on the right of private defense. While S.97 which deals with the subject matter of the right of private defense of body and property and lays down the extent of the right of private defense, proclaims that every person, subject to restrictions contained in S.99, has a right to defend his own body and the body of another, against any offence affecting human, and right to defend the property of his own and his nearer or any other person against any act which is an offence falling under the definition of theft, robbery, mischief, or criminal trespass, S.99 lists the situation wherein the right to private defense of body as well as property is not available to an individual; S.102 and S.105 deal with commencement and continuation of right to private defense of body and property.

Whereas S.100,101,103,104 deals with the extent of harm (including voluntary death) that may be inflicted on the assailant in exercise of the right of body and of property respectively, S.98 also provides the right of private defense against the lunatic person as well.

As per S.100 the right of private defense of the body extends to causing death:

The right of private defense of the body, which may also cause injury or death of the assailant is recognized by S.100 of IPC, but this right is subject to the restrictions mentioned in S.99 of IPC. to the voluntary causing of death or of any other harm to the assailant, when any one of the six situations stipulated therein arise in the committing of the offence of body extend to the causing of voluntary death of the actual or potential assailant if he through either of the specified assaults causes reasonable and immediate apprehension of death or grievous hurt in the mind of the accused.

The categories of assault when injury or death may be caused to the assailant, specified in the sections, are:

- Assault to kill
- Assault to cause grievous hurt
- Assault to commit rape
- Assault to gratify unnatural lust
- Assault to kidnap or abduct
- Assault to wrongfully confining a person and the accused cannot have recourse to the public authority for his release.



Reasonable apprehension of Death or Grievous hurt Sufficient:

The first clause of S.100 stipulates that the right of private defense of body extends to causing death, when such an assault reasonably causes the apprehension that death will otherwise be the consequence of such assault.

The second clause of S.100 stipulates that when an assault caused the reasonable apprehension that grievous hurt will otherwise be the consequence of such an assault, the right of private defense extends to causing of death.

In order to avail of such exception of criminal liability under this clause, what is required to be established is that there were **reasonable circumstances giving rise to reasonable apprehension of either death or grievous hurt**. Such an apprehension of death or grievous hurt **must be real or reasonable and not illusory or imaginary. It must be present and imminent and not remote or distant one**. The reasonable apprehension that death or grievous hurt will be caused to him, however is required to be judged from the **subjective point of view** and it **cannot be subject to microscopic and pedantic scrutiny**.

The accused must be of a bonafide fear that death or grievous hurt would otherwise be the consequence of the assault if he done not defend. It is not essential that actual injury should be caused by the aggressor or the victim before the right of self defense can be availed of. Person apprehending danger is not required to wait for sustaining injury. Mere apprehension is sufficient to exercise his right of private defense.

Exception of Right to Private Defense

Right to private defense not available to aggressors

No right to private defense can be claimed by the aggressors. It is available against any offense and therefore, where an act is done in exercise of the right of private defense, such an act cannot give rise to any right of private defense in favor of the aggressor in return.

Quantum of injuries:

A person exercising the right of private defense has the better of the aggressor, provided he does not exceed his right because the moment he exceeds it, he commits an offense. The **injuries given to the aggressor by the accused must be in proportion to the assault**.

**Free fight:**

The right of private defense is not available when there is a free fight between two parties or individual, one another using unlawful force against each other. Both the sides mean to fight from the start. And they have the same intention to give the injuries to other. No right of private defense is available in the following condition also:

Against lawful acts.

Unlawful assembly.

Conclusion:

Right to private defense is essentially a defensive right circumscribed by the IPC and it is available only when the circumstances clearly justify it. It is exercised only to repel unlawful aggression and to punish the aggressor for the offence committed by him. It is basically preventive in nature and not punitive. It is neither a right of aggression nor a reprisal. Its exercise cannot be vindictive or malicious.

ANNEXURE B



List of DGE Approved Training Institutions

1. Ahlawat Security & Personnel Services	Pune
2. AISECT Computer & Tech Edn Institute	Ohjar
3. Akshara Business Services (P) Ltd	Chennai
4. Allaince Business School	Bangalore
5. Allaince Educare	Ghaziabad
6. Amity Institute of Education And Training (RBEF)	Noida
7. Ashok Leyland Limited Service Trg Institute	Nagpur
8. Ashok Leyland Limited Service Trg Institute	Kolkata
9. Ashok Leyland Limited Service Trg Institute	Alwar
10. Ashok Leyland Limited Service Trg Institute	Chennai
11. AV Securities & Careers Enterprises	New Delhi
12. Beas Agriculture Research Institute (P) Ltd	Jalandhar
13. Bhudhani Charitable Trust (Om Computers)	Mumbai
14. Black Angles Security Services (P) Ltd	Gurgaon
15. C TEC Educational Society	Mohali
16. Cavalier Coaching & Security Network (P) Ltd	New Delhi
17. Cavalier India	Bangalore
18. CENTUM Learning Limited	New Delhi
19. CENTUM Learning Limited	Guwahati
20. CENTUM Learning Limited	Bhopal
21. Chanakya Educational & Charitable Trust	Chennai
22. Cluster Telecom Pvt. Ltd.	New Delhi
23. Computer Graphics & Design Centre	New Delhi
24. CORE Project & Technologies Ltd	Bhopal
25. CORE Project & Technologies Ltd	Nagpur
26. Creative Computer	Thane (W)
27. D2C Training & Human Resources Management	Pathankot
28. Daya Education Pvt Ltd	Hissar
29. Defence Officers Society Fire Prevention & Disaster Mgt	New Delhi
30. Delhi Inst. of Fire Engineering	New Delhi
31. DGR Trainers & Consultants Pvt. Ltd.	New Delhi
32. Dhananjayrao Gadgil Institute of Co-Op. Management	Nagpur
33. Divine College of Mgt Studies	Cochin
34. DOEACC Society Chandigarh Centre	Chandigarh
35. DOEACC Society Kolkata Centre	Kolkata



36. DOEACC Society LucknowCentre	Lucknow
37. DOEACC Society Patna Centre	Patna
38. Dr Radhakrishnan Institute of Technology	Jaipur
39. Dynamic Institute of Training	Chandigarh
40. Electronic Research Dev & Facilities Centre	Ambala
41. Enterprise Development Institute	Kolkata
42. ePlanet Academy Pvt Ltd	Gurgaon
43. Escalade Enterprises India Pvt. Ltd	New Delhi
44. Everonn System India Limited	Jhansi
45. Everonn System India Limited	Ajmer
46. Everonn System India Limited	Ahmedabad
47. Everonn System India Limited	Dehradun
48. Everonn System India Limited	Aurangabad
49. Fire Safety Management Academy (RTC of National Fire Service College)	Delhi
50. Foundation for Aviation & Sustainable Tourism	Delhi
51. Galaxy Academy for Resettlement Training	Pathankot
52. GCS Computer Technology Pvt Ltd	Patiala
53. GCS Computer Technology Pvt Ltd	Chandigarh
54. Gras Academy (GRAS Hospitality Services Ltd)	Sigra Varanasi
55. Grenadiers Vocational Training Centre	Jabalpur
56. Haryana Thalesemia Society	Hisar
57. HAWKS International Services	Varanasi
58. HCL Career Development Centre (REVOTEK)	New Delhi
59. Hi Alert Training Academy	Bangalore
60. Horizzons	Mohali
61. IACM Smartlearn Ltd	New Delhi
62. IBEX Manpower Solutions	Bangalore
63. IFIM (Center for Developmental Education)	Bangalore
64. IIM-A	Ahmedabad
65. IIM-B	Bangalore
66. IIM-C	Kolkata
67. IIM-B	Bangalore
68. IIM-I	Indore
69. IIM-L	Noida
70. Indian Institute of Logistic	Chennai



71. Indian Retail School	New Delhi
72. Indian Society of Agribusiness Professionals (ISAP)	New Delhi
73. Indus Institute of Information Management	Kolkata
74. Indus Integrated Information Management	Kolkata
75. Institute of Advance Security Trg & Mgt Pvt. Ltd.	Mumbai
76. Institute of Management Technology	Gaziabad
77. Institute of Public Health & Hygiene	New Delhi
78. Institute of Science & Management	Ranchi
79. Integral Engg. Consultancy Services Pvt. Ltd.	Greater Noida
80. International College for Security Studies	New Delhi
81. International Institute of Security & Safety Mgt.	New Delhi
82. Invotech Precision Engineers	Visakhapatnam
83. Jay Cee Aviation Services (P) Ltd. (Airline Career Courses School)	New Delhi
84. JCB India Ltd.	Ballabgarh
85. Joseph Cardijn Technical School	Mumbai
86. King Manpower Solution Pvt Ltd	Cuttak
87. Laurus Edutech Pvt Ltd	Chennai
88. Lineage Sindia Security & Safety Academ	New Delhi
89. Management Development Institute	Gurgaon
90. Management of Infotech System (IECS Cocputer Edu)	Hisar
91. Manav Rachna International University	Faridabad
92. Manipal City and Guilds	Hyderabad
93. Manipal City and Guilds	Kolkata
94. Manipal City and Guilds	Kanpur
95. Manipal City and Guilds	Dehradun
96. Manipal City and Guilds	Pune
97. Mark Services	Lacknow
98. Martyr Flt Lt Maheesh Trikha Foundation	New Delhi
99. Matrix Veterans Event Mgt & Trg Consortium	Gurgaon
100. MSR New Vision	Dehradun
101. Namya Human Resource and Security Solution Pvt Ltd	Mathura
102. National Inst of TV & Video Engineering	Thiruvananthapuram
103. Naval Maritime Academy	Mumbai
104. NFI Education Pvt. Ltd.	Jalandhar
105. NIIT Limited	Kolkata



106. NIIT Limited	Coimbatore
107. NIIT Limited	Lucknow
108. NIS Sparta Ltd	Mumbai
109. NIS Sparta Ltd	Kolkata
110. NMIMS	Mumbai
111. Noble Inst for Premier Studies & Tech Ltd	New Delhi
112. Nunia Info & Tech Service (P) Ltd	Jaipur
113. Olive Greens Manpower Solutions (P) Ltd	Chandigarh
114. Olive Heritage Education (P) Ltd	Gurgaon
115. Oriental Education Pvt Ltd	Chandigarh
116. Phoenix Enterprises	Ahmednagar
117. Pioneer Securities	New Delhi
118. Pioneer Vocational Institute Pvt Ltd (Pioneer Foundation)	Ranchi
119. Pradip Institute of Management and Security (P) Ltd	New Delhi
120. Pratik Academy of Security and fire (P) Ltd	New Delhi
121. ProActive Inst of IT & Management	Kolkata
122. Punjab Ex-Sercvicemen Corporation	Mohali
123. Queen Mary's Technical Institute	Pune
124. Radiv Global Technologies 9P) Ltd.	Hyderabad
125. Rajesh Security & Manpower	Hyderabad
126. Rawelcom Institute of Telecom Trg	New Delhi
127. Regional Academy of Computers Education	Chennai
128. ReiNET (I) Pvt Ltd	Mumbai
129. SRKISI Pvt Ltd (datapro)	Visakhapatnam
130. Sainath College	Agra
131. Sainik Kalyan Evam Punarvas Samiti	Jaipur
132. Sainik Kalyan Sanathan	Lacknow
133. Saksham Centre of Professional Excellence	Gurgaon
134. Sandstone Technologies	Hyderabad
135. Shri Dharamvir Memorial Education Society (National Industrial Training Centre)	New Delhi
136. Shri Krishna Shiksha Samiti	Noida
137. Skylark Inst of Security & Highway Mgt	New Delhi
138. Skylark School of Business & Technology	Gurgaon
139. Society for Information Technology Development	Agartala
140. Society for Information Technology Development	Sri Ganganagar



141. Society for the Study of Managerial Growth and Development (IMDR)	New Delhi
142. Spectra Security and Allied Services Pvt Ltd	New Delhi
143. Sri Guru Tegh Bahadur Industrial Trg Centre	Delhi
144. SRT Innovision Services Pvt Ltd	Gurgaon
145. Synchro Serve Globle Solution Pvt Ltd	Gurgaon
146. Synchro Serve Globle Solution Pvt Ltd	Vishakapatnam
147. Techno World	New Delhi
148. The Lancer Technologies	Bangalore
149. Tirumala Venkateswara Academy (P) Ltd.	Secunderabad
150. Town School Education Initiatives	New Delhi
151. Town School Education Initiatives	Dehradun
152. Trident Security Trg Academy	Jaipur
153. Universal Network of Infotech	New Delhi
154. UPTEC Computer Consultancy Ltd.	Lucknow
155. UPTEC Computer Consultancy Ltd.	Noida
156. UPTEC Computer Consultancy Ltd.	Allahabad
157. Versatile Network Pvt Ltd	New delhi
158. Versatile Telecom Services	Chennai
159. Vidyajyoti Education Society (Hotel & Catering Mgt Institute)	Chandigarh
160. Visma Infotech Services	Secunderabad
161. Woodland E.T.T Institute	Jammu
162. XLRI	Jamshedpur
163. Ybrant People Manpower & Consulting Pvt Ltd.	New Delhi

Acknowledgements

The idea of developing Manual on Outsourcing Security Standards was discussed by Safety and Security Committee of the Bombay Chamber in the year 2010-11 and it was taken forward by the Security Group of Sustainability Committee.

First and foremost, we sincerely thank Capt. Aldrin Fernandes, Head Security & Intelligence, Sanofi India Ltd. and Col. Pradeep Dalvi (Retd.), DGM, Tata Power Co. Ltd. for writing the manual. The content of the manual has gone through series of reviews, discussions and revisions. Capt. Fernandes has tried to incorporate all the relevant inputs, the manual would not have been possible without his relentless effort.

We thank Mr. Russell Parera, Chairman, Sustainability Committee, Bombay Chamber & CEO, KPMG in India for supporting the effort and completion of the Manual.

We thank Mr. Puneet Garkhel, Head-Fraud Risk Management & Outsourcing, Mahindra Special Services Group for final review and editing of the manual.

We are grateful to Sanofi India Ltd. for supporting and sponsoring printing of the Manual.

Project team: Bombay Chamber of Commerce and Industry

Dr. Atindra Sen, Director General

Mr. Vikas Gadre, Executive Director

Ms. Usha Maheshwari, Joint Director

Ms. Mani Nair, Assistant Manager

more than 4500 prime companies as its members, the Chamber represents the cream of Indian Industry, Commerce and Services spread all over India and internationally.

The Chamber's theme for all its activities and initiatives is 'Corporate as Citizen'. The initiatives organized by us include one single Code of Ethics for all our members, Skills and Employability project, Mumbai Arts and Crafts project and enhancement of trade between India and Pakistan.

- ◆ We have adopted a Code of Ethics within our Chamber as well as for our members, who are adopting the same within their respective companies (155 members have already signed up).
- ◆ A Skills and Employability project wherein we have adopted an ITI at Bhokar in Nanded district. Our aim is to set up a Centre of Excellence in vocational training which can then be replicated in the other parts of the country.
- ◆ The Municipal Commissioner of Greater Mumbai and the Chamber are working together on a Mumbai Arts and Culture project which will give an opportunity for the people in all parts of the state to showcase their traditional arts thereby promoting arts and culture of Maharashtra.
- ◆ The Bombay-Karachi Chamber of Commerce and Industry formed at the behest of the Ministries of Commerce of both countries –India and Pakistan to enhance trade between the two countries. We have received delegations from Karachi and are now focusing on taking a delegation there.



Sanofi, a global and diversified healthcare leader, discovers, develops and distributes therapeutic solutions focused on patients' needs.

With a presence in over 100 countries, Sanofi strives to protect the health, enhance the life and respond to the health needs of as many of the nearly 7 billion people in the world today.

Sanofi has core strengths in the field of healthcare with seven growth platforms: diabetes solutions, human vaccines, innovative drugs, rare diseases, consumer healthcare, emerging markets and animal health.

Present in India since 1956, Sanofi operates through five entities in the country – Sanofi India Limited (previously Aventis Pharma Limited), Sanofi-Synthelabo (India) Limited, Sanofi Pasteur India Private Limited, Shantha Biotechnics and Genzyme India Private Limited.

BOMBAY CHAMBER OF COMMERCE AND INDUSTRY

Mackinnon Mackenzie Building, Ballard Estate, Mumbai 400 001, INDIA.

Tel: 91-22-49100200 Fax: 91-22-49100213 E-mail: bcci@bombaychamber.com Web: bombaychamber.com