

Punishments under the Act.—Vide note (2) to sec. 24 of the Act page 57. Magistrates of districts should act systematically upon the orders cited.* Injudicious punishments for petty or venial offences against the Arms Act do much mischief and cause great hardship; and Commissioners and District Magistrates are responsible for superintending the proceedings of their subordinates in the matter. There is no reason why licenses to possess arms, especially for sport and the destruction of wild animals, should not be granted liberally to respectable landowners and to other persons of property and good repute in the country. And it is a matter of nothing more than common sense and discretion that inadvertent or immaterial breaches of the Act should receive from the Magistrate no more punishment than is necessary to maintain the law.

*As a rule, offences cognizable under the Act, which were due to ignorance or carelessness, would be sufficiently punished by fine; and imprisonment should not be awarded unless from the character of the offender or otherwise it can fairly be presumed that the arms were kept for an unlawful purpose. Commissioners and Magistrates should continue to scrutinize the proceedings of their subordinates attentively; should take pains to see that the law is not worked harshly; and should report to Government all cases in which excessive punishments were awarded, or arms improperly confiscated.

Returns of punishments—With a view to enable Commissioners to scrutinize the working of the Arms Act in their divisions, the following form showing the punishments, &c., inflicted by Magistrates for breaches of the provisions of the Act should be submitted by Magistrates to the Commissioner at the close of each month:—

Return showing the punishments inflicted for breaches of the Arms Act.

District,	Name of person punished.	Section and clause of Act under which punished.	Punishment awarded.	Remarks by Magistrate.

Procedure to be followed in searching for arms.—Owing to the incorrect view adopted by a Magistrate, that search for arms can only be made when it is shown that the weapons are likely to be used for an illegal purpose, the exact procedure which should be adopted in searching for arms is pointed out for the guidance of Magistrates.

Practically all the districts in the United Provinces have been disarmed. Consequently any one not coming under any exemptions, who has in his possession or under his control arms of any description, ammunition or military stores, except under a license and in the manner and to the extent permitted thereby, is punishable under section 19 (f), Act XI of 1878, with imprisonment for a term which may extend to three years, or with fine or with both. As this offence is one cognizable by the police (vide schedule II of the Criminal Procedure Code), an officer in charge of a police station having reason, from information received or otherwise, to suspect that it has been committed, is empowered (section 157) to investigate the case, and in certain circumstances to search for the article (section 165), the unlawful possession of which he has reason to suspect. Similarly, a Magistrate taking cognizance (section 191) of such an offence might issue a search warrant under section 96, Criminal Procedure Code. In both cases the provisions of section 30, Act XI of 1878, and the orders issued under it, would govern the procedure of the person conducting the search. The search must be made in the presence of one of the persons specially appointed by virtue of office for the purpose (vide rule V at page 185 and pages 57 and 59.)

Mere speculative searches are not of course authorized by the law. Before taking action the police officer must have reason to suspect the commission of the offence, and the Magistrate must either know or suspect that the offence, has been committed, or must receive a complaint or police report of facts which constitute the offence.

In ordinary cases relating to searches for unlicensed weapons possessed in contravention of the provisions of section 14 or 15, Act XI of 1878, section 25 of the Act

will not apply. Section 25 would cover the case of a person even lawfully entitled to possess arms who is believed to be about to use them for an unlawful purpose, or who cannot be left in possession of them without danger to the public peace. It appears "to refer to cases in which the Magistrate considers that arms, whether under a license or not, are possessed for an illegal purpose or under circumstances such as to endanger the public peace" (vide ruling in case of *Queen-Empress vs. Tegha Singh*, I. L. R., 8 Calcutta, page 473). If a Magistrate finds it necessary to take action under section 25, the grounds of his belief that the person whose house is to be searched possesses arms for an unlawful purpose or cannot be left in possession of them without danger should be carefully recorded, as prescribed by the provisions of the section, which have been repealed by the High Court in the ruling in the case of *Queen-Empress vs. Sangam Lal* (Weekly Notes of March 6th, 1893).

Sale of arms by Government officers.—It has been reported that officers of Government are often careless in the disposal of firearms and ammunition. Cases have occurred in which officers have sent rifles and rifle ammunition to be put up for public auction, and have allowed them to be so disposed of to persons not entitled to possess them. The Government of India have requested that severe notice may be taken of any such culpable negligence on the part of officers employed under this Government; and all officers are therefore warned of the consequences of disposing of arms and ammunition to any person in this country without making sure that such person is lawfully entitled to purchase or possess the same.

The Governor General in Council has decided that the substance of the following order of the Commander-in-Chief shall apply to all civil as well as military officers serving in the United Provinces of Agra and Oudh :—

"If any officer or soldier wishes to dispose of any arms or ammunition either by private sale or public auction, he will ascertain that the would be purchaser is a person entitled by law to possess the same, and if such person's name does not appear in the official Army or Civil List he will apply to the Magistrate or Deputy Commissioner of the district, or the local Political Officer, as the case may be, for permission for the transaction to take place."

Sale by public auction of guns or other arms in execution of decrees.—The High Court, North-Western Provinces, Judicial Commissioner, Oudh, have prescribed the rule given below regarding the sale by public auction of guns or other arms in execution of decrees. On receiving such an intimation from a Civil Court is ordered in the rule, Magistrates should take action so as to ensure that the requirements of the Indian Arms Act and rules thereunder are not contravened :—

Whenever guns or other arms in respect of which licenses have to be taken by purchasers under the Indian Army Act, XI of 1878, are sold by public auction in execution of decrees, the court directing the sale shall give due notice to the Magistrate of the district of the names and addresses of the purchasers and of the time and place of the intended delivery to the purchasers of of such arms, so that proper steps may be taken by the police to enforce the requirements of the Indian Arms Act.

Disposal of records relating to arms licenses.—The following rules are laid down for the treatment of records relating to arms licenses :—

1. Application for licenses shall, if the license be granted, be kept for one year from date of the expiry of the license, whether the license be annual or quinquennial. Thus an application presented in December 1884 for a license to carry arms in 1885 may be destroyed after December 1886. If the application is refused it shall be retained for three years from the date of refusal.

2. Papers regarding the deposit of arms in police stations under the provisions of section 16 of the Act shall be kept for five years from the date of the order of deposit.

3. Papers regarding the cancelling or suspension of licenses (section 18 of the Act) shall be kept for three years, unless there is any special reason for their retention for a longer period.

It should be understood that these rules do not affect any papers forming part of the record in criminal and police cases, and dealt with as such under the rules of the High Court or Judicial Commissioner, or of the Police department.

Annual Report.—Magistrates and Deputy Commissioners should prepare, at the close of each calendar year, and submit to the Commissioner, a report on the working of the Act during the year. This report should notice briefly the results of the various inspections prescribed by rule, convictions and punishments—particularly where special circumstances were held to justify very light or very severe sentences—rewards granted, any great increase or decrease in the number of licenses granted; and generally any facts of importance connected with the working of this Act. The annexed forms should be filled in and submitted with the report.

It is the Commissioner's duty to review the district reports of his division, and to pass suitable orders on such matters falling within his province as require them. He should then prepare a divisional report, with necessary statements, and submit it to Government by the 1st of March. If any of the required information is wanting, the Commissioner should call for it before submitting his report.

Return of licenses granted under the Indian Arms Act XI of 1878, in the district of

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Form L.

A annual statement of the operation of the Arms Act, XI of 1878, in the district of

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Number of persons punished under—										Number and description of weapons confiscated.														Amount paid as rewards to informers, &c.		
Section 19, for offences under—									Section 20, for secret breaches.	Section 21, for breach of license.	Section 22, for knowingly purchasing from an unlicensed person or delivering to person not authorised to possess.	Section 23, for breach of rule.	Section 28 for failure to give information as required in section 25.	Total punished (columns 1 to 14).										Value of fines imposed and realized.	Amount paid as rewards to informers, &c.	
Clause a.	Clause b.	Clause c.	Clause d.	Clause e.	Clause f.	Clause g.	Clause h.	Clause i.							Rifles.	Smooth-bore guns.	Pistols.	Swords.	Bayonets.	Daggers or knives.	Spears.	Others.	From Magistrate's special grant.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	

NOTE.—Columns 16 to 23 cover only weapons confiscated under section 24, Act XI of 1878, after conviction of an offender. The number of weapons confiscated under section 16 should be entered in column 27.

Rules for the Export, Import and Transport of Arms, Ammunition and Military Stores on Railways passing through Native States—printed as an Appendix A to U. P. Local Rules and Orders.

(For. Dept. No. 35731, dated 29th October 1895.)

WHEREAS the Rulers or Administrators of the States mentioned in the second column of the schedule hereto annexed have ceded to the British Government full jurisdiction within the lands which lie within their respective territories, and are occupied, or may be hereafter occupied, by the railways mentioned opposite their names, respectively, in the first column of the said schedule (including the lands occupied by stations and out-buildings and for other railway purpose): In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the following rules shall be in force on the said lands:

1.—In these rules “arms,” “ammunition” and “military stores” have respectively the meanings assigned to them in the Indian

Definition.

Arms Act (XI of 1878), except that the expression

“military stores” includes sulphur when in quantities exceeding 10 seers in weight, and leaden bird shot and bullets when possessed in quantities exceeding one hundred weight at any one time.

“Export” means transmission by rail from any station in any of the said lands to any station beyond the said lands.

“Import” means transmission by rail from any station beyond the said lands to any station within the said lands.

“Transport” means transmission by rail from one station in the said lands to another station in the said lands.

Explanation.—Arms, ammunition and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules.

II.—**Export.**—(a) The export, without the special permission of the Political Agent, of arms, ammunition or military stores, is forbidden.

(b) Station masters to whom arms, ammunition or military stores, unaccompanied by evidence of such special permission, are tendered for despatch shall detain them and report the matter, through the Superintendent of Railway Police, for the orders of the Political Agent.

III.—**Import.**—When any arms, ammunition or military stores are imported they shall not be delivered to any importer or consignee unless—

(a) the importer or consignee produces the original license issued by the Secretary to the Government of India, Foreign Department, or other competent authority, authorizing the export of such arms, ammunition or military stores from British India and their import to some station within the lands above referred to, and

(b) the senior police officer at the station at which the arms, ammunition or military stores have been received has compared the consignment with the license and authorized the station master to make delivery.

For the purpose of making the comparison required by clause (b), the Police officer shall have power to open any package which he thinks suspicious.

IV.—Every station master shall give information to the officer mentioned in clause (b) of the preceding rule of the arrival at his station of any consignment of imported arms, ammunition or military stores.

V.—A station master at whose station a consignment of imported arms, ammunition or military stores is received may, after obtaining the sanction of the Superintendent of Railway Police, but not otherwise, forward the consignment, should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to.

VI.—Transport.—No license shall be necessary in respect of arms or ammunition; but when any arms, ammunition or military stores are transported, immediate information regarding such transport shall be given to the senior Police Officer, if any, at the station of despatch and receipt by the station masters concerned.

VIII.—Carrying of Arms by passengers.—Arms shall not in ordinary cases be taken from passengers; but if a station master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time, before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he delivers up his arms. If the passenger gives up his arms, they shall be labelled with the name and description of the owner entered in the roadway bill, and delivered free of charge to the owner at his journey's end:

Provided that no person who has been duly exempted from the operation of section 13 to 16 of the Indian Arms Act (XI of 1878) or has a license to carry arms granted by competent authority, shall except in the case of evident and undoubted necessity, be asked to give up his personal arms under this rule.

VIII.—Obligation to give information.—Every person employed upon the railway shall, in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest Police Officer regarding any box, packet or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against these rules has been, or is being, committed.

IX.—Penalties.—(i) Whoever commits any of the following offences, namely:—

(a) exports any arms, ammunition or military stores without obtaining the special permission of Political Agent required by rule II,

(b) imports any arms, ammunition or military stores without a license of the nature referred to in rule III,

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(ii) Whoever commits any of the following offences, namely:—

(a) imports any arms, ammunition or military stores in excess of the quantities entered in the license referred to in rule III,

(b) imports after the expiration of the period for which such license has been granted,

(c) omits to give information as required by rule VIII,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

X.—Confiscation of arms, &c.—When any person is convicted of an offence under the last preceding rule it shall be in the discretion of the convicting Magistrate further to direct that the whole or any portion of the arms, ammunition or military stores in respect of which the conviction is obtained, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

XI.—(1) Whenever any Magistrate has reason to believe that arms, ammunition or military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief, may seize and detain the same in safe custody for such time as he may think necessary.

(2) In each case notice calling upon the importer or consignee to appear and to produce the license referred to in rule III shall be published for three months at the railway station at which the arms, ammunition or military stores have been seized, and at such other places as the Magistrate may think necessary.

(3) If the importer or consignee does not appear and produce such license within three years from the date of such notice, such arms, ammunition or military stores shall be confiscated.

XII.—The order of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

XIII.—Rewards.—(1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one-half the sale price of any confiscated articles sold in pursuance of orders issued under these rules, to any person, whether in the employ of a railway company or not who has given information leading to a conviction.

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent.

XIV.—Nothing in the foregoing rules shall apply to the import of any arms, ammunition or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India, stating that they are consigned to the ruler of a State mentioned in the second column of the schedule hereto annexed.

The Schedule.

Railway.	State.
1	2
Bhopal-Ujjain Railway (Great Indian Peninsula Railway—Indian Midland Section).	Indore. Gwalior. Bhopal. Dewas (Senior Branch). Dewas (Junior Branch).
Godra-Rutlam-Nagda Railway (Bombay-Baroda and Central India Railway).	Indore. Jhabna. Rutlam. Sailana. Gwalior. Dholpur. Dattia. Gwalior. Bhopal. Gwalior.
Bina-Godra-Boran Branch. (Great Indian Peninsula Railway)	Khaniadhana. Kurwai. Orchha. Samthar.
Great Indian Peninsula, (Indian Midland) Railway—	Alipura.
(1) Jhansi-Agra Section.	Garrauli. Orchha. Pabra. Tarson.
(2) Jhansi-Bhopal-Itarsi Section ...	Bhartpur. Indore. Gwalior. Meywar. Tonk.
(3) Jhansi-Cawnpore Section ...	Bhartpur. Jeypur. Kishengarh.
(4) Jhansi-Manikpur Section ...	Ulwar. Dhar. Gwalior. Indore. Jaora. Rutlam. Sailana. Baroda. Jodhpur. Palanpur. Sirohi.
Bombay-Baroda and Central India (Rajputana-Malwa Railway)—	
(1) Cawnpore-Achnera State Railway ...	
(2) Holkar State Railway (North of Nerbudda)	
(3) Neemuch-Nusseerabad State Railway	
(4) Rajputana State Railway ...	
(5) Sindhia-Neemuch State Railway. ...	
(6) Western Rajputana State Railway	

APPENDIX. C.

The annexed list shows what licenses can be granted in the United Provinces under the Arms and Explosives Acts.

Serial number.	Object desired by person requiring a license.	Licenses necessary to be taken out to effect the object desired.		Remarks.
		Under the Explosives Act (IV of 1884).	Under the Arms Act (XI of 1878).	
1	2	3	4	5
1	Arms and ammunition—to go armed on a journey.	Not required, the ammunition being possessed in reasonable quantities for private use [vide rule 11(3) of the Explosives rules].	Form XIX.	
2	Arms and ammunition—to possess and to go armed.	Not required, the ammunition not exceeding, in amount the quantities named in rule 11 (3) of the Explosives rules.	Form XVI.	
3	Arms and ammunition—to possess for the purpose of destroying wild animals.	Ditto ...	Form XVII and XVIII.	
4	Arms (firearms), ammunition and military stores† to possess in a district which has not been disarmed.	Ditto ...	Form XV.	If a person wishes to carry a firearm or other weapon in a district which has not been disarmed, a license in Form XVI, XVII or XVIII is necessary. A license under Form XV is necessary to enable a person to possess (without carrying) firearms. No license is required to cover possession of other weapons.
5	Arms, ammunition and military stores† to keep and sell.	Form B in the case of gunpowder or of an explosive of the 1st division of the 6th (ammunition)* class in quantities not exceeding at one time 200lbs. of gunpowder and any quantity of explosive contained in ammunition : otherwise Form L in addition to Form F or J.	Form XII or XIV.	
6	Arms, ammunition and military stores†—to manufacture, convert or sell or keep.	Form A† in the case of gunpowder or of an explosive of the 1st division of the 6th ammunition† class in quantities not exceeding at one time 200lbs. of gunpowder and any quantity of explosive contained in ammunition.	Form XI or XIII.	
7	Arms, ammunition or military stores† to transport.	Not required [vide rule 11(2)(a) of the Explosives rules].	Form VIII, subject to the exemption in rule 20(2)(b), page 15 ante.	For rules regulating the transport of ammunition, the packing and mode of conveyance, see the Explosives rules.

8	Arms, ammunition or military stores†—to import by river or land.	Ditto	...	Form III	...	...	...	Ditto	Ditto
9	Arms, ammunition or military stores*—to export by river or land.	Ditto	...	Form VII	...	...	...	Can be granted only by the Secretary to the Government of India, Foreign department, or by any other office especially empowered under rule 18. In the case of export to a Native State within the political control of the Local Government, a Secretary to Government, United Provinces of Agra and Oudh, has been so empowered (page 14 ante), and in certain cases the Lieutenant-Governor's Agents (page 14 ante); the District Magistrate of Meerut has been also empowered to grant such licenses under certain conditions, schedule VI.	
10	Explosives, other than those of the 1st (gunpowder) class or of 1st division of the 6th (ammunition)* class, or of the 7th (firework) class, or of the 5th (fulminate) class—to possess in quantities not exceeding 60 lbs. at a time.	Form F	...	Form F	must be endorsed to have the effect of a license in Form XII, excluding all provisions as to sale and as to arms and military stores.*	See exemptions noted in rule 11 (3) Explosives rules: in such cases a license would be required under the Arms Act only, in appropriate form.			
11	Explosives generally other than those of the 5th (fulminate) class—to possess.	Form J	...	Form J	must be endorsed to have the effect of a license in Form XII or XIV, excluding all provisions as to sale and as to arms and military stores.	Ditto ditto, Magazine licenses in Form J are granted by the Commissioner of divisions. Licenses for the possession of explosives of the 5th (fulminate) class can only be granted by the Governor General in Council.			
12	Explosives of classes are in quantities other than those referred to in serial nos. 13, 16 and 17—to sell.	Form L, in addition to holding Form F or J, as the case may be	...	Form L	(as well as Form F or J) must be endorsed to have the effect of a license in Form XII or XIV, excluding all provisions as to arms and military stores.*				
13	Fireworks§ to manufacture, sell and possess in quantities not exceeding 200 lbs. at a time.	Form D	...	Form D	must be endorsed to have the effect of a license in Form XI, including all provisions relating to arms and military stores.*	No license is required under the Explosives Act for the mere possession of fireworks if obtained and intended for immediate use kept for a period not exceeding 14 days in a safe and suitable place, and with all due precautions for the public safety (vide rule 11 (d), Explosives rules).			
14	Gun powder and fuses for blasting purposes—to possess and transport.	Form C or F, or J according to the class or quantity of the explosive noted in Rule 11 (3) of the Explosives Rules.	...	Form C or F or J	must be endorsed to have the effect of a license in Form IX. Or a license must be granted in Form IX, and if the licensee only required an explosive in certain quantities for his own use, he would be exempt from taking out a license under the Explosives Act [rule 11(3), Explosives rules].				

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Serial number.	Object desired by person requiring a license.	Licenses necessary to be taken out to effect the object desired.		Remarks.
		Under the Explosive Act (IV of 1884).	Under the Arms Act (XI of 1878).	
1	2	3	4	5
15	Gunpowder or an explosive of 1st division of the 6th (ammunition)* class—to possess in quantities not exceeding at a time 200 lbs. of gunpowder and any quantity of explosive contained in the ammunition	Form C	Form C must be endorsed to have the effect of a license in Form XIV or XII, excluding provisions as to possessing arms or to going armed.	See exemptions noted in rule 11 (3), Explosives rules: in such cases a license would be required under the Arms Act only in the appropriate form.
16	Gunpowder or an explosive of the 1st division of the 6th (ammunition)* class—to sell and possess in quantities not exceeding at a time 200lbs. of gunpowder and any quantity of explosive contained in the ammunition.	Form B	Form B must be endorsed to have the effect of a license in Form XII or XIV, excluding all provisions as to arms and military stores.*	
17	Gunpowder or an explosive of the 1st division of the 6th (ammunition)* class—to manufacture, sell and possess in quantities not exceeding at a time 200lbs. of gunpowder and any quantity of explosives contained in the ammunition.	Form A	Form A must be endorsed to have the effect of a license in Form XI or XIII, excluding all provisions as to arms and military stores.*	See exemption in rule 10 (2) (a) and (b) and rule 30, Explosives rules.

* Safety cartridges, safety fuses for blasting, railway fog-signals, and percussion caps (cf page 50, Explosives).

† Covers sulphur in quantities above 10 seers, and in districts on the external land frontier saltpetre and lead (cf. schedule II ante).

‡ In other cases licenses for manufacture can only be granted by the Governor General in Council (vide rule 15 of the Explosives rules.) See also the exemptions in rule 10 (a) and (b) and in rule 30.

§ Cf, Explosives rules.

APPENDIX D.

(See schedule VI on page 34 ante.)

A list of Native States under the control of the Punjab Government together with the names of the Political Agents to whom copies of licenses issued should be forwarded under rule 18 clause (3) is given below :—

No.	Native States.				Political Agents.
1	Patiala	} Secretary to Government, Punjab.
2	Bahawalpur	...	...	...
3	Jhind	...	...	...
4	Nabha	...	...	...
5	Kapurthala	} Commissioner, Julandar Di- vision.
6	Faridkot	...	...	...
7	Mandi	...	...	...
8	Suket	...	...	...
9	Chamba	Commissioner, Lahore Di- vision.
10	Maler Kotla	} Commissioner, Delhi Di- vision.
11	Kalsia	...	...	...
12	Loharu	...	...	...
13	Dejansi	...	...	...
14	Pataudi	...	...	...
15	Sirmur (Nahan)	...	...	...
16	Kahlur (Bilaspur)	...	...	...
17	Bashahr	} Superintendent, Simla Hill States.
18	Hindur Nalagarh	...	...	...
19	Keonthal	...	...	...
20	Baghal	...	...	...
21	Baghat	...	...	...
22	Jabbal	...	...	...
23	Kumharsain	...	...	...
24	Bhajji	...	...	...
25	Mailog	...	...	...
26	Balson	...	...	...
27	Dhami	...	...	...
28	Kuthar	...	...	...
29	Kunhiar	...	...	...
30	Mangal	...	...	...
31	Bija	...	...	...
32	Darkuti	...	...	...
33	Tarooh	...	...	...
34	Sangri	...	...	...

LOCAL RULES AND ORDERS.—PUNJAB.

For exemptions.—See pages 112 and 113.

Chavis and Gandasas.—Vide notes (19) and (20) to section 4 of the Act [page 24].

The Lieutenant-Governor has decided that the executive authorities will be acting within the provisions of the law if they treat the weapons known as *chavis* as arms for the purposes of the Indian Arms Act, 1878, and the rules thereunder; and he is pleased to direct that they shall henceforth be so treated except in the two Frontier Divisions of the Province, subject to the instructions which follow.

2. The Scheduled Districts of the Punjab have been withdrawn from the operation of all prohibitions and directions contained in section 13 of the Act, which does not, therefore, apply to the tracts of Lahaul and Spiti. Clause 2 of section 32 of Act No. XXXI of 1860 did not at the time, when Act XI of 1878 came into force, apply to the districts of Simla and Kangra, and section 15 of Act XI of 1878 has not subsequently been extended to either district. The result, then, of the ruling contained in paragraph 1 of this letter in the four Cis-Indus Divisions of the Province is that the executive authorities are instructed to assume that the law is as follows:—

(Except in Lahaul and Spiti) no person shall go armed with any *chavi* except under a license and to the extent and in the manner permitted thereby (section 13 of the Arms Act).

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police officer or other person empowered by the local Government in this behalf by name or virtue of his office (section 13).

(Except in the Simla and Kangra Districts) no person shall have in his possession any *chavi*, except under a license and in the manner and to the extent permitted thereby (section 15 of Arms Act). The rest of the Act and the rules thereunder are similarly to be assumed applicable to *chavis* in the same way as to other arms. To go armed with such a weapon contrary to the provisions of section 13, or to possess such a weapon contrary to the provisions of section 15, is to commit an offence under section 19 (c) (f) or section 20, as the case may be; and an offence which in either case is cognizable by the Police (Schedule II to the Criminal Procedure Code, 1898).

3. It will, be the duty of Commissioners and District Magistrates to see that the Crown is adequately represented at all stages in every case in which the application of the Arms Act and rules to *chavis* is likely to come in question before the Courts, and that every case in which a judicial ruling on the subject has been given, whether by a Civil or a Criminal Court, is promptly reported to Government. It remains to indicate the lines on which the law, as interpreted in paragraph 1 of this circular, should be enforced.

4. The Lieutenant-Governor thinks it undesirable that there should be any general house searches to discover *chavis* improperly possessed though he does not intend to prohibit search under section 25 when definite information has directed attention to particular houses, or when the perpetration of crimes of violence in which weapons of the kind have been used is traced to particular localities. The objection is to general searches without special reason. A person found carrying a *chavi* contrary to the provisions of section 12 or section 13 may always (subject to the remarks on the subject of notice of the next following paragraph) be deprived of his weapon by a properly authorised person; and similar weapons found in the course of properly authorized searches may always be taken away by the police in the exercise of their preventive authority, even if no prosecution in respect to them is instituted. The Lieutenant-Government is, however, pleased to direct that no seizure of an unlicensed *chavi*, whether in the exercise of the preventive authority conferred by section 149, Criminal Procedure Code, or under section 13 of the Arms Act, should be made by any police officer below the rank of sergeant.

5. The first step to take, however, is to issue a proclamation in each district concerned warning the people that they must apply within one month for licenses in respect to *chavis*, or deposit them with the officer in charge of the nearest police station.

6. Licenses in Form VIII [present form XVI] should be freely granted for purposes of protection or to respectable persons, and in circumstances where it seems likely that the deprivation of *chavis* would tend to encourage rather than diminish crimes of violence by taking away from the well-disposed the means of defending themselves. The question of abolishing the levy of fees for licenses in Form VIII, whether for *chavis* or for other arms, is under the Lieutenant-Governor's consideration; but for the present it will be necessary to follow the existing rule on the subject.

7. Prosecution should not for the present be generally instituted, and where instituted they should be conducted with caution and carefully watched. Short of prosecution for a breach of the Arms Act, it is always open to the District Magistrate to instruct the police to take persons found carrying *chavis* before the nearest Magistrate, in order that he may satisfy himself as to their antecedents and ascertain whether security ought to be demanded from them under section 107, 109 or 110 of the Criminal Procedure Code; and instructions to this effect might be given to all Police officers not below the rank of officers in charge of stations.

8. In the districts of Lahore, Amritsar and Ferozpur the instructions of this circular in respect to *chavis* should be carried out in regard to long handled *gandasas* also. As regards other districts, I am to say that the long handled *gandasa* is, in some places, a weapon almost, if not quite as formidable as the *chavi* and used, like the *chavi*, for purposes of offence, and not, as elsewhere, as an agricultural implement; and where this is the case, the District Magistrate would be similarly justified in treating it as a weapon coming under the provisions of the Arms Act. If, therefore, any Deputy Commissioner thinks it desirable to proceed on these lines in regard to any such weapon which is not capable of being classed as a *chavi*, he should refer the matter, through the Commissioner, for the orders of Government, stating what definition he proposes and the reasons for the measure.

9. Commissioners should keep a careful watch on the manner in which Deputy Commissioners in their Divisions give effect to the instructions contained in this circular.

10. The Inspector-General of Police will be requested to notice the effect of the measures now to be taken against *chavis* and *gandasas* in the Police Administration Report for the current year.

(Punjab Govt. letter No. 12-1309, dated the 29th Sep. 1899.)

As there has been some misapprehension as to the purport of the letters mentioned on the margin regarding the treatment of Punjab Govt. letters Nos. 12-1309, dated 29th Sep. 1899 and No. 1354, dated 14th Sep. 1900, *chavis* and *gandasas* as "arms" under Act XI of 1878, I am directed to address you as follows.

2. As noted in the Chief Court's decision, No. 16 of 1900, (page 42) any weapons or instruments carried or possessed for the purpose of offence and defence come under the category of "arms." The more common weapons and instruments which when carried or possessed by individuals may universally be presumed to be so carried or possessed for purposes of offence or defence are specified in section 4 of the Act, but the list there given is not exhaustive, and the Local Government in 1899, after considerable enquiry, concluded that (a) *chavis* throughout the Province and (b) long-handed *gandasas* in the Lahore, Amritsar and Ferozpur Districts were so very rarely carried or possessed except for purposes of offence and defence, that the executive officers of Gov-

ernment might properly treat these weapons as "arms" within the meaning of the Act. District Officers were accordingly, in paragraph 8 of this office letter No. 1302, dated 29th September 1899, authorised to treat these weapons as arms.

3. It was not intended by the instructions above described to limit the action of District Officers to the weapons there mentioned. It is still open to them to take action under the arms Act either :

(a) generally as regards weapons in respect of which they may have received authorization under the last sentence of paragraph 8 of the letter of 29th September 1899, or

(b) in particular instances as regards weapons or instruments of any description which in those particular cases appear to be possessed or carried for purposes of offence or defence.

I am to add that action under (b) can be taken by Deputy Commissioners without reference to higher authority.

(Punjab Govt. cir. No. 5-1125, dated the 16th October 1903).

The Hon'ble the Lieutenant-Governor has been pleased to prescribe the following rules for close season for game in the Punjab.

In pursuance of the provisions of rule 20, published in Notification No. 518 of 6th March 1879, and issued by the Governor General in Council under Section 7 of the Indian Arms Act (No. XI of 1878), the Lieutenant-Governor of the Punjab is pleased to prescribe the following rules regarding a close season for game in the Punjab.

1. The close season for the game noted in rule 2, shall be throughout the Punjab from 15th March to 15th September, both days inclusive.

2. Such close season may be prescribed in the case of game of the following classes, but, subject to the provisions of rule 3, there shall be no close season for any other birds or animals.

Partridges of all kinds.
Sand grouse.
Pea fowl.
Jungle fowl.

Pheasants.
Bustard.
Floricane.
Hares.

3. In accordance with the above rule, the Deputy Commissioner of the district shall cause the description of such game only as he considers to need protection in his district to be endorsed on the reverse of the license granted under Section 13 and 16 of the rules made by the Government of India. The close season will then apply, in respect of the license-holders and in the district where the license is granted, to game of the descriptions so endorsed.

4. In all districts in which the Deputy Commissioner considers it desirable, a condition may be endorsed on the license, that deer, wild sheep and goats shall not be shot during the breeding season. The license-holder will then be bound to observe such conditions.

(Government of Punjab, Notification No. 711½ dated the 18th February 1880).

The following revised rules which have been made by His Honour the Lieutenant Governor under the Indian Arms Act, 1878 (Act XI of 1878), are hereby published for general information, in supersession of the rules published with Punjab Government notification No. 1956, dated the 19th of May 1879 :—

RULES.

POWERS.

For paras. I, II and III see notes to sections 6, 25 and 30 of the Act [pages 44, 57 and 59].

IV.—Stock and account books to be kept by licensed manufacturers and dealers. All persons holding licenses to manufacture, convert, keep and sell arms,

ammunition or military stores shall keep up stock books and accounts of receipts and issues in the forms A and B of the appendix to these rules; and all persons holding licenses to keep or sell arms, ammunition or military stores shall maintain stock and account books in forms C and D.

The pages of these books are to be numbered, and before any entries are made the books shall be exhibited, together with the manufacturer's or dealer's license, to the Magistrate of the district or to a subordinate Magistrate.

Such Magistrate will sign the first and last pages of each book and seal them which his official seal.

V.—The shops, premises and stocks of all licensed manufacturers and dealers shall be inspected once in every quarter by a police officer not below the rank of Assistant Superintendent of Police or Inspector where there is no Assistant Superintendent, and once at least in every year by the Superintendent of Police.

At the time of inspection the books shall be initialed by the inspecting officer.

Any irregularity or breach of the rules which may be noticed shall be at once reported to the Magistrate of the district.

VI.—On receiving notice of a sale under clause 2, section 5, by a person lawfully possessing arms to any person not prohibited from possessing the same, the Magistrate or Police officer may make inquiries as to the correctness of the purchaser's name and address, and if necessary, obtain a report from the Superintendent of Police of the district in which the purchaser lives.

VII.—**Arms deposited in police station.**—When any arms, ammunition or military stores have been deposited at a police station under section 14 or 16 of the Act, the officer in charge of the station shall affix to each weapon or article a ticket showing the name of depositor and the date of deposit and shall give the depositor a duplicate copy of the same.

After seven days, if the owner has not obtained a license authorising him to possess them, the arms, ammunition or military stores shall be forwarded to the headquarters of the district and kept in the malkhana of the Magistrate of the district or in the Police Magazine.

The sheriff or other ministerial officer to whom they are entrusted shall keep a register in which the articles so deposited shall be described and entered under serial numbers, and fresh tickets shall be affixed showing the owner's name and the corresponding number of the register.

VIII.—**Arms and military stores seized.**—Arms, ammunition or military stores seized under section 11, 25 or 26 shall be similarly dealt with.

IX.—**Disposal of confiscated arms.** Arms, ammunition or military stores that have become forfeited to His Majesty under sections 14 and 16, or that have been confiscated under section 24, shall be disposed of as follows:—

(1) Arms, ammunition and stores which can be utilised by the police or by any department under Government may be retained and brought into use with the sanction of the Local Government. Arms, ammunition and stores not so retained may be sold to licensed dealers or other persons entitled to possess them.

(2) Any rifled fire-arms or rifle barrels not so disposed of shall be sent to the nearest Ordnance Officer to be broken up. Other arms shall be broken up locally and the materials sold.

(3) Any ammunition or stores not disposed of under the provisions of clause. (1) shall be destroyed.

X.—**Rewards to informers.** When any arms or other articles are confiscated under section 24, the convicting Magistrate shall, immediately upon conviction, pay a reward of not less than half the value of the confiscated articles to the person or

persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offenders and seizure of the arms or other articles.

Such payments will be chargeable to Law and Justice, and be drawn by Magistrates in their contingent bills.

XI.—Any Magistrate convicting an offender of any offence under the Act may at his discretion grant a reward not exceeding the amount of fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the arrest of the offender or the seizure of the arms or other articles.

XII.—**Registers of Licenses.** Every Magistrate of a district shall keep up in form E of the appendix to these rules a register of all licenses to manufacture, convert keep or sell, granted by him under rule 11 of the rules issued by the Government of India, and shall keep up in form F, a register of all licenses to keep or sell granted by him under the same rule.

All Superintendents of Police shall keep up similar registers in English. Magistrates of districts will supply to their Superintendents of Police copies of all such licenses issued by them.

The Superintendent of Police will furnish to each officer in charge of a police Station copies of extracts, columns Nos. (1) to (6) giving the names, &c, of persons licensed within his jurisdiction.

XIII.—All inspections of the shops, premises and stocks of licensed manufacturers and vendors by Inspectors of Police or superior officers shall be reported to the Magistrate of the district and shall be entered in the registers.

XIV.—Registers of licenses granted by the Magistrate of the district under rules 13, 15 and 16 of the rules made by the Government of India shall be kept up by him in forms G, H and I respectively.

Similar registers will be kept up in English by the Superintendent of Police, to whom the Magistrate of the district will furnish copies of all such licenses granted by him.

The Superintendent of Police will supply each officer in charge of a station with an extract giving the parts of each register which concern his jurisdiction.

XV.—In place of the returns prescribed in circular No.—7 —669, dated 26th April 1867, and No. 12—944, dated 21st June 1867, the Lieutenant-Governor is pleased to direct that the forms K, L of the appendix to these rules be used.

Both returns will be prepared for the calendar year, and be submitted through Commissioners to the Inspector-General of Police.

(Government of Punjab Notification No. 943.—dated the 10th July 1907).

The existing orders as regards the application of the Arms Act to native officers and soldiers are summarized below, and this summary should be substituted for that given in this office Circular No. 1303 of 5th November 1908.

2. (a) All retired officers and non-commissioned officers of the native Army who are in receipt of a pension as such or who, not being in receipt of a pension, have been recommended by their commanding officers for exemption, are with certain reservations exempted from the operation of the prohibitions contained in section 13—16 of the Indian Arms Act of 1878 (see Enclosure 1 below)*, that is to say, speaking generally, from the necessity of obtaining a license for going armed or possessing arms (see Enclosure II below)†.

* Enclosure I. Extract Sections 13—16 of Act XI of 1878—printed on pages 46-8.

† Enclosure II. Extract from Schedule I [clauses (3), (5) and (6)] to the rules issued under Home Department notification No. 3102 dated the 16th August, 1909—printed on pages 90-2.

(b) Indian soldiers on furlough may, if provided with a pass from the officer Commanding, be in possession of one gun and 20 cartridges (see Enclosure III)†.

(c) Retired soldiers and reservists are not (except as regards the kukris of Gurkhas) exempted from any of the provisions of the Arms Act. They are on the same footing in respect of the Act as the public at large, except that a reservist who desires a license must apply through the Commanding Officer of his late regiment, and a Magistrate who is not prepared to give a license to a reservist should communicate his reasons to the Commanding Officer.

3. The information supplied to the District Magistrate under article 692 Army Regulations, India, volume II (see Enclosure III)† should be communicated by that officer to the Superintendent of Police.

Government, of Punjab No. 899 S., dated the 20th June 1910.

The attention of the Lieutenant-Governor has been recently drawn to the necessity for the stricter enforcement of the law against the unauthorised possession of arms in the province. The matter is one in which Government must chiefly depend on the vigilance of the Police, and it has been suggested that one means of furthering the object in view is to institute a system of liberal rewards for information leading to recovery of arms in unlawful possession.

In Punjab Government notification No. 943, dated the 10th July 1907, certain rules under the Arms Act were framed, X and XI of which contained orders regarding the payment of rewards by Magistrate in cases which come before them. So far as can be ascertained, these orders have, to a great extent, been lost sight of, and the attention of all officers concerned is accordingly directed to the subject. It is of great importance that rewards should always be paid for information leading to the recovery of arms in unlawful possession, and that these rewards should, if anything, err, on the side of liberality. It is not proposed to lay down any scale of rewards or to restrict the amount of a reward to that payable under the rules quoted above. A reward payable under these rules can, and should, be supplemented whenever expedient from other sources, *e. g.*, the Police grant for rewards, and discrimination should be used in fixing the amount of the reward which latter need not bear an exact relation to the value of the weapon recovered. The recovery of a cheap revolver might, in certain circumstances, be a matter of far greater importance than the recovery of a valuable military rifle.

There are obvious objections to the exhibition of too much energy in the direction of advertising the fact that liberal rewards will be paid for information leading to the recovery of illicit arms, but District Magistrates and Superintendents should exercise their discretion in this connection and enlist the aid of *zaildars*, *lumbardars* and native gentlemen of the district, rather than work through ordinary informers.

* * * * *

(Government of Punjab No. 6—270, dated the 21st October 1910).

† Enclosure III Extract from articles 686—693 of the Army Regulations, India, volume I,—printed on pages 99 to 101.

THE INDIAN ARMS ACT MANUAL.

FORM A.

Stock book of _____ son of _____, caste _____, resident of _____, licensed to manufacture, convert, sell or keep arms, ammunition or military stores.

1	2	3	4	5	6	7	8	9	10	10	12
Date.	PARTICULARS.	DESCRIPTION.						Ammunition, Military stores, including, lead, sulphur and saltpetre.	Name and address of the dealer or firm supplying the articles received.	Signature of licensee.	
		Fire-arms.		Other weapons.							
		Guns.	Pistols.	Swords.	Bayonets.	Daggers.	Other.				
January 1st	In store— Manufactured Received ...										
February 2nd	Disposed of... In store ...										

FORM B.

Daily sale book of _____, son of _____, caste _____, resident of _____, licensed to manufacture convert, sell or keep arms, ammunition and military stores.

1	2	3	4	5	6	7
Date.	Name and father's name of purchaser.	Caste and profession of purchaser.	Residence of purchaser.	Articles purchased.	Price	Signature of purchaser and dealer.

FORM C.

Is the same as form A, except that in heading for words "licensed to manufacture," &c., read "licensed to keep and sell," &c., and in column 2 omit the word "manufacture."

FORM D.

Is the same as form B, except that heading for the words "licensed to manufacture," &c., read "licensed to keep and sell," &c.

THE INDIAN ARMS ACT MANUAL.

FORM K.

Return of licenses granted under Act X of 1878 in the district of _____ for the year.

	1	2	3	4	5	6	7	8
	DETAIL OF LICENSES.	Number of licenses in force last year.	OPERATION OF THE YEAR			Number in force at end of present year.	Remarks by Deputy Commissioner	Remarks by Commr.
			New license.	Renewed licenses.	Revoked or suspended.			
1	In form II to transport arms, ammunition or military stores.							
2	In form VI to manufacture, convert, or sell or keep.							
3	In form VII to keep and sell.							
4	In form VIII to possess arms or ammunition and to go armed for purposes of sport, protection or display.							
5	In form IX to go armed on a journey.							
6	In form X to possess, arms, ammunition or military stores in a district which has not been disarmed.							
	In form XI to possess arms or ammunition for the purpose of destroying wild animals.							

FORM L.

Annual statement of the operation of the Arms Act XI of 1878, in the district of _____
for the year. _____

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
NUMBER OF PERSONS PUNISHED UNDER.													NUMBER AND DESCRIPTION OF WEAPONS CONFISCATED.											
Section 19, for offences under.													Section 20, for secret breaches.											
Section 21, for breach of license.													Section 22, for knowingly purchasing from an unlicensed person or delivering to person not authorised to possess.											
Section 23, for failure to give information as required in section 23.													Section 24, for failure to give information as required in section 24.											
Total punished (columns 1 to 13).													Total punished (columns 14 to 25).											
Rifles.													Rifles.											
Smooth-bore gun.													Smooth-bore gun.											
Pistols.													Pistols.											
Swords.													Swords.											
Bayonets.													Bayonets.											
Daggers or knives.													Daggers or knives.											
Spears.													Spears.											
Others.													Others.											
Value of fines imposed and realised.													Value of fines imposed and realised.											
Amount paid as rewards to informers, &c.													Amount paid as rewards to informers, &c.											
REMARKS.													REMARKS.											

This return will be submitted yearly through Commissioners to the Inspector-General of Police.
Deputy Commissioner.

Under clause III (c) of the G. of I. notifi. No. 518 of the 6th March 1879, it is hereby notified that the prohibitions and directions contained in sections 13 and 14 of the Indian Arms Act, 1878 do not apply to the undermentioned villages on the border of the Hazara District.

Tahsil.	Tract.	Village.
Mansehra	Kagan ...	Sangar, Ghanul, Hangrai, Bela Kawai, Bhunje, Jared, Manur, Phagal, Kamalbun, Bhutaudes, Kagan.
	Bhogarmang ...	Bhogarmang, Iahimang, Chitta Batta, Bakki, Rath, Kumber Doga, Judrasi, Giran Thali, Buzu Bela, Jhaila, Kanog, Bavi Bahak, Jahauri, Serian Ktmashian, Kihar Sacha, Sacha Kalan, Sacha Khurd, Kalas Richari, Banda, Banda Chinsuch, Pinal, Jachha, Jabbar.
	Kounsh ...	Ichharian, Tarkual, Koth Tarli, Kund Tarla, Karmang Tarla Jalgalli, Kaumang Utta, Gerian Amsera, Hiv, Saluna, Bai Tarli Chuarokot, Haroi Khakhu, Batnal, Chalundri Saldhar, Shakura, Khan, Malkan Galli, Hilkot Sithaulsadda, Rund Utta, Shahal, Dheri, Bhalai, Malukra, Kandla, Lachimang, Nasordi, Dheri Sadulla, Sharkuli, Bahinang, Bansacha, Chhapri, Bagru, Dheri Haluni, Nilban Bhaleja.
	Balakot ...	Bhattika, Jahn, Laso Sultani, Kora, Lasso, Batseri Sohail Mazulla Bisian, Sohail Najafkhan, Taranna Hassa, Baginohri, Nankot, Balakot, Guhora.
	Ghari Habibulla	Doga, Sial Bhurj, Karaul Barorkot, Lunda, Ghari Habibulla, Batoro, Kashtra, Hisari, Jabbi, Gul Maira, Sukhdare, Balola, Talat, Kat Phalla.
	Shinkhari ...	Dharial, Tanda, Shinkari, Bedadi, Shanai, Dhudial, Pirda Banda, Bajua, Inayatbad, Baffu, Gul Bagh, Hafiz Bandi Tarli, Hamshirian, Lang, Maira Jia, Gandibian, Chitti Qatti, Teimi, Jabha, Machhipol, Mungon, Hathi Maira.
	Agror ...	Shamdhar, Mahikra, Ughi, Bazar, Maloga, Haji Kamar, Dhara, Arbora Bandi, Ghadaur, Kathai, Nur Bandi, Chajjar Utta, Phaganda-Banda, Kot, Rashida, Manchura, Tarawara, Sufaida, Khabbal Tarla, Khabbal Utta, Shahkot, Balian, Kullakka, Kotla, Jaspal, Ghanian, Dalhauri, Bagiran, Kundra, Chulundian, Tatoli, Tarwai, Didwar, Kewal, Manewal, Dewal, Shahtut, Gul-Dheri, Pirda Patta, Talwari, Chokhat, Shabto, Sambalbot, Chajiri, Barchar, Bholi, Atir, Kango, Chor Kalan, Kangali.
	Bhair Kund ...	Kangri Sabar Shah, Malakafur, Muradpur, Banda Shekhan, Sherpur, Khanjan, Khakki, Nankot, Tirba Tarta, Tirba Utta, Bharkund Utta, Bharkund Tarta, Timarkhola, Sikandar, Sussal, Shanai, Kabmian, Giddarpur, Marri Shahwali, Mari Safdar Shah, Mari Mukarab Shah, Muswal, Nilawar, Harida Maira.
	Mansehra ...	Data, Hariala, Hushala, Chakia Sufaida, Haddo Bandi, Ghazi Kot, Paghwal, Mansehra, Pano-di-Dheri, Banarkot, Katkai, Chitta Batta, Sundasur, Rihar, Shuttur, Arab Khan, Phagla, Utar Sisha, Mundhar, Chatha, Maira Jamdalar, Ghari Shah Khel, Banda Saidan, Jabri, Narbir, Pair, Khairabad.
	Gharian ...	Busnud, Shalakki, Bhurj, Madan, Lallo Bandi, Chanja, Bai Bandi, Baidra, Shakhabad, Daibiran, Jalla, Ganda, Shahelia, Balhag Tarli, Balhag Utta, Ogra, Pathi, Matial, Mobian, Rathion, Rehar, Hosainian, Kharala, Barhali, Karer, Janj Kiari, Barat, Khoari, Bishga, Morbaffa (Abbatta), Morbaffa (Bara), Nurun, Lasson, Gheal, Kik, Nanoha, Manghur, Thali, Shai Bai, Sial, Giramri, Bhial, Bandi Mutrach, Buzurgal, Pasial, Thathi, Chhetri, Rachhban, Sohalan Tarli, Sohalan Utti, Banda Juggian, Pandi Thanna, Talhar, Sargal, Shugri, Kakot, Patheri, Lalleh-di-Bandi, Mochi Kot, Kishna, Faiva, Kumber Bandi.

Tahsil.	Tract.	Village.
Abbotta- bad	Shingri ...	Baian, Bandi Pir Dad, Mirpur Paswal, Banda Munir, Sarai Miamat Khan, Sarai Thampani, Talhad, Chaniad, Shingri, Bisala, Baraingalli, Kokal, Kandal, Gajjal.
	Kachi ...	Jabbi, Nakkeli, Khuhala, Biehha, Gul Banda, Kuthnali, Karm, Bihakki, Banda Loharan, Bhat, Banda Bakhtawar, Banda Najan, Nilor, Gurakki, Darwaza, Chinjaliala Kachi, Chitti, Bir Hil, Soba, Nalaki Ghanhari, Langar Amga, Kakotri, Jarl, Bhojwar.
	Baborhan ...	Jandakka, Bhurj, Darohar, Kosaki Bari, Kosaki Chotti, Thanna, Paswal, Sobra, Mihal, Bauseri, Jatal, Butiala, Bain Mira, Baghhati, Bain Gogri, Chanrak Maira, Tatteh Baudi, Shadial, Shadial, Saliat Mukhdabhi, Gup, Joganmar, Khani Thattiar, Todu, Thali, Ghali Nala, Sar Bhangala, Bagh.
	Sherwan ...	Khuda Khub, Hal, Barkot, Bhalorah, Kular Khetar, Kamhar, Gadda, Kuthiala, Bamuchhi, Chira, Shoreb, Bhatil, Sherwan Bara, Sherwan Chotta, Bicha Bara, Bicha Chotta, Dhundora, Ratta, Bandi Nikra, Kangrura, Pind, Gande, Lakbala, Chatha, Phuhar, Seri Sher Shah, Barila, Chairh, Kangur Tarla, Kangur Uтта, Chorgiram, Juahra, Khalabat, Chamatti, Beri Kharpaha, Kapula, Thathi, Chikarbani.
	Srikot ...	Srikot, Kundi, Amar Khana.
Haripur...	Kulai ...	Kirphan, Dera, Lalo Galli, Onora, Kharkot, Tavi.
	Badnak ...	Muradpur, Saidpur, Pind Khan Khel, Langar, Kundariala, Soabi, Kalingar, Mari, Gandaf, Ladrakki, Kharn, Ghanikot, Dabu, Bandi Lobial, Mahara, Chaintu, Haljudhal, Janjakka, Leldu, Jhokan, Palsala, Jasgiran Bola, Jagiran Pain, Bandi Kargraol, Kandiala, Sanda Ganda, Soddohan, Gharkala, Dhanaka, Kund Chamiaran, Dukkut, Barahan, Halkulu, Thani, Chandor, Chaubara Baghdavia Gharlakkian Radhawara, Roh, Ladarmaog Bodgiram, Khairi.
	Torbella ...	Burj Khanpur, Torbela, Mohat, Dal.

Notification No. 2460 dated the 3rd July 1879 referred to in clause (9) (c) and (10) of schedule IV. (pages 123-124).

With the previous sanction of the Governor General in Council, the Lieutenant Governor of the Punjab is pleased specially to extend Section 15 of the Indian Arms Act, XI of 1878 to the Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan and Dera Ghazi Khan Districts.

(Notification No. 1635 dated the 16th November 1900.)

Foreign Department Notification No. 851-D., dated the 28th March 1913.

Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said Schedule (including the lands occupied by stations, by out-buildings and for other railway purposes) and over all persons and things whatsoever within the said lands :—

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of so much of the notification of the Government of India

in the Foreign Department, No. 3573-I., dated the 29th October 1895, as subsequently amended, as applied to lands occupied by railways in the Punjab, the Governor-General in Council is pleased to make the subjoined rules relating to arms, ammunition and military stores within the said lands :—

1.—Interpretation. In these rules “arms,” “ammunition,” and “military stores,” have respectively the meanings assigned to them in the Indian Arms Act, 1878 (XI of 1878), except that the expression “military stores” includes sulphur when in quantities exceeding ten seers in weight and leaden bird-shot and bullets when possessed in quantities exceeding one hundred-weight at any one time.

“Export” means transmission by rail from any station in any of the said lands to any station beyond the said lands.

“Import” means transmission by rail from any station beyond the said lands to any station within the said lands.

“Transport” means transmission by rail from one station in the said lands to another station in the said lands.

Explanation.—Arms, ammunition and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules.

2.—Export. (1) The export, without the special permission of the Political Agent, of arms, ammunition, or military stores is forbidden.

(2) Station Masters to whom arms, ammunition or military stores unaccompanied by evidence of such special permission are tendered for despatch, shall detain them and report the matter through the Superintendent of Railway Police for the orders of the Political Agent.

3.—Import. (1) When any arms, ammunition, or military stores are imported they shall not be delivered to the importer, or consignee unless—

(i) the importer or consignee produces the original license issued by the Secretary to the Government of India in the Foreign Department or other competent authority, authorising the export of such arms, ammunition, or military stores from British India and their import to some station within the lands above referred to, and

(ii) the senior police-officer at the station at which the arms, ammunition, or military stores have been received has compared the consignment with the license and authorized the Station Master to make delivery.

For the purpose of making the comparison required by clause (ii), the police-officer shall have power to open any package which he thinks suspicious.

(2) If the importer or consignee fails to produce the original license, or if the consignment does not correspond therewith, the senior police-officer at the station shall report the matter forthwith, to the Political Agent.

4.—Information to be given by Station Masters. Every Station Master shall give information to the senior police-officer at his station of the arrival of any consignment of imported arms, ammunition or military stores.

5.—Re-booking of consignment. A Station Master at whose station a consignment of imported arms, ammunition or military stores is received may, after obtaining the sanction of the Superintendent of Railway Police but not

otherwise, forward the consignment should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to.

6.—Transport. No license shall be necessary in respect of the transport of arms, ammunition or military stores, but immediate information of any such transport shall be given to the senior police-officers at the stations of despatch and receipt by the Station Masters concerned.

7.—Carrying of arms by passengers. Arms shall not in ordinary cases be taken from passengers. But if a Station Master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he delivers up his arm: if the passenger gives up his arms, they shall be labelled with his name and description, entered in the roadway bill, and delivered free of charge to him at his journey's end:

Provided that no person who has been duly exempted from the operation of sections 13—16 of the Indian Arms Act (XI of 1878), or has a license to carry arms granted by competent authority, shall, except in the case of evident and undoubted necessity, be required to give up his personal arms under this rule.

8.—Obligation to give information. Every person employed upon the Railway shall in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest police-officer regarding any box, packet or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against these rules has been, or is being, committed.

9.—Penalties. (1) Whoever commits any of the following offences, namely:—

(a) exports any arms, ammunition or military stores without obtaining the special permission of the Political Agent as required by rule 2,

(b) imports any arms, ammunition or military stores without a license of the nature referred to in rule 3,

(c) omits to give information as required by rule 8, shall be punished with imprisonment for a term which may extend to three years, or with fine or with both.

(2) Whoever commits any of the following offences, namely:—

(a) imports any arms, ammunition or military stores in excess of the quantities entered in the license referred to in rule 3,

(b) imports after the expiration of the period for which such license has been granted,

shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees, or with both.

10.—Power to confiscate. (1) When any person, is convicted of an offence under the last preceding rule, it shall be in the discretion of the convicting Magistrate further to direct that the whole or any portion of the arms, ammunition or military stores in respect of which the conviction is obtained, and any box, package, or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

11.—Search and seizure by Magistrate. (1) Whenever any Magistrate has reason to believe that arms, ammunition or military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief, may seize and detain the same in safe custody for such time as he may think necessary.

(2) In such cases notice calling upon the importer or consignee to appear and to produce the license referred in rule 3 shall be published for three months at the railway station at which the arms, ammunition or military stores have been seized, and at such other places as the Magistrate may think necessary.

(3) If the importer or consignee does not appear and produce such license within three years from the date of such notice, such arms, ammunition or military stores shall be confiscated.

12.—Disposal of confiscated articles. The orders of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

13.—Rewards. (1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one half the sale price of any confiscated articles sold in pursuance of orders issued under these rules, to any person whether in the employ of a Railway Company or not, who has given information leading to a conviction.

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent.

14.—Savings. Nothing in the foregoing rules shall apply to the import of any arms, ammunition, or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India stating that they are consigned to the Ruler of a State mentioned in the second column of the schedule hereto annexed.

SCHEDULE.

Railway.	States.
1. The Rajputana-Malwa Railway— <i>Rewari-Phulern Chord</i>	Nabha. Patiala.
2. The Jodhpur-Bikaner Railway	Patiala.
3. The Kalka-Simla Railway	Patiala. Baghat. Keonthal.
4. The Ludhiana-Dhuri-Jakhai Railway	Maler Kotla. Patiala. Nabha. Jind.
5. The Rajpura-Bhatinda Railway	Patiala. Nabha.
6. The Southern Punjab Railway— <i>Main Line</i>	Patiala. Jind.
<i>Narwana-Kaithal Branch</i>	Patiala.

LOCAL RULES AND ORDERS.—CENTRAL PROVINCES.

The important duty of administering this Act is entrusted by law to the District Magistrate, save in a few special cases, where the sanction of the Commissioner of the Division or of the Local Government is required before a license can be issued, and all Deputy Commissioners should make themselves thoroughly acquainted with the provisions of the Act and the Rules, and should carefully note the distinction drawn between—

A.—Muzzle-loading; B.—Breach-loading (rifled) and C.—Breach-loading (not rifled),

fire-arms and ammunition.

Separate licenses with these headings printed on the forms in conspicuous characters in red ink should be used for each class of weapon, and the annual return of licenses granted, and the weapons and ammunition covered by licenses, must show these three divisions.

Vide the remark opposite "Fee" of license Form XIV [p. 146]

3. Like the corresponding law in every civilised country, the Indian Arms Act is based on the principal of general prohibition to possess and carry arms, but this general prohibition is qualified by individual or class exemptions. The class exemptions always, and the individual exemptions occasionally, are made by Gazette Notification; but usually the individual exemptions are regulated by license. Therefore the granting of licenses to keep or carry arms is not to be regarded as a mere matter of registration, as if the object of the Government was merely to know who possessed arms; it is to be regarded as much more than that; as, indeed, the exercise of an important discretion vested in the magistrate touching the relaxation in the particular case of a general legal prohibition. Licenses in Form XVII and XVIII should be liberally given to *bona fide* cultivators for the protection of crops; but they should be less freely given in tracts which have been cleared and settled, and are no longer regularly subject to the depredations of wild animals, than in jungle tracts or places still subject to such depredations. Licenses in Form XVI to *bona fide* shikaries should be liberally given, especially in districts infested by wild beasts; and licenses in the same form should also be given in reasonable numbers to persons of respectable character and position, who, living in the country, are not already exempted from the Arms Act restrictions and desire to possess arms for purpose of sport, such licenses however, should be sparingly given to residents in town, who generally want arms for mere purposes of display. Licenses in Form XIX (to take arms on a journey) are rarely asked for, and present no difficulty, but licenses in Form XV (merely to keep arms) should be sparingly given everywhere, and generally only to persons of approved standing and respectability, who usually keep property of value in their immediate custody.

The Commissioner of the Division has drawn up for each District in his Division a scale showing what, with reference to the population, character of the District and its *fauna*, size of the town, extent of cultivation, &c., should be *prima facie* a sufficient and appropriate number of licenses in each of the three Forms XVI, XVII and XVIII, and District officers must keep the scale thus adopted before them when issuing new licenses from year to year. For submission of applications for annual licenses (Form XVI) or for the grant or renewal of five-year licenses in Form XV, dates are to be fixed and notified to sections of the public concerned, no applications being as a rule, received after the prescribed date has passed. The applications received should be dealt with *en bloc*, those which are first applications being separated from those which are for the renewal of licenses previously held. If issues in the past have been excessive, the new issues can be cut down after a careful consideration of the merits of individual cases. The District Officer, when he is dealing with the issue of licenses, should record a proceeding showing the number of licenses in each form issued by him, and his reasons for departing to any considerable extent from the normal scale prescribed for his District.

For licenses in Form XVIII (licenses to cultivators for protection of their crops) greater latitude is necessary; though here also it is well to confine the issue of them as far as possible to a particular month. By the conditions endorsed on Form No. XVIII the licensee has to produce his license and the weapon it covers before a Magistrate once in every year. This condition puts many cultivators to considerable trouble and loss of time, but by the introduction of a rule in each district (under Commissioners' orders) fixing the inspection by Tahsils or—better still—by police stations or outposts, the inconveniences can be avoided, the inspection being effected when the Deputy Commissioner, his Assistants or Tahsildars visit the locality on Tour. The fact of inspection should be endorsed on the license.

For orders regarding Revolvers see notes (1) and (2) to rule 27 (page 80)—

Rifles of prohibited bores and their ammunition. See notes to rule 8 (1) [pages 65-66] rule 24 [pages 78-79] and to rule 27 [pages 81]. Also U. P. rules [pages 189-190 and I. A. Order dated 3rd January 1910, on page 160.]

As regards the importation of ammunition, the Government of India have directed that the prohibition against the possession of ammunition shall be confined absolutely to ammunition for rifles of .303 bore and .450 bore of the Martini-Henry pattern.

5. Troops in India are constantly subject to thefts of arms of precision, and as these arms are of little or no use without their special ammunition; it is considered by the Military authorities highly important to prevent such ammunition from becoming generally available. In order to prohibit the possession of Government arms and ammunition, even when a license to possess arms and ammunition has been obtained, a clause has been added to the conditions of license form Nos. XI to XIX to the effect that these licenses do not authorise their holder to possess Government arms or ammunition. It is evident, however, that in cases in which it may be desired to prosecute for the illicit possession of Government Arms or ammunition, the *onus* of proving that such arms and ammunition are the property of the State will lie with Government, unless it can be shown they bear a well-known distinguishing mark. It appeared, therefore, to the Government of India necessary that some easily recognizable Government mark should be stamped upon all Government Arms and small-arms and machine-gun ammunition, whether manufactured in England or in India, and also, that Government arms which have been sold or given away should be suitably marked so as to show that they have ceased to be the property of Government. * * *

It has been arranged with the Secretary of State for India that in the case of all small-arm and machine-gun ammunition manufactured in England for use in India, each cartridge will in future be stamped with the Government mark on the base.

District and other local authorities should prosecute under the provisions of the Indian Arms Act, 1878, all persons who may be in possession of arms and ammunition which are the property of Government.

6. Turning now to individual exemption by notification, it will be noticed that under clause (15) (a) of schedule I appended to the Indian Arms Rules, the Chief Commissioner is empowered to frame lists from time to time of land-holders and members of Municipal Boards and Committees deserving of this honour. The privilege of exemption should be reserved for a very few of the most influential loyal families and for private individuals who do conspicuous public service, and the importance of preserving its value by strictly limiting the grant of it should be insisted upon. Such lists are published in the Central Provinces Gazette and the most convenient time for making these recommendations is in the month of April in each year but special recommendations on account of special services may be made at any time, as may be necessary. In making recommendations for such exemptions, a definite opinion should be expressed as to the number and description of the arms which may be possessed by the person to be exempted, so that if it be considered necessary, the Chief Commissioner may define the precise number and description of arms to which an exemption granted under his orders should extend.

7. Clause (15) (a) of Schedule I. The lists are published triennially in the Gazette. Revised lists embodying changes due to casualties, &c., and any proposed additions are submitted every three years immediately after the general elections of Municipal Committees. Only specially necessary alterations are notified in the intervals.

8. In regard to Feudatory States, it should be remembered that while a Feudatory Chief can regulate possession of arms by his subjects within his own territories this regulation does not extend to permitting importation, and no license from a Feudatory Chief empowers the holder to purchase or transport arms &c., within British territory. The orders regulating the import of Arms, &c., into Feudatory States are contained in rule 18 of the Rules and Schedule VI appended thereto.

9. Under paragraph XI [page 235] an annual return is to be submitted with a brief note on the working of the Act. This report and return will deal also with the administration of the Explosives Act during the year.

10. For orders relating to the possession by discharge Indian soldiers of arms, &c., see pages 99 to 102.

11. As regards the powers conferred on Officers under sections 6, 13, 25 and 30 see pages 44, 47, 57, 59 and page 239.

12. For exemption of officers in the Central Provinces see page 105. In addition to the officers specified therein Assistant Superintendents of the Telegraph Department are also exempt—[notification No. 2158 dated the 13th November 1908.]

13. The following registers of arms, ammunition, stock, and sales have been prescribed by the Chief Commissioner

- (1) A stock account Book of Arms, Ammunition and Military Stores in Form A.
- (2) A Sale Book of Ammunition, and Military Stores in Form B.
- (3) A Register of licenses to manufacture, convert or sell or to keep, offer, or expose for sale, Arms, Ammunition, and Military Stores in Form C. and
- (4) A Register of licenses granted under the Indian Arms Act during the Calendar year.
- (5) Licenses granted under rules 27 and 28 of those rules (*i.e.* licenses in form XVI and XVII to go armed for sport &c., and possess arms for the destruction of wild animals) shall be subject to the observance of a close season, the limits and application of which shall be as follows:—

Specification of Birds or Mammals.			Vernacular names.	Close Season.
1. Sand Grouse				
Pterocles fasciatus	...	...	Bhut-titur, Dougur Kauri ...	} 1st April to 30th September.
" exustus	...	...	Bhut-titur ...	
2. Pea fowl				
Pavo cristatus	...	...	Mor, Munjur ...	} 1st March to 30th November.
3. Jungle Fowl				
Gallus ferrugineus	...	...	Jungli Murghi ...	
" Sonneratii	...	...	Do.	} 1st April to 30th September.
4. Spur Fowl				
Gallus peredix spadiceus	...	...	Choti Jungli Murghi	} 1st May to 30th November.
" lunulatus	...	...	Do. do.	
5. Partridge				
Francolinus vulgaris	...	...	Kala titur ...	} 1st April to 30th September.
" Pictus	...	...	Do.	
Ortygornis Pondiceriana	...	...	Gora-titur ...	} 1st May to 30th November.
6. Quail				
Coturnix Coromandelica	...	...	Chinuk ...	} 1st May to 30th November.
7. Bush Quail				
Perdicular argoonda	...	...	Lawa ...	
" asiatica	...	...	Do.	
Microperedix blewitti	...	...	Sirsi-Lawa ...	

Specification of Birds or Mammals.	Vernacular name.	Close Season.
8. Bustard Quail		
Turnix Pugnax	Gundru	1st May to 30th November.
" Joudera	Do.	
" Dussumieri	Tura-Dubki	
9. Bustard		
Eupoditis edwardsii	Hoom Tokdur	1st June to 30th November.
10. Lik Florican		
Sypheotides aurita	Tun-Mor	
11. Spurred Goose		
Sarkidiornis melanotos	Nukta	1st April to 30th September.
12. Goose-Teal		
Nettapus coromandelianus	Girja	
13. Whistling Teal		
Dendrocygna arcuata	Silli	1st February to 31st July.
14. Grey Duck		
Anas poekilorhyncha	Garpai	
15. Green Pigeon		
Crocopus phoenicapterus	Harrial	1st November to 31st May.
" Chlorigaster	Do.	
16. Blue rock pigeon		
Columba intermedia	Kabutar	
17. Doves		1st February to 31st July.
Turtur meena	Kulla fuchta	
" Cambayensis	Tortru fachta	
" Suratensis	Chitroka fachta	
" Risorius	Dhor fachta	1st February to 31st July.
" Senegalensis	Seroti fachta	
18. Other Birds which breed in these provinces		
19. Migratory marsh and water birds, such as duck, teal, snipe etc., which do not breed in these provinces, and visit them in the cold season only.		
20. Deer and Antelope		The whole year.
Does, hinds and fawns		
Immature stags		
Hornless stags		
Stags with horns in velvet		1st June to 31st October.
All stags		
21. Bison and Buffalo		The whole year.
Cows and calves		

Provided where much damage is done to crops by deer or antelope, licenses may be issued subject to no close season as far as these animals or any particular species of them are concerned.

The following orders relating to the working of the Indian Arms Act, 1878, are issued for the information and guidance of all Magistrates and Police Officers.

1. **Books and Inspections.** The pages of the Stock Account and sale books in Forms A and B, respectively, shall be numbered consecutively and the first and last page of each book shall be signed by the Deputy Commissioner, or by one of his Assistants, and sealed with his office seal.

The necessity for keeping up these Books regularly, and the penalties attaching to failure to do so, shall be carefully explained to the person so licensed at the time of their delivery.

II. The books, stock, and premises of licensed vendors shall be inspected—

(1) by the District Superintendent of Police once in each half-year,

(2) by the Deputy Commissioner or a selected Assistant Commissioner once in each year,

(3) by other Magistrates and by Inspectors of Police at such times as the Deputy Commissioner or the District Superintendent of Police shall direct.

Every officer making an inspection under this rule shall initial the Stock Account Book and the Sale Book, and shall report at once to the Deputy Commissioner any breach of rules or irregularity which may be discovered.

District officers shall submit to Commissioner's of Divisions a half yearly return on the 1st February and first August in each year showing the number of inspections made by them and by their subordinates during the preceding six months.

III. Confiscation of Arms etc. and Rewards. When any arms, ammunition, or military stores are deposited under section 14 or 16 of the Act at a Police Station, the officer in charge of each station shall give the depositor a receipt signed by himself.

If within 60 days from the date of deposit the owner fail to produce a license authorizing him to take possession of them, the arms, ammunition, and military stores shall be forwarded to the head-quarters of the district, where they shall be kept in such safe place as the Deputy Commissioner may direct. All arms, etc., deposited under section 14 or 16 will be at the owner's risk, and Government will not be liable for any injury they may receive.

IV. On the forfeiture, or confiscation of any such arms ammunition, or military stores, or of any arms, ammunition, or military stores, under section 24 of the Act, the Deputy Commissioner shall dispose of them as follows :—

1. Arms ammunition, and stores which can be utilized by the Police or any Department under Government, may be retained and brought into use with the sanction of the local Government. Arms, ammunition, and stores not so retained may be sold to licensed dealers or persons entitled to possess them.

2. Any rifled fire-arms or rifle barrels not so disposed of shall be sent to the nearest ordnance officer to be broken up. Other arms shall be broken up locally and the material sold.

3. Any ammunition or stores not disposed of under the provisions of clause 1 shall be destroyed.

V. On the **confiscation** of any animals or property, other than arms, ammunition, or stores under section 24 of the Act, the Deputy Commissioner shall cause them to be sold by auction in the same way as property sold in execution of a decree of a Civil Court.

VI. On the **confiscation** of any arms, ammunition, stores, animals, or other property, under section 24 of the Act, the convicting magistrate may award a sum not exceeding the estimated value of the property so confiscated to the person or persons who may have assisted in the discovery and seizure of the arms or other property or in the arrest of the offenders. Such payments may be drawn in contingent bill, and charged to "Law and Justice."

Where an appeal lies from the conviction, payment shall not be made until the period of the appeal shall have lapsed, or if an appeal has been laid, until the conviction shall have been confirmed.

VII. When any person is convicted of an offence under this Act, the convicting magistrate may award a sum not exceeding the amount of the fine imposed to any person or persons who may have assisted in the discovery and seizure of the arms or other property or in the arrest of the offenders.

VIII. Licenses, Registers and Returns. All licenses to be granted under the Arms Act will be in the cheque book form, except those given in Forms X, XI and XVI, which will be printed on linen-backed paper and supplied in loose sheets

FORM B.

Day Book of

, resident of

district.

Month.	Date.	Name of purchaser.	Name of father.	Caste.	Residence.			Article or articles purchased.	Price paid.
					Village.	Pargana.	District.		

FORM C.

Register of licenses to manufacture, convert, or sell, or to keep, offer, or expose for sale, arms, ammunition, or military stores in the district of _____.

1	2	3	4	5	6	7		Remarks.
Tahsil.	Num- ber.	Name of licensee.	Father's name, caste, etc.	Place of busi- ness.	Date.	Result of Inspection.		
						By Inspec- tor of Police.	By Magis- trate or Superin- tendent of Police.	
						Quarter.		

FORM F.

Parwana of exemption under Section 27 of the Indian Arms Act (XI of 1878).

To

This is to certify that, in accordance with Central Provinces Gazette Notification No. _____, dated the _____ 191____, you are exempted under Section 27 of the Indian Arms Act 1878, from the operation of all prohibitions and directions contained in Section 13, 14, 15 and 16 of that Act. But this exemption shall not be deemed to cover the following articles :—

- (a) Cannon.
- (b) Articles designed for torpedo service.
- (c) War rockets.
- (d) Rifles of .303 bore and .450 bore of the Martini Henry pattern imported into British India, subsequently to the 20th February 1901, without the special sanction of the Government of India, ball ammunition which can be fired from rifles of the bores and patterns aforesaid.
- (e) Machinery for the manufacture of arms and ammunition.

DATED _____ } Deputy Commissioner,
 The _____ day _____ 190____ } Seal. _____ District.

Section 19.

1. The following offences under the Arms Act are cognizable by the Police :—

- (a) manufacture, conversion or sale of arms in contravention of section 5 ;
- (b) failure to give notice as required by the same section ;
- (c) import or export of arms, ammunition or military stores in contravention of section 6 ;
- (d) transport of arms, ammunition or military stores in contravention of a regulation or prohibition issued under Section 10 ;
- (e) going armed in contravention of section 13 ;
- (f) being in possession of arms, ammunition, or military stores in contravention of Section 14 or section 15 ;
- (g) intentionally making a false entry in a record or account kept under a rule framed under section 17 (c) ;
- (h) failure to exhibit any article as required by a rule framed under section 17 (e) ;
- (i) failure to deposit arms, ammunition, or military stores as required by section 16.

NOTE.—Under Section 29 no proceedings may be instituted for an offence under Section 19 (f) without the previous sanction of the District Magistrate.

2. Police officers should note that the following arms have been exempted from the operation of the Act in these Provinces :—

- (a) Bows and arrows ;
- (b) Spears and hunting knives ;
- (c) complimentary or uniform swords and dirks ;

(d) toys and antiquarian relics, provided that they are practically useless for offensive or defensive purposes. Air-guns, except the B.S.A. Men's Model, are considered to be toys for the purposes of the Act. Vide also Schedule II [page 115.]

3. Any police officer may apprehend any person whom he finds carrying or conveying arms, ammunition or military stores, whether covered by a license or not, if he has reason to believe that they are intended to be used for an unlawful purpose.

Section 12.

4. A police officer may disarm any person whom he finds going armed without a license or in contravention of its provisions.

Section 13.

5. Any person who possesses arms, ammunition or military stores for which his license has expired or been cancelled must deposit them at once in the nearest police station. The

Section 14.

station-house officer must give him a receipt for them signed by himself.

6. Every person who possesses a license to manufacture, convert, keep or sell arms, ammunition, or military stores is bound to keep a stock account-book and a sale-book, and to exhibit them and his stock to any police officer not below the rank of Inspector. Any such officer is empowered to enter and inspect any premises within his jurisdiction in which arms, ammunition or sulphur are manufactured or kept, and to examine the stock and registers.

7. The books, stock and premises of licensed vendors have to be inspected

(a) by the District Superintendent—once in each half-year ;

(b) by Inspector of Police—at such times as the District Magistrate or the District Superintendent may direct.

8. Dealers in arms and ammunition are bound by section 22 [see page 56] to ascertain that the persons to whom they sell arms are legally authorized to possess them, and it is the duty of every inspecting officer to see that this obligation is strictly fulfilled. He should not content himself with checking the correctness of the accounts, but should see that the transactions are within the reasonable amount justified by legitimate business. Whenever there is any ground for suspicion, he should select a few sample cases and verify personally whether the sales made were covered by the license or exemption of the purchaser. Such enquiries should be made so as not to cause annoyance to bona fide purchasers.

9. Any person who holds, or acts under, a license granted under the Act is bound to produce the same when called upon to do so by an officer of or above the rank of Sub-Inspector. The law does not, however, require him to have his license always on his person, and he should always be given a reasonable opportunity to fetch it. Vide note (3) to section 19 [page 50.]

10. The Chief Commissioner has declared, under Sections 25 and 30 of the Act, [page 57 and 59] that no police officer below the rank of Sub-Inspector shall conduct searches under those Sections.

11. The discretion vested in police officers under the Act must be carefully and judiciously exercised, and the letter of the law should not be enforced at the expense of the spirit. The mere temporary possession, without a license, of arms for purposes other than their use as such should not be treated as offence. Nor have the police any power to confiscate arms or ammunition. Confiscation can only be ordered by a convicting magistrate under section 24, and if no such order is obtained the arms or ammunition must be restored without delay to the person from whose possession they were taken.

Appendix.—EXTRACT FROM THE INDIAN TARIFF ACT, VIII OF 1894,
AND RULES AND ORDERS RELATING TO THE REFUND OF
DUTY ON ARMS, AMMUNITION AND MILITARY STORES.

SCHEDULE II.—(IMPORT TARIFF).

Arms, Ammunition and Military Stores.—including also any articles, other than those included in Nos. 1 to 12 of this Schedule, which are “arms” within the meaning of the Indian Arms Act, and any articles which the Governor General in Council may, by notification in the *Gazette of India*, declare to be “ammunition” or “military stores” for the purposes of this Act.

Name of articles.	Duty.	
	Rs.	A.
1. Firearms other than pistols, including gas and air-guns and rifles, for each	50	0
2. Barrels for the same, whether single or double, for each ...	30	0
3. Pistols, for each	15	0
4. Barrels for the same, whether single or double, for each ...	10	0
5. Springs used for firearms, including gas and air guns and rifles, for each	8	0
6. Gunstocks, sights, blocks, and rollers, for each ..	5	0
7. Revolver-breeches, for each cartridge they will carry ...	2	8
8. Extractors, nippers, heel-plates, pins, screws, tangs, bolts, thumb-pieces, triggers, trigger-guards, hammers, pistons, plates and all other parts of a fire-arm (including a gas and air-gun or rifle) not herein otherwise provided for, and all tools used for cleaning or putting together or loading the same, for each ...	1	8
9. Machines for making, loading, or closing cartridge for each	10	0
10. Machines for capping cartridges, for each	2	8

Exception I.—Articles falling under the 5th, 6th, 8th, 9th or 10th head of the foregoing list, when they appertain to a firearm falling under the 1st or 3rd head, and are fitted into the same case with such firearm, are free.

Exception II.—The following are also free, namely :—

(a) Arms forming part of the regular equipment of an officer entitled to wear diplomatic, military, naval, or police uniform ;

(b) a sword, a revolver, or a pair of pistols, when accompanying an officer of Her Majesty's Regular Forces, or a commissioned officer of a volunteer corps, or certified by the commandant of the corps to which such officer belongs, or in the case of an officer not attached to any corps, by the officer commanding the station or district in which such officer is serving to be imported by the officer for the purposes of his equipment ;

(c) swords and revolvers which are certified by an Inspector-General of Police to be part of the ordinary equipment of members of the Police force under his charge ;

(d) swords forming part of the equipment of native commissioned officers of Her Majesty's Army ;

(e) swords for presentation as army or volunteer prizes ;

(f) arms, ammunition, and military stores imported with the sanction of the Government of India for the use of any portion of the military forces of a Native State in India which may be maintained and organized for Imperial Service ;

(g) Morris tubes and patent ammunition when imported by officers commanding British and Native regiments or volunteer corps, for the instruction of their men.

Proviso 1.—No duty in excess of ten per cent. *ad valorem* shall be levied upon any of the articles numbered 1 to 10 in the foregoing list when they are imported in reasonable quantity, for his own private use, by any person lawfully entitled to possess the same.

Proviso. 2.—When any articles which have been otherwise imported, and upon which duty has been levied or is leviable under number 1 to 10 or purchased retail from the importer by a person lawfully entitled as aforesaid, in reasonable quantity for his own private use, the importer may apply to the Customs-Collector for a refund or remission (as the case may be) of so much of the duty thereon as is in excess of ten per cent. *ad valorem* ; and if such Collector is satisfied as to the identity of the articles, and that such importer is in other respects entitled to such refund or remission, he shall grant the same accordingly.

	Tariff valuation.	Rate of duty.
	Rs. A.	
11. Gunpowder, all sorts	<i>ad valorem</i>	} 10 per cent.
12. All other sorts of arms, ammunition and military stores. ....	...

I. 2. It has been already decided by the Government of India that in the provisos to section 8 of the Arms Act, the word "lawfully entitled to possess" and "lawfully entitled as aforesaid" apply to persons licensed according to law to possess arms as well as to persons exempted from the operation of section 13 and 14 of the Act. Application for a remission or refund of duty under section 8 of the Act may, therefore, be made by three classes of persons viz :—

(1) persons exempted from the operation of those provisions of the law which require a license for the possession of arms,

(2) persons licensed according to law to possess arms, and

(3) importers, who have sold arms retail in reasonable quantities for their own private use to persons belonging to either of the above classes.

The provisions of section 8 of the Act limit the remission or refund of duty to the case of articles imported or purchased in reasonable quantity, for his own private use by the importer or purchaser, but the Act does not define what is to be deemed a "reasonable quantity," and the question thus arises whether it is permissible to the Customs authorities to require the applicant to show that the arms imported or purchased on any particular occasion do not, when added to those which he may already possess, exceed what may be considered to be a reasonable quantity. On this point the Governor-General in Council concurs with the Legal Remembrancer and with the Punjab Government in the view that a remission or refund of duty must, under the terms of the law, be allowed on each particular importation or purchase, which is not in excess of a reasonable quantity, for the applicant's private use, irrespective of the quantity of arms which may already be in his possession.

3. Applying the above interpretation of law to the points now referred for the orders of the Government of India, it appears to the Governor-General in Council that a remission or refund of duty if asked for under section 8 of the Act by an exempted person should, as a rule, be granted without question by the Customs authorities. In such cases the presumption would ordinarily be that the transaction is a *bona fide* one; but if the amount of the consignment in any particular instance, or the circumstances of the case generally, should be such as to render it doubtful whether the articles are imported in reasonable quantity for the private use of the applicant, the Collector of Customs or other officer empowered by the Local Government in that behalf should under section 6 of the Act, detain the arms or ammunition until he received the orders of the local Government thereon. A similar procedure should be adopted in the case of applications made by persons who belong to either of the two other classes described in the preceding paragraph. As regards persons licensed to possess arms, the Customs authorities should further verify the fact that the arms imported or purchased correspond with the amount entered in the license, and should endorse on the license the amount of the consignment on account of which a remission or refund of duty is granted, referring doubtful cases for orders of the local Government under section 6 of the Act. A register might also with advantage be kept up by the Customs authorities, showing the amount and nature of each consignment in respect of which and the name of the person to whom or on whose behalf a remission or refund of duty may from time to time be allowed.

4. It formed no part of the object of the Arms Act to place obstacles in way of the *bona fide* importation of arms etc, for legitimate purposes by persons lawfully entitled to possess the same; and if the above precautions are observed it appears to the Government of India that sufficient provision will be made against the importation of arms, &c., in excessive quantities.

(Home Dept. letter No. 61—1881-85, dated the 18th November 1881).

II. I am to state that the Governor-General in Council sanctions, in the particular case quoted in your letter, a refund of the difference between the specific and the *ad valorem* duty paid by the importer. I am, however, to observe that His Highness the Amir of Afghanistan is not "a person lawfully entitled to possess for his own private use" within the meaning of the law, the wording of which refers to possession in British India by a person in British India; and I am to add that, in future, when it may be considered politic or desirable in any particular case to allow a refund to a foreign ruler, a specific reference should be made to the Government of India in the Foreign Department.

(Fin. Dept. letter No. 469, dated the 26th April 1884).

III. 2. The G. G. in C. has been led by the case to consider the effect of the orders now in force on the subject of refunds on arms purchased by residents in Native States, and in foreign territory lying beyond the frontier.

3. By the letter from this Department, No. 469, dated the 26th April 1884, it was held that a foreign ruler, like the Amir of Afghanistan, is not a person "lawfully entitled to possess arms for his own private use," within the meaning of the law which refers to possession in British India; and therefore the proviso in the Tariff Act, under which the difference between the specific and *ad valorem* duty may be refunded, was not applicable to the case of persons who, residing out of British India, purchase arms for their personal use from an importer or seller in British India. It was decided that when it

might be considered politic or desirable in any particular case to allow a refund to a foreign ruler, a specific reference should be made to the Government of India in the Foreign Department.

4. By the letter from this Department, No. 191-S. dated the 26th November 1884, it was ruled that the proviso of the Tariff Act, permitting a refund, might be applied to persons residing in Native States (in India) who would be entitled under the Arms Act to possess arms if residing in British India, and that they might accordingly be allowed a refund, although they were residing in Native States. It was decided that the concession should be given under the conditions specified in circular from the Foreign Department of the 22nd March 1884, No. 1051-I and that it should not include arms required for military purposes. This ruling was confirmed in the letter from this Department, No. 15 S. dated the 10th January 1885, which prescribed that the refunds given under it should be allowed after reference in the case of Feudatory States of Nepal, to the Political authorities of the State concerned, and, in the case of Foreign States other than Nepal, to the Government of India in the Foreign Department.

5. The refund of duty on revolvers does not appear to come within the intention of the rulings mentioned, which was that the refund should be allowed only on arms for sporting purposes, arms for military purposes being excluded; and revolvers for policemen should properly be regarded as military weapons.

6. Apart from this case, however the G. G. in C. has come to the conclusion that the rulings of November 1884 and January 1885, mentioned in paragraph 4 of this letter, should be rescinded; and I am to request that they may be regarded as cancelled. The principle of the ruling of the 26th April 1884, No. 469, referred to in paragraph 3, must be held to apply to all cases of arms purchased for the private use of persons residing in Native States as well as in States beyond the Indian frontier. The procedure prescribed in that ruling should be applied in future to all such cases, no certificate being granted by Political authorities except in cases where, as a matter of courtesy, if it is considered expedient to allow a refund on arms (other than military arms) purchased for his own private use by the Chief or any notable of the State.

(F. & C. and Dept. letter No. 4106, dated the 26th July 1888).

IV. In continuation of the letter from this Department No. 4106 dated the 26th July 1st, regarding the refund of the difference between the specific and *ad valorem* duty on arms purchased for the private use of persons residing in Native States, I am directed to state that the orders therein contained do not apply to the case of European British subjects residing in Native States, and who are lawfully entitled under the Arms Act to possess arms if residing in British India. They should be allowed a refund of duty on a certificate from Political Officers as heretofore.

(Fin. Dept. letter No. 53 S., dated the 15th February 1889).

V. I am directed to acknowledge the receipt of your letter No. 3702 of 20th May last, enquiring whether it is intended that concession granted in the letter from this Department No. 53 S., dated 15th of February 1889 regarding the refund of the difference between the specific and *ad valorem* duty on arms purchased for the private use of European British subjects residing in Native

States, should apply to Eurasians or other classes referred to in clause (5) of para. I of the Home Department notification of 6th March 1879 [clause (13) of Schedule I, page 93.]

2. I am to say, in reply, that it is not desirable to make any difference in this respect between European British subjects and those classes who are in other respects treated in the same way under the Arms Act rules, and that the concession applies to all Europeans, Eurasians, Armenians, &c., who are natural born subjects of Her Majesty.

(Finance Dept. letter No. 3547, dated the 8th July 1889).

VI. 2. The refunds were granted by the Collector of Sea Customs, Madras, on the authority of the Political Officer of the Sandur States; but the Government of Madras are of opinion that in the case of Native Chiefs and notables of Native States, the sanction of the Government of India is necessary before a Political Officer can grant a certificate, and that, as such sanction was not obtained in the case referred to the refund was irregularly made.

3. Though the orders as framed permit the interpretation of them which has been adopted by the Government of Madras, paragraph 6 of the letter from this Department No. 4106 of the 26th July 1888 was intended to continue the grant of certificates by the Political Officers without reference to the Government of India in cases where, as a matter of courtesy, it is considered expedient to allow a refund on arms (other than military arms) purchased for his own private use by the chief or any notable of a State. This has generally been understood by the Political Officers, who have acted on this interpretation of the orders since their issue. The certificate granted in the case under reference may be held to have been properly granted by the Political Officer.

(F. Dept. letter No. 2074 S. R. dated the 15th May 1893).

VII. In exercise of the powers conferred by section 23 of the Sea Customs Act (VIII of 1878) the G. G. in C. is pleased to exempt from customs duty all guns brought into British India from French Settlements of Pondichery, Karikal or Mahe by residents of any of those settlements being Europeans:—

Provided that the guns are covered by a pass issued under the authority of the Settlement from which they are brought, and countersigned by a British Magistrate, certifying that the holders are entitled to carry the guns for sporting purposes.

Home Department Notification No. 2457, dated the 15th Dec. 1879 hereby cancelled.

(F and C. Dept. Notification No. 200, S. dated the 12th May 1893).

VIII. I am directed to acknowledge the receipt of the proceedings forwarded with your letter No. 626, dated the 14th October, and to say that the Government of India agree with the Government of Madras that a refund should be made of the difference between the specific and *ad valorem* duty on arms purchased by European British subjects residing in Native States from an importer or seller also residing in a Native State.

(Finance and Commerce Dept. No. 102 S, dated the 27th March 1894).

IX. 2. I am to observe that under the schedule, as amended on the 27th December last by Act XVI of 1894,

first, every article that is ordinarily known as "ammunition" or "military stores" will be assessed as such, unless it is specifically mentioned in another schedule of the act, and

secondly, such other articles (if any) as the Governor-General in Council may declare to be "ammunition" or "military stores" for tariff purposes.

3. Applying these principles to the specific instances mentioned in your letter it will be evident :—

- (1) that gun-wads, wire cartridges, and bullets being ordinarily known as “ammunition” are chargeable with duty under schedule II of the Tariff Act ; while
- (2) sulphur, lead and birdshot, being specifically mentioned in schedule IV and not having been declared to be “ammunition” or “military stores” for the purposes of the Tariff Amendment Act, are chargeable with duty at five per cent, under the appropriate heads of schedule IV.

(Fin. Dept. letter No. 372 S. R. of the 23rd January 1895.)

X. “Daisy” Air rifles should be classed as toys for the purposes of Tariff Act, and assessed to duty under No. 110 of Schedule IX of the Act.

F. and C. Dept. No. 299 S. R. of the 22nd January, 1896.

XI. “Quackenbush” and “Gem” air-guns, which are not adapted for use with explosive substances should be classed as toys and assessed to duty at 5 per cent, *ad valorem* under No. 110 of Schedule IV of the Tariff Act.

(Fin. Dept. No. 4403 S. R. dated the 8th October 1898.)

XII. There are no papers on the subject of which copies can be given, but existing orders may be summarised as follows :—The provisos to Schedule II of the Indian Tariff Act, 1894 (VIII of 1894), provide for a refund or remission, as the case may be of the differential duty on arms imported, or purchased retail from the importer, in reasonable quantities for his own private use “by any person lawfully entitled to possess the same.” The latter term includes persons licensed according to the law to possess arms in British India, and persons residing in British India, who are exempted from the operation of the prohibitions and directions contained in sections 13-16 of the Indian Arms Act, 1878 (XI of 1878). The same concession is extended, on the production of a certificate from the Resident at Hyderabad or other Political Officer concerned, to (a) natural born or naturalized subjects of His Majesty of the classes specified in paragraph I clause (5) of the notification of the Government of India in the Home Department, No. 518, dated the 6th March 1879, when residing in Native States, (b) officers of Government in the Hyderabad Assigned Districts of the classes specified in paragraph I of the same Notification, and (c) Native Officers of Government lent to Native States who are lawfully entitled to possess arms, if residing in British India. Political Officers are further authorised to grant such certificates in cases where, as a matter of courtsey, it is expedient to allow a refund of duty on arms (other than military arms) purchased for his own private use by the Chief or the notable of a Native State.

(For. Dept. letter No. 2965-I-A dated the 2nd November 1898).

XIII I am directed to refer to the correspondence ending with your letter No. 607-2-A-24 dated the 19th September 1898 regarding the proposal submitted by the Government of Bengal to amend proviso 2 to schedule II of the Indian Tariff Act VIII of 1894, as to allow of a refund or remission of so much of the customs duty as is in excess of 10 per cent of *ad valorem* being made to an importer in respect of arms purchased either

from him direct or through an intervening licensed vendor, by a person lawfully entitled to possess arms, in reasonable quantity, for his own private use provided that the Collector of Customs is satisfied as to the identity of the articles entitled to such refund.

2. The Governor-General in Council having considered the opinions expressed by all local Governments and Administrations, agrees with the majority of them that the law should not be amended in the direction indicated by the Government of Bengal.

3. It has been brought to notice in the course of the inquiry that the order of the Government of India in the Financial Dept., No. 102 S., dated the 27th March 1894, when applied to the provision for refund or remission to the case of arms purchased by European British subjects residing in Native States, exceeds in its terms the concession granted by the law. The proviso referred to above permits of a refund to an importer only, while the letter of the 27th March 1894, authorises a refund to an importer or seller. There was no intention of giving a greater concession in these matters than was prescribed in the proviso to the Tariff Schedule, and I am to request that the words "or seller" in the order of the Financial Department may be struck out.

(Home Dept. letter No. 416-25, dated the 30th June 1899.)

XIV. In supersession of the orders on this subject contained in the Fin. and Com. Dept. No. 53. S dated the 15th Feb. 1889, 2. For. Dept. No. 2965 I. A. dated the 2nd Nov. 1898. marginally cited letters, I am to say that in case of a European British subject residing in a Native State, when there is no doubt as to the identity of the purchaser, a refund may be allowed without reference to the political authorities. In all other cases, however, where a refund is claimed upon arms purchased by a person residing in a Native State, who is either not a European British subject, or of whose identity there is any reason to doubt, a reference should be made, as heretofore, to the Political authorities concerned, before the refund is sanctioned. These orders, I am to explain, must be regarded as applicable to all Native States, including the Hyderabad Assigned Districts.

(Finance and Commerce Dept. letter No. 5720 S. R. dated the 23rd November 1901).

XV. I am directed to acknowledge the receipt of your letter * * * in regard to an application * * * for a refund of a portion of the Customs duty levied on a consignment of blasting pellets imported. It appears from the correspondence forwarded with your letter that the Collector of Customs, Calcutta assessed these pellets to duty at ten per cent. *ad valorem* under Article 11, Schedule 11, of the Indian Tariff Act, 1894, in accordance with the orders contained in the Finance and Commerce Department letter No. 1866, dated the 12th April 1894, in which it was ruled that blasting powder should be classified under common powder for fiscal purposes. The Company, on the other hand, represent that, as these pellets were intended for purely blasting purposes, they should be treated as "Explosives" and assessed to duty at five per cent. *ad valorem* under Article 10 of Schedule IV.

2. In reply, I am to say that it has been ascertained that at Bombay blasting powder is classed as "Gunpowder" or "Explosives" according as it can or cannot be used as ammunition. In order to distinguish between powder for blasting purposes and powder which can be used as ammunition samples of importations of powder are examined by the Appraisers by whom ammunition and explosives are usually passed, who are able, with the help of the invoices,

to decide the nature of the powder for Tariff purposes. As the classes of importers of the two articles are believed to be different, it is considered that there is not much risk of fraud in this procedure, specially as in the case of any doubt the powder will be placed in the higher class. The Government of India are of opinion that the practice obtaining in Bombay is correct.

(C. and I. Dept. No. 2907-149 dated the 5th April 1907.)

XVI. All Military officers whether in military or civil employ in India should be held to be "officers of His Majesty's regular Forces" until they retire from the service, and to be entitled as such to the exemption accorded by Exception II, Schedule II of the Indian Tariff Act, 1894.

(C. and I. Dept. letter No. 858-85122-24 dated the 15th Sep. 1908.)

XVII 2. For the purpose of the refunds of the difference between the specific and the *ad valorem* there is no reason to differentiate between the case of a European British subject residing in a Native State, and that of one residing in a Foreign settlement in India. They have therefore no objection to the grant of refund of differential duty on arms imported or purchased by European British subjects resident in foreign settlements, provided that the Collector of Customs is satisfied in each case that the arm imported or purchased are in reasonable quantity and for the personal use of the importer or the purchaser.

(C. and I. Dept. letter No. 10386-11 dated the 18th Nov. 1908).

XVIII 2. Application for the refund of differential duty on arms (other than military arms) may in future be finally dealt with by the Collector of Customs at the port of importation subject to the condition stated below, *viz.*—

(a) In the case of arms purchased by or on behalf of Native Chiefs and other non-British subjects residing out of British India, a refund of differential duty may be granted, provided (i) the application for the refund claimed is accompanied by a courtesy certificate granted by the Political Officer or other local authority concerned, according as the refund is recommended on political or other grounds; (ii) the arms purchased are in reasonable quantity; and (iii) the arms are for the personal use of the purchaser or the individual for whom the purchase is made.

(b) Refunds of differential duty may also be granted on arms purchased by or on behalf of natural-born or naturalized subjects of His Majesty resident in Native States, Foreign Settlements, tribal or administered areas and States, bordering on the Indian frontier, who would, in British India, be lawfully entitled to possess arms, provided always that the arms are intended for the personal use of the purchaser or of another British subject who, in British India, would be lawfully entitled to possess arms. If the purchaser or the person for whom the purchase is made is a European and no doubt exists as to his identity, no courtesy certificate is required. In all other cases, *i.e.*, those where the purchaser or the person for whom the purchase is made is either a European whose identity is at all doubtful, or a non-European, a reference should be made to, and no refund granted except on the recommendation of, the local political authority.

(c) All cases which do not fall within the scope of the instructions in (a) and (b) above, but in which the grant of a refund of differential duty is recommended for any special reasons, should be submitted for the orders of the

Government of India in this Department through the Local Government or Local administration concerned.

3. As regards the courtesy certificate referred to in paragraph 2 (a) and (b) above, I am to request that it may be enjoined upon all officers to whom application for such certificates may be made, that care should be taken not to grant certificates except in cases which are covered by the above orders. The ground on which a refund is recommended (*i.e.*, either that the purchaser of the arms is a British subject who would be entitled to possess the arms in British India, or that he is a Native Chief or notable to whom it is desirable that the concession should be made as a matter of courtesy) should be entered in the certificate, and the certificate should also indicate whether the weapons specified in it are for the personal use of the purchaser or for other purpose.

4. The foregoing instructions should be regarded as superseding all previous orders which have been issued from time to time on the subject by the Government of India.

C. and I. Dept. No. 2609—2613-5, dated the 7th April 1910.

XIX. All articles of the foreign *parcel* mail imported into India on and after the 1st February 1911 and declared or suspected to contain arms or ammunition shall continue to be scrutinized by the Customs authorities. Such articles as are found to have been imported in contravention of the terms of the notification of the Government of India in the Finance and Commerce Department, No. 2251, dated the 16th August 1879, should be detained by the Customs authorities and dealt with in accordance with the provisions of section 167 (8) of the Sea Customs Act, 1878, (VIII of 1878), any arms that are confiscated under this section being disposed of in accordance with the rules in force for the disposal of confiscated weapons. Parcels which on scrutiny by the Customs authorities are passed by them should be handed over to the post office for delivery to the consignees.

3. On and after the 1st February next, inward foreign articles of the *letter* mail found to contain arms and ammunition will be forwarded by the post office of delivery to the chief port of the presidency or province nearest to that office to be there made over to the Customs authorities. The latter should then deal with them in the manner above prescribed for the treatment of parcels.

4. The foregoing instructions should not be regarded as restricting in any degree the discretionary powers exercised by the Customs authorities under the existing provisions of the law.

C. and I. Dept. No. 523-527-17 dated the 24th Jany. 1911.

XX. The Governor-General in Council is pleased to exempt all articles, other than those specified in the list hereto annexed, liable to duty under head 5, 6, 8, 9 or 10, as the case may be, of the Second Schedule to the Indian Tariff Act, 1894 (VIII of 1894), as amended by the Indian Tariff Act, 1894, Amendment Act, 1896 (III of 1896), from so much of the duty leviable thereunder on importation into British India as is in excess of a duty of 10 per cent *ad valorem* :—

List above referred to.

Main springs and Magazine springs.

Gun-stocks and Breech blocks.

Actions (including skeleton and waster).

Breech bolts and their heads.

Cocking pieces.

Locks (for Muzzle-loading arms).

Machines for making, loading, closing or capping cartridges for rifled arms.

C. and L. Dept. No. 3798—90, dated the 27th May 1911.

XXI. Extracts from the Rules and Notifications under the Sea Customs Act, 1878.—

Bombay.

1. See Note (1) to Section 6 of the Act on [page 44.]

2. Hunting Knives are liable to import duty under the head "All other sorts arms, ammunition and military stores."

3. See para. VIII above.

4. See para. IX above.

5. Application for drawback shall be made in the appended form (not printed) of shipping bill printed in black on ruled paper of a quality approved of by the Collector; it must be accompanied by a duplicate copy in blue ink if the goods are to be water-borne for shipment, and by a third copy printed in violet ink.

6. If the goods on which drawback is claimed are arms or ammunition, the duplicate copy of the shipping bill shall be first presented to the Collector along with an export license, if one is required under the Arms Act, and his order permitting export obtained thereon.

7. All arms and ammunition * * * owned or possessed by any of the ship's officers or crew shall be separately entered in the Inward or Outward Manifests.

8. The attention of importers is drawn to the alternative declaration at the foot of the Bill of Entry, which is to be used when they have not sufficient information of the contents and value of goods to enter these details.

9. It must also contain the following particulars, in addition to those required to be given by section 29, for the following articles, namely:—

(1)* Arms or ammunition or explosives, their number, amount and description, and the number and date of the police license where one is required by provisions of the Arms Act or Explosive Act, together with the following particulars in the case of fire-arms, including gas and air guns and rifles, whether intended for sale or for the personal use of the importer, namely:

* In supersession of this office Notification No. 6099, dated 15th December 1894, it is hereby certified for general information that no claim for exemption from duty on fire-arms, made on the grounds that the arms are re-imported and that duty has been paid on them on their first importation will be allowed in respect of arms exported after the date of this notification, unless:

(1) in every case the original receipt for the duty paid is forwarded to the Customs House either at the time of exportation or at the time of re-importation, and

(2) in the case of arms exported as baggage, particulars of the arms as to description and the name of maker and number on the arms have been forwarded to the Customs House at the port of embarkation for registration and a pass obtained before shipment, and the pass is produced at the time of re-importation for the purpose of checking the arms with the pass, and

(3) in the case of arms exported as cargo, particulars of the arms as above have been given in the shipping bill and information as to date and vessel by which exported is furnished at the time of re-importation to allow of the information being checked by a reference to the shipping bill; or, if the port of re-importation is not the original port of exportation a certificate is produced from the Customs Authorities at the port of exportation certifying to the correctness of such information.

Exemption from duty cannot be allowed in any case where—

- (1) drawback has been claimed and paid on the exportation of the arms; or where
- (2) the arms have passed out of the possession of the original importer or a member of his family; or where
- (3) the arms are imported as merchandise for sale and not private personal use; or where
- (4) the arms were exported more than three years before their re-importation.

(Commr.'s Notn. 5360 of 29-10-95.)

(a). in the case of smooth-bore guns.

- (1) single or double-barrelled.
- (2) muzzle or breechloading.
- (3) pin or central fire.
- (4) with hammer or hammerless,
- (5) size of the bore,
- (6) number and maker's name on the gun,
- (7) whether taking Government ammunition or not;

(b). in the case of rifles and carbines (1) to (7) as above, and

- (8) magazine or repeating (if either),
- (9) Snider-Enfield, Martini-Henry, Lee-Metford, Winchester, ordinary Express, Rabbit, Rook, or other pattern,
- (10) number of yards up to which sighted,
- (11) if fitted for a bayonet;

(c). in the case of Revolvers—

- (1) number of chambers;
- (2) description or pattern of revolvers;
- (3) number and maker's name on revolvers;

(d). in the case of Pistols, same as (c) (2) and (3).

10. * * * and in the case of arms or ammunition, the number and date of the Police license shall be noted, and the Collector's permission to let export obtained thereon.

11. All the headings and columns must be filled up, and all the copies must be signed by the shipper or his agent and must be countersigned by the person presenting it and if he is a licensed Custom House agent, endorsed with the number of his license.

12. It must also contain for—

(1) arms and ammunition, the number and date of the license if one is required under the Arms Act and the Collector's order to permit export;

* * * * *

13. Warehouse rent will be charged according to the following scale on unclaimed and other goods deposited in the King's Warehouse:

Amended scale of rent charges on unclaimed and other goods deposited in the King's Warehouse.

No.	Description of Goods.	Rate per week.			Per.
		Rs.	A.	P.	
1	Arms and Ammunition—				
	Gun	0	2	0	Each.
	Revolvers and Pistols	0	1	0	do.
	Swords, Bayonets, Spears, etc,	0	1	0	do.
	Gun-powder and cartridges	1	to 4	0	Case.
§					
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14. The Governor General in Council is pleased to exempt from the import duty leviable thereon under Schedules II, III and IV of the Indian Tariff Act, 1894 (VIII of 1894), and amended by the Indian Tariff Act, (1894) Amendment Act, 1896 (III of 1896), the articles mentioned in the following list, when imported direct by an officer of His Majesty's regular forces serving in India for his own use; provided that under the regulations and orders for the time being in force the officer is required to maintain the articles in question for the due performance of his military duty:—

List of Articles.

Rifles of regulation military pattern, and parts and appurtenances thereof.

Ammunition for ditto.

15. (1) The Governor General is pleased to exempt from the import duty leviable thereon under Schedules II and IV of the Indian Tariff Act, (1894) Amendment Act, 1896 (III of 1896), the following articles, when imported direct by any unit of His Majesty's regular forces serving in India for the use of such unit:—

Arms (including rifles, guns, and pistols, lances, lanceheads, swords) and parts and appurtenances thereof.

Ammunition.

(Govt. of India Notification No. S. R.-582, dated the 26th January 1904.)

16. In exercise of the power conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to extend to units of the Imperial Service Troops the concession granted in the notification of the Government of India in the Finance and Commerce Department, No. 582-S. R., dated the 26th January 1904, to units of His Majesty's regular forces serving in India, under which certain specified articles imported for the use of such units are exempted from the customs duty leviable thereon under the Indian Tariff Act, 1894 (VIII of 1894); provided that the articles imported are covered by a certificate from the Inspecting Officer of the Imperial Service Troops concerned to the effect that they are necessary for such troops and will be used solely for military purposes.

(Govt. of India Notification No. 6311-85, dated 25th August 1909; B. G. Notification No. 8536 of 31st August 1909).

17. Any article of *Foreign production*, on which import duty has been once paid, if subsequently exported it shall, *on re-import*, be exempt from duty on the following conditions:—

The Collector of Customs must be satisfied—

- (1) of the identity of the articles;
- (2) that no drawback of duty was paid on its export;
- (3) that the ownership has not changed (extended to the family of the original importer);
- (4) that it is private personal property re-imported for personal use, *not merchandise for sale*;
- (5) that not more than 3 years have passed since it was re-exported.

(S. O. No. 1650 of 2nd October 1879).

18. Rules for the exemption of passengers' baggage from Customs duty.

(1). The *bona fide* baggage of a passenger is exempt from duty when it accompanies him, does not form part of the cargo and is not included in the manifest.

(2). *Bona fide* baggage shall include wearing apparel and personal effects provided that the articles are not for sale and are imported for the personal use of the passenger or for the use of members of his family travelling with him; but it shall not include the following articles on which duty must be paid in all cases:

(a) Arms, ammunition and all other articles enumerated in Schedule II of the Tariff Import Schedule.

* * * * *

Government of India No. 6095-6099-68, dated the 3rd August 1906.

Appendix III.—RULES AND ORDERS REGARDING THE GRANT OF SHOOTING PASSES.

In the Resolution read in the preamble, [No. 1755-70 dated the 24th September 1879] Local Governments and Administrations were requested to instruct district officers to take every opportunity of warning Englishmen and others against entering on standing crops for sporting purposes unless they first obtained the permission of the owners to do so. The Government of India have recently had brought to their notice a case in which a European, while out shooting, caused the death of two natives—in an affray arising out of the fact that he shot peafowl in the vicinity of a village. The rules issued by the Military authorities for regulating the grant of shooting passes to British soldiers provide all the safeguards that are practicable to prevent affrays between soldiers and villagers; but there are at present no orders ensuring that such warnings shall be given as may, so far as is possible, duly direct and regulate the conduct of sportsmen other than soldiers. The Governor-General in Council accordingly desires that instructions should be issued by Local Governments and Administrations to district officers to warn sportsmen, whether Europeans or others (1) against trespassing on standing crops without the consent of the owners (2) against shooting peafowl, or other birds or animals which are looked upon as sacred, in the vicinity of villages or habitations (3) against shooting domestic animals, such as dogs or pigs and (4) generally against shooting in the immediate vicinity of villages, temples and mosques.

Home Department Resolution. No. 1458-84 dated the 27th September 1895.

I AM directed to forward a copy of the revised rules for the grant, of shooting passes to British soldiers in India which have been approved by the Governor-General in Council and published in the *Gazette of India* of the 27th October 1900 and to request that the special attention of the local civil officers concerned in the administration of the rules may be drawn to them.

2. These rules are drawn up chiefly for the guidance of the Military authorities, but their successful working cannot be insured without the co-operation of the civil officers. The Governor-General in Council therefore considers it necessary that the duties of the latter class of officers respecting this matter should be clearly laid down.

3. In rule 13 of the revised rules it has been provided that the Commanding Officer of a Regiment or Detachment is at once to send to the District Magistrate the substance of any report (together with a copy of the complaint, if any) that may be made by the member of a shooting party who is in charge of the party, on their return to quarters, respecting any breach of the rules, any affray with natives, or any mishap which may have occurred during the absence of the party. The Government of India consider it necessary that the District Officer also should communicate to the Commanding Officer immediate information of any breach of the rules by men under his command that may be reported to the Civil authorities. Cases have come to the notice of the Governor-General in Council in which the Civil authorities have omitted to make a report upon such occurrences to the Officer Commanding the Regiment, who remained in ignorance of the affair until a report was called for from Army Head-Quarters, or by the Government of India, or until the police inquiry had been completed. I am to request that, to enable the Commanding Officer of a Regiment or Detachment to take suitable notice of any infringement of the shooting pass rules, orders may be issued which will insure due information being communicated by the District Officer to the local Military authorities in cases which may come to his notice.

4. Rules 30 of the revised rules lays down that Officers Commanding Stations and Officers Commanding Troops about to march will communicate with the Civil District Officer in order to ascertain (a) in what localities shooting ought to be forbidden, and (b) what animals or birds are regarded by the inhabitants as sacred or are protected by rules relating to the establishment of a close season. There is, however, more continuity in the Civil District Offices, where the establishments, if not the officers, are to a great extent permanent, than in Military Cantonments. With a view, therefore, to guarding against the provisions of the rule being overlooked. I am to request that instructions may be issued to Commissioners and District Officers to the effect that, on the arrival of a corps or detachment in a civil district, the District Officer shall at once certify to the Officer Commanding the corps or detachment what localities, animals and birds are forbidden for shooting purposes, either absolutely on account of the prejudices of the inhabitants, or for parts of the year in accordance with rules for close seasons. In defining tracts of country where shooting is to be allowed, the local officers should be directed to bear in mind the orders contained in Home Department Circular letter No. 1012³⁰ 1028 dated the 31st July 1883, and to take care that no tracts are included where owing to the religious prejudices of the people, the agricultural circumstances of the district, or other sufficient causes, there would be risk of danger if free permission to shoot were accorded.

5. In the circular of the 31st July 1883 referred to above, and in that No. 13-1230-1239, dated the 31st July 1891, of 1891 marginally noted, Local Governments and Administrations were requested to instruct the District authorities to cause the shooting pass, rules to be explained to villagers in the neighbourhood of cantonments, and to warn such villagers against interfering with soldiers out shooting and using violence to them, and also against taking the law into their own hands in cases in which soldiers infringe the rules. The Governor-General in Council now directs that the substance of the revised rules, so far as they affect the villagers should be periodically notified in simple language in the villages and tracts where soldiers are in the habit of shooting and that District Officers should impress upon landlords, headmen and village police that they are expected to give their assistance in avoiding disputes with soldiers out shooting. The headmen and village police must see that soldiers conducting themselves properly are not molested, and that any complaints of misconduct are reported to the proper authorities. In cases in which notice of the probable advent of a shooting party has been sent to the District Officer under rule 31 of the revised rules, he should with as little delay as possible, send intimation to the headmen and village police (so far as this can be done) stating that a shooting pass has been issued and that they are to see that quarrels are avoided. Villagers should on no account take the law into their own hands, but should lodge any complaint they have to make in a legal manner.

6. In the circular from this Department, No. ~~2345~~⁶⁰-2355, dated the 14th October 1887, the importance of conducting prompt investigation into cases of affrays between European soldiers and native villagers was inculcated; and it was desired that, on the occurrence of a serious affray, the District Magistrate should invariably either himself proceed to the place or at once depute an European Magistrate or the District Superintendent of Police in order to investigate the matter on the spot at the earliest possible time after the occurrence. I am now to request that instructions may be issued that the investigation of a case between natives and soldiers arising out of a shooting dispute should, whenever possible, be entrusted to an English Magistrate or Police Officer not lower in rank than Assistant Superintendent, and that when such cases come into Court they should be tried by the District or Joint Magistrate. In cases which are not cognizable by the police, or where the prosecution is not undertaken by the Civil authorities, the Civil District Officer shall inform the Commanding Officer of the Corps or Detachment concerned to that effect for such action as the latter may consider fit to take.

7. In conclusion, I am to say that the Government of India think it desirable that each Commissioner, District and Sub-Divisional Magistrate should be furnished with a copy of the revised rules as a separate publication.

Home Dept. No. 3477, dated the 31st December 1900.

RULES FOR THE GRANT OF SHOOTING PASSES.

1. The following rules will be observed, and are applicable to all individuals, below the rank of officer, who are subject to the Army Act.
2. These rules apply to troops on the march or in moving camps, as well as to troops in cantonments or standing camps.
3. No soldier shall carry fire-arms for sporting purposes without a shooting pass. (I. A. F. L.—1181). Shooting passes will only be granted to warrant and non-commissioned officers and to efficient private soldiers possessing at least one good conduct badge. A soldier, who is ineligible for a shooting pass, shall not be allowed to possess a sporting fire-arm.
4. Soldiers of and above the rank of sergeant may be granted passes to shoot alone, provided that the officer granting the pass is satisfied that the soldier has sufficient knowledge of the language to enable him to converse with the inhabitants, or that he will be accompanied by a qualified Indian interpreter. In the case of other ranks passes will only be granted to a party of not less than three and not more than six, one of whom shall be in charge of the party. The party must in all cases be accompanied by an Indian qualified to act as interpreter, whose name will be entered on the pass.
5. One member may be left in charge of the camp, but the remainder of the party shall not separate while shooting.
6. All shooting passes will be issued on I. A. F. L.—1181. They will be granted by the O. C. the corps, department or detachment to which the soldiers belong or to which they are attached, who will keep a record of all passes granted. The names of the party and of the interpreter, the places, up to a maximum of three, at which the camps will be located, and the numbers and specifications of the fire-arms carried will be entered on the pass and the certificate on the face of the pass will be signed by the squadron, battery, section or company officer and countersigned by the O. C. Before the party starts the armourer sergeant, and in the case of a battery, the armament artificer, if available, or the section officer, will inspect all the fire-arms entered on the pass and will sign the certificate thereon.
7. Shooting parties will camp only in the actual places named in their pass, and will not shoot outside a radius of 5 miles of the camp.
8. No fire-arms not specified on the pass shall be carried or used, and no rifle or carbine shall be used, which carries government ammunition or is sighted over 300 yards. With the exception of rifles kept for match shooting, the only shooting weapons which British soldiers are permitted to own are such as are intended and used for sporting purposes. The possession of revolvers, pistols of all sorts, and weapons which do not fulfil the conditions specified in this rule, is absolutely forbidden.
9. All bullets used with rifles or carbines for sporting purposes must be hollow.
10. No person not named in the pass, except a shikari and game coolies, shall accompany a shooting party.
11. Shooting passes as a rule shall not extend to more than 14 days, but special passes for periods not exceeding one month may, with the sanction of the Bde. or Divnl. Comdr., be granted to men known to be experienced sportsmen. Soldiers requiring passes to shoot at a distance, or for periods of more than 3 days must apply for the pass at least 6 days before the date on which they wish to start, so as to enable notice to be given to the district civil authorities as required by rule 31.

12. The soldier in charge of the party shall carry the pass. He shall produce it when reasonably required to do so, and he shall at once return it to the senior N. C. O. of the squadron, battery or company when the party comes back to camp or lines. On returning the pass he will report any breach of these rules, any affray with Indians, or any mishap, which may have occurred during the absence of the party.

13. If any such event is reported, the N. C. O., to whom the pass is given up, will at once inform the O. C. the corps, who will immediately report the occurrence, with full particulars, to the O. C. Station and district magistrate. A copy of the complaint, if any, should also be furnished.

14. Arms shall not be loaded in the vicinity of camp, lines, or quarters, and shall be unloaded as soon as the party leaves off shooting.

15. If any member of a shooting party commits any act resulting in injury to person or property, or is involved in an affray with Indians, the party shall return to camp or lines without delay, after reporting, if possible, to the nearest civil authority.

16. In any such case, on return of the party, a telegraphic report will be made by the O. C. the corps as laid down in item 282, I. A. F. Z.—2000; and a detailed report shall be sent to the same authorities by post when all the facts have been ascertained.

17. No shooting with bullets of any kind is permitted except in forest or close jungle, or in tracts of country where such shooting is not attended with danger.

18. Shooting at night is forbidden, except in forests.

19. Shooting in government reserved forests is prohibited without a special permit from the forest officer.

20. No member of a shooting party shall address or enter into conversation with any Indian woman.

21. No member of a shooting party shall enter any village, house, temple, mosque or enclosure, nor shall shoot within 500 yards, of such. If supplies are to be obtained from a village, the interpreter may be employed for the purpose.

22. Members of shooting parties are forbidden to trespass upon or shoot over crops.

23. No member of a shooting party shall shoot at any animal or bird, or in any locality, included in the prohibited list shown on the pass.

24. Shooting at peafowl is prohibited, unless by special permission endorsed on the pass. No shooting at hinds, does, monkeys or dogs is permitted.

25. The shooting of pig within a radius of 15 miles of Saugor, C. P. is prohibited. (Soldiers are cautioned that the jungle pigs are foul feeders and it is unwholesome to eat them).

26. All fire-arms and made-up cartridges used for sporting purposes, whether private property or issued by government, shall be kept in the store-room in charge of the senior N. C. O. of the squadron, battery or company, who alone may issue arms and cartridges on the production of the pass in which they are specified; and this duty shall not be delegated to any other person. This rule is applicable to "Quackenbush" and similar miniature rifles.

27. On the return of the shooting party all fire-arms issued from the store-room and unused made-up cartridges, shall be made over to the N. C. O., mentioned in para. 26, who will sign for their receipt on the shooting pass.

28. All arms kept for sporting purposes shall be entered on the "daily state" of the corps or detachment; and shall be shown as "present," "on pass" or "absent."

29. All gunpowder used for loading or re-loading sporting cartridges shall be kept in the magazine of the unit and issued from and returned thereto under the usual rules. When in the magazine the powder should be contained in the usual flasks or tins in which purchased and these again placed in an ordinary kit box under lock and key. The total quantity of gunpowder placed in the magazine should be restricted as much as possible, and should never exceed 50 lbs. The flasks or tins containing powder or never to be opened in or near the magazine. Filling cartridges should not be permitted in barrack rooms; this should be done in the open air.

30. O.'s C. stations and O.'s C. troops about to march will ascertain from the civil district officer (in Native States, the Political Officer):—

(a) in what localities shooting ought to be forbidden;

(b) what animals or birds are regarded by the inhabitants as sacred or are protected by rules relating to the establishment of a close season;

(c) whether any special rule have been published by the civil authorities of the district; and will ensure that they are made known to all shooting parties.

31. Prior to the issue of a shooting pass which is to extend over three days, the O. C. by whom it is to be granted shall send notice thereof to the district officer of any civil district in which the members of the party are to be permitted to shoot. This notice shall be despatched at least three days before the commencement of the currency of the shooting pass. The notice shall state the ranks and names of the members of the party, the place or places which they are to visit and the dates indicating the duration of the pass.

32. The notice furnished to the political officer of a Native State shall be despatched at least three days beforehand; but such longer notice shall be given as is possible.

33. Soldiers marching through a Native State are in no case to be permitted to shoot beyond ten miles of camp.

34. When passes are granted to enable men to shoot at a distance from their own station, the following procedure will be observed:—

(1) A furlough pass (I. A. F. L.-1180) to the military station nearest to the locality concerned will be issued, on which the O. C. will state, in red ink, that the soldiers are eligible for a shooting pass (I. A. F. L.-1881) and that they are permitted to carry fire-arms and ammunition for the purpose. The furlough pass so endorsed shall be an authority to the N. C. O. in charge to issue arms and ammunition to the party, after the armourer sergeant has signed the specification that the arms are in good conditions and not contrary to rule 8.

(2) A shooting pass will at the same time be issued in the usual form with the omission of (a) the name of the interpreter, (b) the dates indicating the duration of the pass, (c) the list of prohibited localities, animals and birds, and (d) the countersignature of the O. C.

(3) On arrival at the military station to which they are granted furlough, the party will report themselves to the military authorities at that station who will attach them to a military unit.

(4) The O. C. the corps or detachment to which they are attached will, unless there are valid reasons to the contrary, complete the shooting pass by entering (a) the name of a qualified interpreter, (b) the dates indicating the duration of the pass and (c) the list of prohibited localities, animals and birds for the tracts of country where the members of the party intend to shoot; and will then add (d) his countersignature. He will also give the notice to the civil authorities required by rules 31 and 32.

35. The possession of fire-arms and ammunition by members of the party is only allowed during the currency of the shooting pass: when that period has expired they must be at once lodged in the store-room.

36. When any serious breach of those rules occurs, the O. C. corps or detachment will at once report by telegram the date and all the facts of the incident, so far as known, and also full details of the action taken, to the authorities laid down in item 232, I. A. F. Z.-2000. Detailed reports will be submitted subsequently by letter to the same authorities.

37. In every such case the O. C. corps or detachment will immediately apply for the assembly, if possible, of a court of inquiry, which should commence a thorough and searching investigation in view of securing the best possible narrative while the event is still fresh; and he will communicate with the district magistrate as freely as required. If a C. of I. cannot be assembled the O. C. will himself conduct the investigation. The C. of I. or, if one is not assembled, the O. C. will, during the enquiry, endeavour to ascertain whether any, and if so, what breaches of these rules have been committed or have taken place, the nature of which would render the offender (s) liable to trial by court-martial under paragraph 38, and particulars thereof should be recorded in the proceedings or report. When the civil authorities also take up the case, every assistance possible will be rendered to them in their investigation. The medical officer, who first attends to any person (whether soldier or civilian) wounded in any such case, will, without delay, bring to the notice of both the civil and military authorities, the nature and extent of the injuries received, and their probable ultimate result.

38. Any soldier shooting without a pass shall be tried by court-martial, and shall on conviction be deprived of the privilege of shooting during the remainder of his Indian service. Also, any member of a shooting party who commits any breach of these rules resulting in material injury to person or property, shall be tried by court-martial. Cases of all other breaches of the rules shall be reported to the Bde. or Divnl. Comdr. for orders.

39. When a court-martial is to be held under rule 38 the case shall be sent to the D. J. A. G. of the Army concerned, who will frame the charges and prepare the brief for the prosecution, and the proceedings of the court-martial shall be sent to the same officer for report before confirmation. If a civil or military enquiry has been held on any case, the proceedings of the enquiry should accompany application for trial in view of all possible evidence being made available.

40. When a court-martial is held under these rules, the results will be reported for the information of the C. in C. and the G. of I.

41. If any breach of these result, or any act committed by a member of a shooting party, results in an affray with Indians, or in material injury to person or property, and the offender or offenders cannot be identified, all shooting passes may, at the discretion of the Divnl. Comdr., be prohibited in the corps or detachment or in the district, for a period not exceeding two years. Every such prohibition shall be published in Divnl. orders and reported for the information of the C. in C. and the G. of I.

52. Shooting passes will be granted to warrant and non-commissioned officers of department (including I. S. M. D.) by the local departmental senior commissioned officer, in accordance with these rules so far as they may be applicable. Standing passes for a maximum period of six months, but subject to the rules relating to prohibited localities, animals and birds and to the other restrictions referred to in these rules, may be granted to subordinates of the M. W. S. who are not employed in cantonments. In every case the officer granting the pass is responsible for seeing that the list of prohibited localities, animals and birds is duly entered on the pass.

43. Warrant and non-commissioned officers of departments (including I. S. M. D.) granted a shooting pass will, before proceeding, have all the fire-arms, entered on their pass, examined by the officer who signed the pass, or by an armourer if one is available in the station.

44. A copy of these rules and of any special civil rules which pertain to the district, also a list of prohibited localities, animals and birds, shall be hung up in a conspicuous place in every barrack-room.

45. Twice a year (in April and October on such day as the O. C. directs) rules I to 29 and rules 38 and 41 shall be read on parade to all British troops.

46. All military subordinates (departmental or non-departmental), including Assistant Surgeons, I. S. M. D., will be held responsible that they make themselves fully acquainted with these rules.

47. No shooting passes shall be issued to troops disembarking in India until, after their arrival at their destination, these rules, together with the list of prohibited localities, animals and birds, have been read to them on parade. The O. C. any party of troops shall have his attention directed to this order before disembarkation.

48. A copy of rules 26, 27, 28 and 29 shall be hung up in every squadron, battery or company store-room.

49. Rules 1 to 10, 12 to 15, 17 to 29, 35, 38, 41 and 43 will be printed on the reverse of shooting pass, I. A. F. L.—1181.

50. A copy of these rules will be issued with every shooting pass (for which purpose the rules are reprinted in pamphlet form and copies supplied to all concerned), and will be carried by the member in charge of the party, who will make it over with the pass to the senior N. C. O. of the squadron, battery or company, on return to barracks or camp.

51. The following are the orders of the Government of India to the civil and political authorities in connection with the foregoing rules:—

(i) The civil authorities will periodically explain the substance of the rules and orders in simple language to the inhabitants of all villages and tracts where British soldiers are in the habit of shooting, warning them that soldiers are on no account to be attacked or molested, and that any such offences will be severely punished. The inhabitants therefore will have no excuse for interfering unwarrantably with members of a shooting party.

(ii) The district or political officer will impress on zemindars, headmen, landlords and police, that they must use their endeavours to prevent disputes with, or the molestation of, any member of a shooting party, and that complaints are to be reported to the proper authorities by the villagers, who must not take the law into their own hands.

(iii) When the district or political officer receives notice under rules 31 and 32 of the probable visit of a shooting party, he will at once inform the headmen and village police.

(iv) The district or political officer will, on the arrival of troops in a civil district or Native State, at once inform the O. C. of such troops of the prohibited localities, animal and birds, and of any special civil rules pertaining to the district.

(v) When a complaint is made by a villager against any member of a shooting party, the district or political officer will at once report the matter to the O. C. of the soldiers concerned.

(vi) Disputes between members of a shooting party and villagers will, if possible, be investigated by a European magistrate or police officer not below the rank of superintendent, and such cases will be tried by a district or joint magistrate. The O. C. concerned will be informed by the district officer of cases not cognisable by the police, or where prosecution is not undertaken by the civil authorities. The O. C. will thereupon take such action as may be necessary.

(vii) The rules for soldiers provide for punishment of a corps or detachment, or districts, in the event of the offenders not being discovered. A similar responsibility may be enforced upon villages where affrays with British soldiers have occurred, if the villagers generally, or a considerable number of them, have made an unwarranted attack upon a shooting party, but the actual offenders have not been brought to justice. The villagers will be warned that in all such cases they are liable by law to have extra police quartered upon them at their own expense.

Appendix IV.—RULES FOR THE ACQUISITION, POSSESSION AND SALE OF RIFLES.

India Army Order No. 12, dated the 3rd January 1910.

Possession and sale of Arms.—The following rules for the acquisition, possession and sale of rifles, extracted from the Indian Arms Act, 1878 (Act XI of 1878) and the Indian Arms Rules, 1909, are published for the information and guidance of all concerned. Special attention is drawn to paragraph 5 and 6 of this order (quoted below) which define the obligations of persons exempted from the provisions of the Arms Act.

1. The following persons are exempted, in respect of the arms and ammunition described, when carried or possessed for their own personal use, from the prohibitions and directions contained in sections 13 to 16 of the Indian Arms Act, 1878, subject to the provisions stated below :—

(i) *Persons exempted.*

Persons specified in clauses (3) and (5) and (6), Schedule I, [pages 90, 91 and 92.]

(Explanation). Lawfully imported refers to (a) rifles of '303' bore purchased or imported by officers as part of their equipment before 1st May 1903, (b) rifles of '303' bore or '450' bore of the M. H. pattern, imported before the 20th February 1901, (c) rifles of '450' bore not of the M. H. pattern, imported before the 27th October 1906, (d) rifles of '303' bore imported under clause (21) of Schedule I, (e) rifles of '303' or '450' bore imported with the special sanction of the Government of India.

4. *Special exemptions.*

Those specified in clause (21) of Schedule I, [page 97.]

5. **Sale of Arms.**—Nothing shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use under paragraphs (i) above, to any person who is not by any enactment for the time being in force prohibited from possessing the same, but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption by notification in the Gazette of India shall, without unnecessary delay, give to the Magistrate of the District, or to the officer in charge of the nearest police station notice of the sale and of the purchaser's name and address.

6. **Losses of arms.**—Losses or thefts of private arms must be forthwith reported to the nearest police station through the Commanding Officer or Head of the Department.

NOTE.—With regard to rule 5 above, instances have come to notice of carelessness in the disposal of fire arms and ammunition, and of rifles and rifle ammunition having been sent for public auction, and so disposed of to persons not entitled to possess them. The Government of India have desired that severe notice be taken of any cases of negligence in these matters and that all concerned should be warned of the consequences of disposing of arms and ammunition to any person in this country without making sure that such person is lawfully entitled to purchase or possess the same.

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