



## Who Is Securing You? A Look At Laws Regulating Security Guards, Agencies In Maharashtra

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 NDTV Profit Guest Contributor

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When it comes to protecting our businesses and places of work the go-to solution is to engage security agencies or guards. One cannot emphasize enough the need to have professional and trained security at your establishments. This brings us to the question of who can provide you with such services and which are the legislations that govern security agencies and guards, especially in our state?

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## **The PSAR Act**

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The purpose of the PSAR Act is to regulate the operation of security agencies. It applies when a security agency is hired to protect commercial establishments, property in general and people. The PSAR Act, amongst other things, prohibits a person from carrying on business as a security agency without obtaining a license first. Agencies must also check the antecedents of a person before employing them as guards.

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## **The MPSG Act**

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The MPSG Act is a welfare regulation, regulating the employment of security guards to ensure fair conditions of employment. It only applies to security guards deployed with shops and commercial establishments. It does not apply to guarding people and property in general. Violations under the MPSG Act are criminal offences.

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Further, previously, as per the MPSG Act, read with the MPSG Scheme, the penalty for not using a board security guard was a fine of up to Rs 500/- and/or imprisonment of three months for the first violation; a fine up to Rs 1,000/- and/or imprisonment of six months for the second/subsequent violation; and Rs 100/- per day for every day the violation continues.

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It is hoped that when the MPSG Scheme is ultimately amended to bring it in line with the 2023 amendment to the MPSG Act, the Government of Maharashtra will also remove the internal inconsistency as to engagement of exempt guards by registered principal employers. It would be important for various establishments to examine this issue and mitigate the potential risks for non-compliance of the MPSG Act.

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*Raj Panchmatia and Peshwan Jehangir are Partners, and Anindya Basarkod is a Principal Associate at Khaitan & Co.*

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