International Journal for Multidisciplinary Research (IJFMR)
E-ISSN: 2582-2160 ● Website: www.ijfmr.com ● Email: editor@ijfmr.com

The Unmarked Gun: Craft Production, Privately Made Firearms and the Limits of India's Arms Law

Sumehar Singh Duley[1], Dr. Anu Mutneja[2]

[1]LL.M. Scholar (Criminal Law), University Institute of Legal Studies, Chandigarh University, Gharuan, Mohali, Punjab
[2]Professor, University Institute of Legal Studies, Chandigarh University, Gharuan, Mohali, Punjab

Abstract
India's illegal gun market is overwhelmingly domestic and craft-made. The country-made pistol, assembled in small workshops from pipes, springs and scrap steel, accounts for the great bulk of the firearms seized by Indian police every year, and the spread of online instructions, cheap machine tools and 3D printers is widening the circle of people able to make a working weapon. This paper examines whether the Arms Act, 1959, the Arms Rules, 2016 and the Arms (Amendment) Act, 2019 are equipped to regulate craft-produced and privately made firearms. It is argued that the framework is built around the licensed manufacturer: its marking, record-keeping and tracing duties attach to those who come forward to be licensed, and so have little to say about the unmarked weapon that dominates seizures.
Measured against the Firearms Protocol, the International Tracing Instrument and recent reforms in the United States and the United Kingdom, the Indian framework shows five gaps: marking that presupposes a licensed maker, an undefined category of essential parts, no control over dual-use machinery and digital manufacturing files, weak tracing of seized craft weapons, and enforcement data that cannot separate manufacture from possession. Targeted reforms are proposed to move regulation upstream, from the finished gun to the components, tools and information from which it is made.

Keywords: Craft-Produced Firearms, Privately Made Firearms, 3D-Printed Guns, Arms Act 1959, Firearms Protocol, Marking and Tracing

1. Introduction

India's gun problem has a peculiar shape. The weapon most often recovered by the police is not a smuggled foreign pistol or a stolen service rifle but the katta, the country-made firearm produced in a small, unlicensed workshop. According to the National Crime Records Bureau (NCRB), 80,118 cases were registered under the Arms Act in 2022, and more than ninety-five per cent of the roughly 1.04 lakh arms seized that year were unlicensed, improvised, crude or country-made [1, 2]. The figures for 2023 were of the same order, with 73,388 cases registered and 82,756 arms seized [3]. Behind these numbers sits a much larger stock. The Small Arms Survey estimated that Indian civilians held about 71 million firearms at the end of 2017, the second largest civilian holding in the world, and that only a small part of it was registered [4].

The law that governs this market is a licensing law. The Arms Act, 1959 makes it an offence to acquire, possess, manufacture, sell or repair arms without a licence [5], and the Arms (Amendment) Act, 2019 raised the penalty for unlicensed manufacture to a minimum of seven years' imprisonment [6]. Yet the Supreme Court, in a suo motu proceeding begun in 2023, has found that factories and workshops making unlicensed arms continue to proliferate, has described the implementation of the Act by the States as lackadaisical, and has directed the formation of committees at the State and national levels to draw up plans of action [7]. Severe penalties, in other words, have not produced control.

At the same time, the technology of illicit production is changing. Papers prepared for the Fourth Review Conference of the United Nations Programme of Action in 2024 describe a worldwide rise in privately made and other non-industrial weapons, aided by new materials, modular designs and the free circulation of technical files online [8]. The United States Supreme Court has upheld federal regulation of weapon parts kits that can be readily completed into untraceable guns [9], and the United Kingdom has legislated against templates used to print firearm components [10, 11].

It is examined in this paper whether Indian law is equipped to regulate craft-produced and privately made firearms. The study is doctrinal and uses the functional method of comparison [12]: rather than setting one national system beside another, the Indian framework is measured against a common set of standards drawn from the Firearms Protocol and the International Tracing Instrument, and foreign reforms are drawn on only where they show how a standard can be met.

The argument proceeds from a simple observation. Every element of the international model of control, from marking and record-keeping to tracing, depends on a manufacturer who is known to the State. Indian law has adopted that model faithfully for the licensed industry. Its difficulty is that most Indian illicit weapons never pass through that industry, so the model's preventive tools have nothing to attach to, and the law falls back on punishment after recovery. The hypothesis tested is that Indian law is stronger on punishment than on prevention where non-industrial manufacture is concerned, and that the gap will widen as digital tools spread.

Section 2 explains the concepts and the Indian context. Section 3 sets out the Indian legal framework. Section 4 states the international benchmark. Section 5 identifies the gaps, Section 6 proposes reforms and Section 7 concludes.

2. Craft Production and Privately Made Firearms

2.1 Defining the Field

The Firearms Protocol, which India ratified in 2011, supplies the starting definitions. A "firearm" is any portable barrelled weapon that expels, is designed to expel or may be readily converted to expel a shot, bullet or projectile by the action of an explosive. "Parts and components" are elements specifically designed for a firearm and essential to its operation, including the barrel, frame or receiver, slide or cylinder, and bolt or breech block. "Illicit manufacturing" is the manufacture or assembly of firearms, their parts and components or ammunition from illicitly trafficked parts, without a licence from a competent authority, or without marking the firearm at the time of manufacture [13]. The third limb is important for what follows. The Protocol treats the absence of a marking as a mark of illegality in itself, because an unmarked weapon cannot be traced.

Two overlapping terms describe the non-industrial end of this field. "Craft-produced" weapons are made by artisans or small workshops using hand tools and simple machinery, often in established local traditions; the United Nations Institute for Disarmament Research has documented their growing use in

armed violence, terrorism and crime across several regions [14]. “Privately made” firearms are a wider and newer category, covering weapons made by individuals outside the regulated industry, whether by additive manufacturing (3D printing), by finishing partially machined frames and receivers, by assembling parts kits or by converting replica and blank-firing guns [8]. What the two categories share is the absence of a licensed maker, and therefore of the marking and records on which tracing depends.

2.2 The Indian Craft Economy

India’s illicit production is mostly of the first kind. Munger in Bihar has a gun-making tradition that reaches back to the eighteenth century. After independence it was home to a large share of the country’s licensed gun factories, but licensed production declined as licences became harder to obtain and demand moved from single- and double-barrel guns to pistols and revolvers; only a handful of licensed units now remain, while the illegal trade has grown far beyond them [15]. Similar clusters are reported in the Khargone and Malwa–Nimar region of Madhya Pradesh and in western Uttar Pradesh [16].

The reports of police raids are strikingly uniform. A workshop busted in Khagaria in Bihar in December 2025 yielded country-made pistols alongside base machines, drill machines, hacksaw blades, files, hammers and bicycle forks [17]; one raided in Uttar Pradesh in September 2025 held finished and incomplete pistols together with barrels, barrel pipes and manufacturing equipment [18]. The inputs are ordinary steel tubing and hardware, and the tools are those of any small engineering shop. Knowledge travels too: in Batala in Punjab, two men running computer repair and hardware shops were arrested in 2019 for making pistols with information drawn from online videos on home gun-making [19]. An earlier assessment of armed violence in India reported that unlicensed firearms featured in 2,722 murder cases in 2009 against 371 for licensed ones, and that only a small share of illegal guns was made abroad [20].

2.3 The Emerging Frontier

The second kind of production is still marginal in India. The published sources reviewed for this paper do not report significant Indian seizures of 3D-printed firearms, and commentators have so far treated the issue as an anticipated risk rather than a present one [21]. But the conditions that produced the problem elsewhere are present: affordable printers, a large engineering workforce and wide internet access. Because Indian craft production already supplies cheap weapons, digital manufacture may matter less as a rival source than as a way of making better components, such as frames and magazines, for workshop-made guns. A legal framework designed now can anticipate that convergence rather than react to it.

The difference between the two kinds of production also matters for the design of the law. A craft workshop is a physical place, with machines, raw material and workers, and the police can find it by informers, by following carriers or by watching the purchase of inputs. A privately made firearm may leave no such trace: the design is downloaded, the printer is a household appliance, and the only material is a spool of plastic. Rules that depend on finding a workshop will reach the first kind of production but not the second. Any reform must therefore work on two fronts at once: on the physical supply chain of the craft economy and on the informational supply chain of digital manufacture.

3. The Indian Legal Framework

3.1 Definitions and Licensing

Section 2(1)(c) of the Arms Act defines “arms” to include firearms, sharp-edged and other deadly weapons, and “parts of, and machinery for manufacturing, arms”, and Section 2(1)(e) defines “firearms”

in similar terms to include their parts and the machinery for making them [5]. On its face, then, the statute reaches the workshop that makes a barrel or an action as surely as the one that makes a complete weapon, and the lathe that cuts the barrel as surely as the barrel itself. The licensing scheme rests on Section 5, which forbids any person to manufacture, sell, transfer, convert, repair, test or prove arms without a licence. The Arms Rules, 2016 set out the procedure for manufacturing licences, the conditions of manufacture and the registers that licensees must keep [22]. Defence manufacture on an industrial scale additionally requires an industrial licence [23].

3.2 Offences and Penalties after 2019

The 2019 amendment reshaped Section 25. Manufacturing, obtaining, procuring, selling, transferring, converting, repairing or testing arms in contravention of Section 5 now carries imprisonment of seven years to life under Section 25(1)(a); the same acts in respect of prohibited arms carry ten years to life under Section 25(1AA). New sub-sections (6) to (8) punish such acts done on behalf of an organised crime syndicate, and involvement in the "illicit trafficking" of firearms, each with ten years to life. Illicit trafficking is defined by reference to the trade, acquisition, sale or movement of firearms or ammunition into or out of India where they are not marked in accordance with the Act or otherwise violate it [6, 24].

The amendment made other changes. It reduced the number of firearms an individual may hold under a licence, extended the period of a licence, and created offences for celebratory gunfire and for snatching a firearm from the police or armed forces [24]. Its statement of objects stressed the link between illegal firearms and organised crime. But the amendment's centre of gravity was the penalty. It altered the length of sentences much more than the means of detection, and it left the machinery of marking and records, which applies to licensees, largely where it was.

Two older provisions matter in a workshop case. Section 35 provides that where arms connected with an offence are found in premises jointly occupied or controlled by several persons, each person who had reason to know of them is liable unless the contrary is proved [5]. This presumption is significant in a workshop raid, where several persons are usually found on the premises, but it shifts the burden only after the prosecution has shown occupation and a reason to believe that the accused knew of the arms. Section 39 requires the previous sanction of the District Magistrate for prosecutions under Section 3, but not for offences under Section 5, so manufacture can be prosecuted without that step [5].

3.3 Marking, Records and Tracing

It is in the rules on marking that the licence-centred design of the framework becomes plain. Rule 58 requires every firearm to bear, at the time of manufacture, a unique marking showing the country of manufacture, the manufacturer's name or code, the year of manufacture, the type or model, a serial number and the calibre, applied by stamping to a stated depth on the barrel, the frame or receiver, the slide or cylinder, the bolt or breech block and any other essential component [22]. Rule 59 requires licensed manufacturers to keep detailed registers of barrels and completed firearms [22]. These are serious standards, modelled on the Protocol. But they speak to the licensee. An unlicensed maker is by definition outside them.

The Rules do reach some unmarked weapons after the fact. Under Rule 34, a person holding a firearm that bears no maker's mark must have an identification mark stamped on it with the licensing authority's approval, and under Rule 104(1) a seized, recovered or surrendered firearm that lacks a serial number must be marked forthwith by the firearm bureau and its details uploaded to the National Database of Arms Licences under a separate category [22]. The 2019 amendment also empowered the Central Government, by Section 44(2)(f), to make rules on marking for the purpose of tracing, which it defined

as the systematic tracking of firearms and ammunition from manufacturer to purchaser in order to detect, investigate and analyse illicit manufacturing and trafficking [6]. The definition is borrowed from the international instruments, but its reference point, the chain from manufacturer to purchaser, does not exist for a craft weapon.

3.4 The Judicial Approach

Courts read the possession offences with care. Since Gunwantlal v. State of Madhya Pradesh and Sanjay Dutt v. State, possession under the Act has meant conscious possession, requiring knowledge and control and not mere physical proximity [25, 26]. In a manufacturing case this places on the prosecution the burden of linking the accused to the workshop, the tools and the weapons found there, a burden that Section 35 eases only for joint occupiers. The Supreme Court has also been alert to the limits of severity: in State of Punjab v. Dalbir Singh it struck down the mandatory death sentence in Section 27(3) [27].

The most significant recent intervention is the Rajendra Singh proceeding. Hearing a bail plea in a murder case, the Supreme Court took note in 2023 of the scale of unlicensed firearms in Uttar Pradesh, observed that the Constitution, unlike that of the United States, confers no right to keep and bear arms, and expanded the matter to all States [28]. The Court asked the States to examine the socio-economic reasons for the demand for illegal arms [29], warned that the free use of unlicensed firearms would sound the "death knell of rule of law", and in November 2024 directed committees chaired by the Chief Secretary of each State and Union Territory to prepare action plans [7]. In September 2025 it disposed of the matter by entrusting a Committee of Experts chaired by the Director General of the Bureau of Police Research and Development with reviewing the State plans and the amicus curiae's suggestions, the resulting plan to be approved by the Ministry of Home Affairs [30]. The proceeding is a judicial acknowledgment that the problem lies less in the text of the Act than in its reach.

4. The International Benchmark

4.1 The Firearms Protocol

The Firearms Protocol is the only legally binding global instrument on illicit manufacturing; India signed it in 2002 and ratified it in 2011 [31]. It requires States Parties to criminalise illicit manufacturing, illicit trafficking and the falsification or illicit removal of markings (Article 5); to confiscate, seize and destroy illicitly manufactured or trafficked firearms (Article 6); to keep records of firearms for at least ten years (Article 7); to mark firearms uniquely at manufacture and on import (Article 8); and to exchange information and cooperate in tracing (Articles 12 and 13) [13]. It also requires States that permit the deactivation of firearms to ensure that deactivation renders them permanently inoperable (Article 9), a provision of growing importance as reactivated and converted weapons join the craft market. Its scheme is preventive as much as penal. Marking and records create the paper trail; criminalisation and confiscation punish those who step off it.

4.2 The Programme of Action and the International Tracing Instrument

Two politically binding instruments add detail. The Programme of Action of 2001 commits States to criminalise the illegal manufacture of small arms and to mark weapons and keep records [32]. The International Tracing Instrument (ITI) of 2005 sets out the content of a unique marking in Paragraph 8, and in Paragraph 12 asks States to keep manufacturing records for at least thirty years and all other records for at least twenty [33]. The Fourth Review Conference in 2024 went further and established an open-ended technical expert group on developments in the manufacture, technology and design of small arms, a decision aimed directly at craft and privately made weapons [34].

Export-control regimes bear on the problem from another direction. India joined the Wassenaar Arrangement in December 2017, and its national export-control list covers conventional arms and dual-use goods and technology [35]. These controls are concerned with transfers across borders and with industrial technology, not with the domestic workshop, but they show that India already accepts the principle that the tools and know-how of arms production may be regulated separately from the arms themselves. None of these instruments, however, says in terms how a State should regulate production that never passes through a licence.

4.3 Comparative Responses

Two recent reforms show how States are trying to answer that question. In the United States, a 2022 rule of the Bureau of Alcohol, Tobacco, Firearms and Explosives treated partially complete frames and receivers, and parts kits that can be readily completed or assembled into a working weapon, as "firearms" subject to serial numbers, licensing and background checks, and required licensees to keep records indefinitely for tracing [36, 37]. In Bondi v. VanDerStok, the Supreme Court, by seven votes to two, held that the rule was not facially inconsistent with the Gun Control Act, accepting that some unfinished products may be close enough to a weapon to be regulated as one [9, 38]. In the United Kingdom, the Border Security, Asylum and Immigration Act 2025 brought templates for printing firearm components within a new regime of offences concerning articles for use in serious crime, with a power to add further items by regulation [10, 11].

The lesson of both reforms is the same. Where finished weapons are made outside the licensed industry, regulation has to move upstream to the components, tools and information from which they are made. The American approach targets the incomplete physical part; the British approach targets the digital file. India's constitutional position, in which there is no right to bear arms, leaves Parliament more room than the American Congress to regulate firearms themselves, though a file-based offence would still have to be framed with care for the freedoms of speech and trade guaranteed by Article 19 [39].

5. Measuring the Gap

Table 1 sets the main international requirements beside the Indian position and the gap that results.

Table 1: International Standards and the Indian Position on Non-Industrial Manufacture

Parameter	International Standard	Indian Position	Gap
Definition of illicit manufacture	Manufacture from trafficked parts, without licence, or without marking (Protocol, Article 3(d))	Unlicensed manufacture punished (Sections 5, 25(1)(a)); no statutory definition	Unmarked manufacture not a distinct wrong
Parts and components	Essential parts listed (Protocol, Article 3(b))	"Parts" included but not defined in the Act; parts listed for marking (Rule 58)	Semi-finished and generic parts uncertain
Marking	Unique marking at manufacture and import (Protocol, Article 8; ITI, Paragraph 8)	Detailed duty on licensed makers (Rule 58)	Craft weapons never marked at origin

Parameter	International Standard	Indian Position	Gap
Records	10 years (Protocol, Article 7); 30 and 20 years (ITI, Paragraph 12)	Registers kept by licensees (Rule 59)	No records of component sales or machinery
Machinery and data	Not addressed in terms; expert group set up at the Fourth Review Conference	"Machinery for manufacturing" included; files not addressed	Dual-use tools and digital files unregulated
Tracing	Tracing and cooperation (Protocol, Articles 12–13; ITI)	Tracing defined (Section 44(2)(f)); seized guns marked (Rule 104)	No forensic link from seized gun to workshop
Enforcement data	Information exchange and analysis (Protocol, Article 12)	NCRB reports cases and seizures	Manufacture not separated from possession

Source: Compiled by the authors from the Firearms Protocol, the International Tracing Instrument, the Arms Act, 1959 and the Arms Rules, 2016 [13, 33, 5, 22].

5.1 Marking that Presupposes a Licensed Maker

The first gap is structural. Indian marking law is detailed but addresses only the licensee, while the Protocol treats the unmarked weapon itself as a sign of illegality. The 2019 amendment imported the idea of marking into the definition of illicit trafficking, but only for movement into or out of India. A craft pistol made in Munger and sold in Delhi is therefore an unlicensed weapon and nothing more. The point is not that its maker escapes punishment, since Section 25(1)(a) already reaches him, but that the law has no rule that makes an unmarked component or weapon in the chain of supply illegal as such. That matters most for the intermediaries who move parts between workshops and assemblers, whose liability now turns on proof that what they handled was an "arm".

5.2 An Undefined Category of Parts

The second gap concerns parts. The Act brings "parts" within the definition of arms but does not say which parts. Rule 58 lists the components that a licensed maker must mark, but that list governs marking and not liability. The raid reports show why this matters: workshops hold barrel pipes, plates, springs and partly machined pieces that sit on a continuum from raw material to weapon [17, 18]. Whether a half-bored tube is a "part of a firearm" is left to the court in each case, and the conscious-possession requirement makes such uncertainty costly for the prosecution. The American experience shows that a statutory or regulatory test based on whether an item can be readily completed or converted into an essential component gives both enforcement and the courts a workable line.

5.3 Machinery and Information

The third gap is upstream. The Act's inclusion of "machinery for manufacturing" arms is wide in words but narrow in practice: lathes, drills and grinders are general-purpose tools, and they become "arms" only when proved to have been used to make weapons. No record is kept of who buys the specialised items, such as rifled barrel blanks, that would point to illicit manufacture. Nor do the Act or the Rules address the possession or distribution of digital files for making firearm parts [21]. Blocking powers under Section 69A of the Information Technology Act, 2000 can be used against particular content [40], but there is no offence aimed at the person who acquires a printable design in order to make a gun.

5.4 Tracing the Craft Weapon

The fourth gap concerns tracing. The definition of tracing, from manufacturer to purchaser, assumes a manufacturer on record. For a craft weapon, tracing has to work differently: by linking seized weapons to one another and to a workshop through tool marks, construction features and ballistic signatures. Rule 104 ensures that a seized unmarked gun is given a number and recorded, which is useful for the custody and disposal of evidence, but it records the seizure and not the source. Without a national system that compares seized craft weapons and the cartridges fired from them, each recovery remains an isolated possession case, and the investigation rarely climbs from the carrier to the maker.

5.5 Data and Institutions

The fifth gap is in knowledge and institutions. NCRB tables report cases and seizures under the Act as a whole and by type of weapon, which makes it hard to tell how many cases concern manufacture, how many workshops are dismantled, and how many makers are convicted. Policing is a State subject, and the Union Government's affidavit in Rajendra Singh stressed that policing is a State matter and that the States carry the main duty of enforcement, with the National Investigation Agency acting against illegal arms only within its own remit [41]. The Supreme Court had to create the coordinating machinery that the statute lacks. Fragmentation also affects intelligence. A workshop in one State typically supplies buyers in several others, as the raids in Bihar and western Uttar Pradesh show, but the evidence of a single recovery is held by the police station that made it.

5.6 Severity without Certainty

A final caution concerns the 2019 penalties themselves. Classical penal theory holds that the certainty of punishment deters more than its severity [42]. A seven-year minimum that falls almost entirely on carriers and low-level assemblers, while the networks that supply parts remain unidentified, may add little deterrence at the point where it is most needed. High minimum sentences can also have side effects that run against their purpose: they raise the stakes of each prosecution, may make courts more exacting about the proof that an object was a working arm or that the accused consciously possessed it, and give little incentive to an arrested carrier to identify the maker. The gap analysis therefore supports the hypothesis of this paper. Indian law punishes illicit manufacture heavily once it is proved, but its preventive tools, which in the international model come from marking, records and control of the supply chain, do not reach the places where illicit manufacture occurs.

6. Recommendations

The gaps identified above suggest reforms in six areas. Each is designed to move regulation upstream without disturbing the core of the licensing scheme.

First, Parliament should insert into Section 2 of the Arms Act a definition of "illicit manufacturing" that follows Article 3(d) of the Protocol, and a definition of "essential component" that lists the barrel, frame or receiver, slide or cylinder, and bolt or breech block. The definition should include any item that can be readily completed, assembled or converted into such a component, so that a semi-finished part is treated as the part it is meant to become. Possession of an unmarked essential component, without lawful excuse, should be an offence, with a lower penalty than the manufacture of a complete weapon. A graded scheme of this kind would let investigators charge the intermediary who moves barrels or frames between workshops without having to prove that a finished weapon existed, and would allow sentencing to reflect the role each person played in the supply chain.

Second, the sale of essential components and of specified items of specialised equipment should be confined to licensed dealers who record each transaction in the manner already required for firearms. The list should be short and narrow so as not to burden ordinary engineering trade, and the Central Government should be able to amend it by notification as technology changes. Existing dealers' registers under the Arms Rules provide a model; what is needed is to extend the duty from complete firearms to the items without which a firearm cannot be made. Where 3D printers or computer-controlled machines are sold for professional use, suppliers could be encouraged, through guidance rather than licensing, to report suspicious purchases.

Third, a narrowly drafted offence should punish the possession, making or distribution of digital files for producing firearms or essential components, where the person intends that they be used for unlicensed manufacture or knows that they are likely to be so used. Defences should protect licensed manufacturers, research institutions and law enforcement. Mens rea and these defences are what will keep the offence within the reasonable restrictions permitted by Article 19. The offence should be accompanied by a procedure, using the existing blocking power, for removing manufacturing files from platforms accessible in India, and by training for cyber-crime units in identifying such files.

Fourth, the Union Government should establish a national illicit-firearms intelligence system, linked to the National Database of Arms Licences and to police crime records, in which every seized craft weapon is examined, photographed and test-fired, and its tool-mark and ballistic data compared across States. Rule 104 already requires seized guns to be recorded; the reform would turn that record into an investigative tool. Retention of manufacturing records should also be aligned with the thirty-year period of the International Tracing Instrument [33].

Fifth, the NCRB should report manufacturing cases under Sections 25(1)(a) and 25(1AA) separately, together with the number of workshops dismantled and the outcomes of prosecutions, so that the effect of the 2019 amendment can be measured rather than assumed. The same data should be shared, in aggregate form, with the United Nations Office on Drugs and Crime under the Protocol's provisions on information exchange, which would also strengthen the credibility of India's national reports under the Programme of Action.

Sixth, enforcement should be paired with economic alternatives in the craft clusters. The decline of licensed gun-making in Munger helped push skilled artisans into the illegal trade [15]. The Supreme Court has already asked the States to examine the socio-economic causes of demand [29]; a policy that supports licensed production and alternative engineering work in these districts would address supply in the same way.

These measures would also equip India to contribute to the technical expert group established at the Fourth Review Conference, where its experience of large-scale craft production is directly relevant. They require no new international commitment. India's decision to remain outside the Arms Trade Treaty, which concerns international transfers rather than illicit manufacture, does not affect them [43, 44].

7. Conclusion

India's illegal gun is, above all, an unmarked gun. It is made in a small workshop from ordinary materials, it carries no serial number, and it enters no register. The Arms Act, 1959 and the Arms Rules, 2016 contain detailed and internationally aligned rules on marking, record-keeping and tracing, but those rules address the licensed manufacturer and say little about the production that the police actually

encounter. The Arms (Amendment) Act, 2019 answered the problem with severity, and the Supreme Court in Rajendra Singh has answered it with institutional supervision. Neither addresses the point at which illicit manufacture can most effectively be controlled: the supply of components, tools and knowledge.

The Firearms Protocol shows what is missing. It treats the unmarked weapon and its parts as the object of control, not only the unlicensed person. The American and British reforms of 2022 and 2025 show how that idea can be applied to parts kits and digital files. For India, the task is to adapt rather than to copy: to define illicit manufacture and essential components in the statute, to regulate the sale of critical parts and the misuse of manufacturing files, to build a tracing system suited to weapons with no manufacturer on record, and to measure enforcement honestly. Craft production is a long-established industry in India, and 3D printing may yet become a significant one. A law that reaches only the licensed maker cannot regulate either.

References

1. National Crime Records Bureau, “Crime in India 2022”, Ministry of Home Affairs, Government of India, 2023.
2. Editorial, “Booming Gun Trade”, The Tribune, November 2024. https://www.tribuneindia.com/news/editorials/booming-gun-trade
3. National Crime Records Bureau, “Crime in India 2023”, Ministry of Home Affairs, Government of India, 2025.
4. Aaron Karp, “Estimating Global Civilian-Held Firearms Numbers”, Small Arms Survey Briefing Paper, June 2018.
5. The Arms Act, 1959 (Act No. 54 of 1959), Government of India.
6. The Arms (Amendment) Act, 2019 (Act No. 48 of 2019), Government of India.
7. Rajendra Singh v. State of Uttar Pradesh, Miscellaneous Application No. 393 of 2023 in Special Leave Petition (Criminal) No. 12831 of 2022, Supreme Court of India, Order dated 7 November 2024.
8. Small Arms Survey, Instituto Sou da Paz, United Nations Institute for Disarmament Research, “The Growing and Multifaceted Global Threat of Privately Made and Other Non-Industrial Small Arms and Light Weapons”, Working Paper submitted to the Fourth Review Conference of the Programme of Action, 10 June 2024.
9. Bondi v. VanDerStok, 604 U.S. 458, Supreme Court of the United States, 26 March 2025. https://www.supremecourt.gov/opinions/24pdf/604us2r20_q8l1.pdf
10. Border Security, Asylum and Immigration Act 2025 (2025 Chapter 31), United Kingdom. https://www.legislation.gov.uk/ukpga/2025/31
11. Home Office, “Border Security, Asylum and Immigration Bill 2025: Overarching Impact Assessment”, Government of the United Kingdom, updated 2 December 2025. https://www.gov.uk/government/publications/border-security-asylum-and-immigration-bill-2025-impact-assessment/border-security-asylum-and-immigration-bill-2025-impact-assessment-accessible
12. Konrad Zweigert, Hein Kötz, “An Introduction to Comparative Law”, translated by Tony Weir, 3rd Edition, Oxford University Press, 1998.

13. United Nations, "Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, Supplementing the United Nations Convention against Transnational Organized Crime", 31 May 2001, United Nations Treaty Series, Volume 2326, 208.
14. Matilde Vecchioni, Sanem Topal, "Unregulated: Examining the Global Proliferation of Craft-Produced Weapons", United Nations Institute for Disarmament Research, 2024.
15. Umesh Kumar Ray, "The Changing Face of the Gun Trade", Outlook, 21 June 2023 (updated 11 March 2024). https://www.outlookindia.com/national/the-changing-face-of-the-gun-trade-magazine-296082
16. India Today, "Bullet Bazaar", India Today, 26 September 2022.
17. Press Trust of India, "Illegal Mini Gun Factory Busted in Bihar's Khagaria, Five Arrested", The Week, 2 December 2025. https://www.theweek.in/wire-updates/national/2025/12/02/ces40-bh-gun-factory.html
18. Press Trust of India, "Delhi Police Bust Illegal Arms Factory in UP, Seize Weapons, Raw Material", The Week, 2 September 2025. https://www.theweek.in/wire-updates/national/2025/09/02/des38-dl-weapon-factory.html
19. Tribune News Service, "Two IT Experts Nabbed for Manufacturing Firearms", The Tribune, 4 April 2019. https://www.tribuneindia.com/news/archive/punjab/two-it-experts-nabbed-for-manufacturing-firearms-752791
20. India Armed Violence Assessment, "India's States of Armed Violence: Assessing the Human Cost and Political Priorities", Issue Brief No. 1, Small Arms Survey, 2011.
21. Shrijeet Phadke, "3D Printing and Blind Spot in Arms Control", LiveLaw, 22 October 2026. https://livelaw.in/articles/3d-printing-blind-spot-arms-control-555491
22. The Arms Rules, 2016, G.S.R. 701(E), Ministry of Home Affairs, Government of India, 15 July 2016.
23. The Industries (Development and Regulation) Act, 1951 (Act No. 65 of 1951), Government of India.
24. PRS Legislative Research, "Bill Summary: The Arms (Amendment) Bill, 2019", PRS Legislative Research, 2019.
25. Gunwantlal v. State of Madhya Pradesh, (1972) 2 Supreme Court Cases 194.
26. Sanjay Dutt v. State through CBI, Bombay, (1994) 5 Supreme Court Cases 410.
27. State of Punjab v. Dalbir Singh, (2012) 3 Supreme Court Cases 346.
28. Rajendra Singh v. State of Uttar Pradesh, Special Leave Petition (Criminal) No. 12831 of 2022, Supreme Court of India, Order dated 13 February 2023.
29. Manupatra, "SC to States: Examine Socio Economic Reasons Behind Demand for Illegal Arms", Manupatra, 17 May 2023.
30. Gursimran Kaur Bakshi, "Illegal Firearms: Supreme Court Asks Experts' Committee Formed by Union Govt to Consider Suggestions of States/UTs", LiveLaw, 16 September 2025. https://www.livelaw.in/top-stories/illegal-firearms-supreme-court-asks-experts-committee-formed-by-union-govt-to-consider-suggestions-of-statesuts-304032
31. United Nations Treaty Collection, "Status of Treaties, Chapter 18, Item 12(c): Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition" (India: signed 12 December 2002, ratified 5 May 2011).
32. United Nations, "Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects", United Nations Document A/CONF.192/15, 2001.

33. United Nations General Assembly, "International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons", United Nations Document A/60/88, Annex, adopted 8 December 2005.
34. United Nations, "Outcome Document of the Fourth United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects", final version 5 July 2024.
35. Permanent Mission of India to the Conference on Disarmament, "Statement at the Third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action", 18–29 June 2018.
36. Bureau of Alcohol, Tobacco, Firearms and Explosives, "Definition of 'Frame or Receiver' and Identification of Firearms", Federal Register, 26 April 2022, 87, 24652.
37. Congressional Research Service, "Supreme Court Upholds ATF 'Ghost Gun' Regulation in Bondi v. VanDerStok", Legal Sidebar LSB11325, 18 June 2025. https://www.everycrsreport.com/reports/LSB11325.html
38. Gun Control Act of 1968, Title 18, United States Code, Section 921(a)(3), United States.
39. The Constitution of India, Article 19.
40. The Information Technology Act, 2000 (Act No. 21 of 2000), Section 69A, Government of India.
41. Tushar Kohli, "Concerned with Unlicensed Arms Menace, Supreme Court Orders States to File Action Plan", Verdictum, 12 November 2024. https://www.verdictum.in/court-updates/supreme-court/arms-act-and-rules-supreme-court-order-rajendra-singh-v-the-state-of-uttar-pradesh-ma-393-2023-slp-12831-2022-1557699
42. Cesare Beccaria, "On Crimes and Punishments", translated by Henry Paolucci, Bobbs-Merrill, 1963 (first published 1764).
43. United Nations, "Arms Trade Treaty", 2 April 2013, United Nations Treaty Series, Volume 3013, 269.
44. Lujza Chrvalová, "India as an Actor in Conventional Arms Trade and Control", Ekonomické rozhľady – Economic Review, 2021, 50 (1), 80.