

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 OFFENCE UNDER.																								
Clause a.	Clause b.	Clause c.	Clause d.	Clause e.	Clause f.	Clause g.	Clause h.	Clause i.	Section 20, for secret breaches.				Total punished (columns 1 to 13).											
									Section 21, for breach of licence.															
									Section 22, for knowingly purchasing from an unlicensed person or delivering to person not authorised to possess.															
									Section 28, for failure to give information as required in section 28.															
Rifles.																								
Smooth-bore guns.																								
Pistols.																								
Swords.																								
Bayonets.																								
Daggers or knives.													Value of fines imposed and realised.											
Spears.																								
Others.																								
Amount paid as reward to informers, etc.													REMARKS.											

This return will be submitted yearly through the Comr. to the I. G. of Police

Dy. Comr.

FORM M.—*Free of all fee.*—Licence for the possession by licensed dealers of arms or ammunition deposited by their owner, under section 16 of the Indian Arms Act, 1878, as amended by Act XX of 1919.

Name, description and residence of licensee.	Description of arms or ammunition.	Place (with description) where articles are to be kept	Period for which the license is valid.
1	2	3	4
The	of	19	Signature.

Conditions

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.
2. It covers arms of the description given in column 2 only so long as they are kept in the place described in column 3 but does not authorise the licensee—(i) to go armed, and (ii) to keep arms or ammunition which are the property of Government.
3. The licensee shall maintain a register of all arms or ammunition in his possession under his licence, showing the name, description and residence of the licensee, the description of the arm or ammunition, and the date of deposit.
4. To every depositor the licensee shall give a receipt in duplicate containing the particulars mentioned in condition 3, and shall himself send a copy of the entry in his register to the officer in charge of the nearest police station.
5. He shall exhibit such arms and his register on the demand of any Magistrate or any police officer of a rank not below that of Inspector.
6. The licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.
7. On the termination of one year from the date of deposit, if the arms or ammunition have neither been returned nor disposed of under section 16 (2) of the Indian Arms Act, 1878, the licensee shall inform the District Magistrate of that fact, and shall deal with the arms or ammunition according to his orders.

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RULES RELATING TO RAILWAY LANDS IN CERTAIN STATES IN PUNJAB.

Foreign and Political Department, Notification No. 343-1, dated the 2nd July 1924.—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 with are, or may hereafter be occupied by the Railways specified in the first column of the said Schedule (including the lands occupied by station, by outbuildings and for other railway purposes), and over all persons and things whatsoever within the said lands:

In exercise the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the said lands.

PART I.—Criminal Jurisdiction.

For the purposes of Criminal Jurisdiction, except, in proceedings against European British subjects, the following arrangements shall be made, namely:—

Within the lands occupied by the Railways as aforesaid, the officers and Court mentioned in the corresponding entries in the third, fourth and fifth columns of the Schedule, shall exercise, respectively—

- (a) the powers of District Magistrate including all powers conferable on a District Magistrate,
- (b) the powers of a Court of Session, and
- (c) the power of a High Court,

as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands.

For the purpose of Civil Jurisdiction the following arrangements shall be made, namely:—

Within the land occupied by the railways, as aforesaid, the officer and the Court mentioned in the corresponding entries in the sixth and seventh columns of the Schedule shall exercise, respectively, for all purposes connected with the administration of civil justice:—

- (a) the powers of a District Court, and
- (b) the powers of the High Court,

as described in the Punjab Courts Act, 1918, as for the time being in force.

II. The notification of the Government of India in the Foreign Department, No, 516 I. B. dated the 17th March 1913, so far as it relates to the Railway lands in the Baghat and Keonthal States is hereby cancelled.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

Schedule.

1		2	3	4	5	6	7
Railway.		State.	CRIMINAL JURISDICTION.			CIVIL JURISDICTION.	
			District Magistrate with powers conferable under section 30 of the Code of Criminal Procedure, 1898.	Court of Session.	High Court.	District Court.	High Court.
North-Western Railway System.	Kalka Simla Railway.	Baghat Keonthal.	The Assistant Superintendent of the Simla-Hill States.	The Superintendent of the Simla-Hill States.	The High Court of Judicature at Lahore.	The Superintendent of the Simla-Hill States.	The High Court of Judicature at Lahore.

RULES RELATING TO RAILWAY LANDS, PUNJAB STATES. 259

2. *Foreign and Political Department, Notification No. 344-I., dated the 2nd July 1924* :—Whereas the Governor-General-in-Council has full and exclusive power and jurisdiction of every kind over the Railway Lands specified in notification No. 343-I, dated the 2nd July 1924, and over all persons and things whatsoever within the said lands :—

In the exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General-in-Council is pleased to apply to the said lands (hereinafter styled "The Railway Lands") the enactments specified in the Schedule hereto annexed in so far as the same may be applicable hereto and subject to any amendments to which the enactments are for the time being subject in British India.

Provided, first, that the enactments as so applied references to a Local Government shall be read as referring to the Governor of the Punjab in Council, references to a High Court as referring to the High Court of Judicature at Lahore, and except where the context or the modifications hereinafter referred to otherwise require, reference to British India or to a province or the territories subject to a Local Government as referring to the Railway Lands.

Provided, secondly, that the further modifications and restrictions set forth in the said Schedule shall be made in the enactments as so applied.

Provided, thirdly, that for the purposes of facilitating the application of the said enactments any Court in the Railway Lands may construe the provisions thereof and any notifications, orders, rules, forms or by-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court.

Provided, fourthly, that subject to the provisions of this notification the Governor of the Punjab in Council may direct by what officer any authority or power under the said enactments shall be exercisable.

II. The notification of the Government of India in the Foreign Department, No. 517-1. B., dated the 17th March 1913, in its application to the Railway Lands in the Baghat and Keonthal States, is hereby cancelled.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued but that save as aforesaid, all proceedings commenced, officers appointed or authorised, jurisdictions or powers conferred or confirmed, notifications published, rules made, orders passed, and things done under any of the enactments specified in the notification hereby superseded in the Railway Lands, shall, so far as may be, deemed to have been; respectively, commenced, appointed, or authorised, conferred or confirmed, published, made, passed and done under the corresponding enactments specified in this notification.

SCHEDULE.

Enactments applied

Further modifications and restrictions.

The Indian Arms Act, 1878, (XI of 1878).

After section 33 the following section shall be inserted.

34. Notwithstanding anything contained in this Act, the Governor-General-in-Council may, by notification in the *Gazette of India* apply to the railway lands any rules under the Indian Arms Act, 1878, for the time being in force in British India, subject to any amendments to which such rules are for the time being subject in British India, and with such modifications or restrictions as may be specified in the notification, and any rules so applied shall have effect in the railway lands as if made under this Act.

3. *Foreign and Political Department notification No. 345-I, dated the 2nd July 1924* :—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 outbuildings 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, the Governor in Council is pleased to provide as follows for the administration of justice within the said lands.

PART I.—Criminal Jurisdiction.

For the purpose of Criminal Jurisdiction, except in proceedings against European British subjects, and persons jointly charged with European British subjects, the following arrangements shall be made, namely :—

Within the lands occupied by the Railways as aforesaid, the officers and the Court mentioned in the corresponding entries in the third, fourth and fifth columns of the Schedule shall exercise, respectively—

- (a) the powers of District Magistrate including all powers conferable on a District Magistrate.
- (b) the powers of a Court of Session, and
- (c) the powers of a High Court,

as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands.

PART II.—Civil Jurisdiction.

For the purposes of Civil Jurisdiction the following arrangements shall be made, namely :—

Within the lands occupied by the Railways, as aforesaid, the officers and the Court mentioned in the corresponding entries in the sixth and seventh columns of the Schedule shall exercise, respectively, for all purposes connected with the administration of Civil Justice—

- (a) the powers of a District Court, and
- (b) the powers of the High Court,

as described in the Punjab Court Act, 1918, as for the time being in force.

II. The notification of the Government of India in the Foreign Department, No. 516-I, B. dated the 17th March 1913, in so far as it has not already been cancelled, is cancelled hereby.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

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SCHEDULE.

1		2	3	4	5	6	7
Railway		State	District Magistrate with powers conferable under section 30 of the Code of Criminal Procedure, 1885	CRIMINAL JURISDICTION.		CIVIL JURISDICTION.	
				Court of Session.	High Court	District Court	High Court.
Bombay Baroda & Central India Ry System	1 Rajputana Malwa Railway	Nabha, Patiala	The Dy. Commissioner Gujran	The Agent to the Governor General Punjab States and such person holding the office of 1st Assistant to the said Agent to the Governor General is the local Government of the Punjab with the concurrence of the High Court of Judicature at Lahore may appoint <i>by name</i> in this behalf and in the agency in which in pursuance of this notification the Deputy Commissioner of a District exercises the powers of a District Magistrate the District Judge of that District	H C	The same as in column 4	
	<i>Rewari Phulera Chord</i>						
Jodhpur Bikaner Railway System	2 Jodhpur Bikaner Railway	Patiala	The Dy. Commissioner Jodhpur	The Superintendent of the Simla Hill States		The Superintendent of the Simla Hill States	
	Bhatinda Bikaner frontier						
North Western Railway System	3 Kalka Simla Railway	Patiala	The Assistant Superintendent of the Simla Hill States	The same as the first entry in this column with the omission of the words "by name"		The same as in the first entry in column 4 with the omission of the words, "by name"	
	4 Ludhiana Dhuri Jakhral Ry Ludhiana Muler Kotla Frontier near Isach Baddi Muler Kotla Frontier Jakhral	Maler Kotla	The Deputy Commissioner Ludhiana				
	5 Rajputana Bhatinda Railway	Patiala Nabha Jind	The Deputy Commissioner Amtala				
	Rajpura Dhuri Bhatinda	Patiala Nabha Patiala Nabha	The Dy. Commissioner Ludhiana				
	6 Southern Punjab Ry						
	<i>Main line</i>						
	Gaddarbhia Budhlada Badhlada Jind frontier near Uchawa Jind frontier near Bohana Karanathi, Narwana Kathal Br	Patiala Patiala Jind Patiala	The Dy. Commissioner Ferozepur The Deputy Commissioner Rohtak				
	7 Jullundur Doab Ry	Kapur thala	The Dy. Commissioner, Jullundar.				
	8 Phagwara Bahon Ry	Kapur thala					
	9 Jind-Pampat Ry	Jind	The Deputy Commissioner, Karnal				
E I Ry. System				The Commissioner, Jullundar Division		The Commissioner Jullundar Division	
				The same as the first (top) entry in this column with the omission of the words "by name"		The same as the first (top) entry in column 4 with the omission of the words "by name."	

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4. *Foreign and Political Department notification No. 346-I dated the 2nd July 1924.*—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the **Railway Lands** specified in notification No. 345-I dated the 2nd July 1924, 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 the Governor-General in Council is pleased to apply to the said lands (hereinafter styled "The Railway Lands") the enactments specified in the Schedule hereto annexed, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India,

Provided, first, that in the enactments as so applied reference to a local Government shall be read as referring to the Agent to the Governor-General, Punjab States, references to a High Court as referring to the High Court of Judicature at Lahore, and except where the context or the modifications hereinafter referred to otherwise require, references to British India or to a province or the territories subject to a local Government as referring to the Railway Lands

Provided, secondly, that the further modifications and restrictions set forth in the said Schedule shall be made in the said enactments as so applied

Provided, thirdly, that for the purpose of facilitating the application of the said enactments any Court in the Railway lands may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Courts

Provided, fourthly, that subject to the provisions of this notification, the Agent to the Governor-General may direct by what officer any authority or power under the said enactments shall be exercisable

II The notification of the Government of India in the Foreign Department No 517 I dated the 17th March 1913, so far as it has not already been cancelled, is cancelled hereby

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued but that, save as aforesaid, all proceedings commenced, officers appointed or authorised, jurisdiction or powers conferred or confirmed, notifications published, rules made, orders passed and things done under any of the enactments specified in the notification hereby superseded in the Railway Lands, shall so far as may be deemed to have been, respectively, commenced, appointed or authorized conferred or confirmed, published, made, passed and done under the corresponding enactments specified in the notification

SCHEDULE

Enactments applied

The Indian Arms Act,
1878, (XI of 1878)

Further modifications and restrictions.

After section 33 the following section shall be inserted

34 Notwithstanding anything contained in this Act the Governor-General in Council may, by notification in the *Gazette of India*, apply to the railway lands any rules under the Indian Arms Act, 1878, for the time being in force in British India, subject to any amendments to which such rules are for the time being subject in British India and with such modifications or restrictions, as may be specified in the notification, and any rules so applied shall have effect in the railway lands as if made under this Act

5 *Foreign and Political Dept Notn No. 53-I., dated the 27th Jan. 1925.* In exercise of the powers conferred by section 34 of the Indian Arms Act, 1878 (XI of 1878) as applied to the Railway lands specified in the notification in the For. and Poll. Dept. No 345-I dated the 2nd July 1924, the Governor-General in Council is pleased to apply the Indian Arms Rules, 1924 to the said lands subject to any amendment to which the said rules may be subject in British India, and subject also to the modifications specified in the first proviso to the notification in the For. and Poll. Dept. No. 346-I, dated the 2nd July 1924, and to such further modifications, not affecting the substances, as may be necessary or proper to adopt the said rules to the said lands. The notification of the Govt. of India in the For Dept. No. 851-D. dated the 28th March 1913, so far as it has not already been cancelled is hereby cancelled.

NORTH-WEST FRONTIER PROVINCE—LOCAL RULES AND ORDERS.

1. *N.-W. F. P.—Cir. no. 1048—52-G., dated the 19th March 1923.*—The Government of India has requested the Chief Commissioner to issue orders that licences for **Pistols and Revolvers** should be given only in cases of real necessity and to persons of approved character. You are requested to act accordingly.

2. *Letter no. 711—15-G.-N., dated the 21st July 1920.* (1) The following instructions have been issued for guidance on the question of the licensing of **privately owned rifles**.

(2) Under the most recent orders of the Government of India embodied in notification no 1296 of 9th July 1920, the District Magistrates are now legally empowered to issue **licenses for rifles** without reference to higher authority. The Chief Commissioner, however, considers it important that there should be some central check on the issue of such licences and desires that, in future, lists of all persons to whom it is proposed to grant **licences for rifles** shall be referred to him by District Magistrates before they are actually issued.

(3) This has been the practice generally in this Province but certain special rules were made for the districts of Bannu and Dera Ismail Khan. In 1916 owing to the disturbed state of the Border, Sir George Roos-Keppel empowered the Deputy Commissioners of Bannu and Dera Ismail Khan to grant licences without previous reference to him for the possession of rifles, provided that they were purchased from across the border or from Powindahs in the districts by persons of good standing who would execute a written undertaking for their proper custody. In letter no. 210-B. of the 23rd December 1918, however, Sir George expressed a wish that the number of licences so granted should be considerably reduced, but the general authority for District Magistrates to issue such licences without reference to the Chief Commissioner was not definitely revoked. The present letter is to be considered now as definitely revoking the special authority given in the Bannu and Dera Ismail Khan Districts, and the issue of **licences for rifles** will require the Chief Commissioner's sanction throughout the whole province. At the same time all licences granted prior to the issue of this letter will be considered valid.

As regards **rifle ammunition** clause 6 of the conditions attached to licences in Form XIII, [now Form XVI], for the possession of arms, lays down that the holders shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local Government. No maximum, however, has as yet been fixed. It should now be treated, in the case of rifles, as 50 rounds per rifle, and this figure should be endorsed by the District Magistrate on licences. This endorsement will give authority for one purchase only, and it will be for District Magistrates to add a fresh endorsement on the application of the holder if he can satisfy them that his former stock has been legitimately expended. * *

[On the analogy of the policy accepted by the Government of India in paragraph 10 of their Resolution No. F.-829-1-22, dated the 3rd November 1923, in regard to arms

to be purchased in India, a licence for possession, in Form XVI, should also be granted as soon as permission is given to purchase a fire-arm from across the Border. With a view to particulars of the weapon being entered in the licence, the licensee should be required to produce his weapon before the District Magistrate within one week of possession thereof. (Order dated 7th January 1924)[

(4) It has been reported that there are a large number of unlicensed **rifles** in the hands of villagers in the more exposed tracts of the frontier, and the question of dealing with the situation has been specifically referred to the Deputy Commissioner, Bannu. Sir Hamilton Grant considers that it would be most inadvisable at the present time to initiate prosecutions for the illegal possession of these weapons. Any action of this sort would provoke the criticism that while we fail adequately to protect British subjects in our districts, we preclude them from possessing the means of protecting themselves especially at a time of unprecedented tribal lawlessness. He considers that the best policy will be for Deputy Commissioners to make it widely known in their districts, by whatever means they consider best, that all **unlicensed rifles** must be reported and licensed within a definite period, which might be fixed at one month. The people should be given to understand that unless there are very special reasons to the contrary, no obstacles will be put in the way of these **rifles being licensed**, but that if these instructions are deliberately disregarded, this question of prosecutions will be taken up on the expiry of the period. The Chief Commissioner, however does not wish to fetter the discretion of Deputy Commissioners in this respect, especially as the conditions of each district are widely divergent, nor has he any wish to press for immediate action in this matter, if this appears inopportune and likely to lead to trouble. It would seem probable indeed, that the problem of unlicensed rifles exists in any serious form only in the Kohat and Bannu Districts. No action therefore should be taken upon the instructions conveyed in the paragraph, unless Deputy Commissioners are of the opinion that the special circumstances of their districts demand it. In any case the Chief Commissioner is averse from wholesale prosecutions under the Arms Act, and whatever the result of the action now suggested may be, he trusts that wholesale prosecutions will not be undertaken without previous reference to him.

3. *Memo. no. 3010-30-G. N., dated the 28th Sept. 1920.* * * * The **applications from British Officers** for licences for their sporting rifles and ammunition for the same need not be referred to the Chief Commissioner.

4. *Home Dept. no. 2202, dated the 4th Novr. 1920.* A fee of 8 annas should be levied on a licence granted for the whole of the North-West Frontier Province; and the **rates of fees laid down in clause (c) [8 annas in the case of (c) m]** of the heading of Form XVI, on licences granted for the whole of British India.

5. *Extract, para 2, from Home Dept. letter no. 1236, dated the 18th June 1921.* 2. It has now been represented to the Government of India that in the case of **rifle ammunition** inconvenience may be caused by the fixation of a rigid scale. It has been suggested, for

instance, that no regard is paid to the size of the cartridge and that a little .22 rim fire rifle, which is used by ladies to shoot at targets at a rifle club, is rationed to the same extent as an elephant gun or a .8 bore rifle. Further, it has been suggested that the fixation of a rigid limit might cause inconvenience to a sportsman starting on a shooting expedition who wished to take with him a stock of both hard-nosed and soft-nosed bullets to be fired from the same weapon. The Government of India are not aware how far these criticisms are justified but they would be glad if the suggestions could be taken into consideration at an early date with a view to the removal of any anomalies that exist.

6. *N.-W. F. P. no. 2986-90-G.-N., dated the 9th Aug. 1921.*—It has been decided that as regards rifle ammunition, the previous instructions contained in paragraph (3) of Mr. Pison's letter No. 711-15, dated the 21st July 1920, will continue to hold good but he wishes to emphasise the importance of a thorough enquiry in each case. The Chief Commissioner is not satisfied that the restrictions against accumulation of ammunition from year to year are being rigorously enforced in all Districts, and, in this connection, directs attention of all District Magistrates to the headings of columns 3 and 4 of licence form XVI of the Rules of 1924. District Magistrates are, however, empowered to exercise their discretion in regard to ammunition for small bore rifles, for example .22 bore which are used for target shooting; or, in the case of a sportsman starting on a shooting expedition who wishes to take with him a stock of both hard-nosed and soft-nosed bullets, when a maximum of 50 rounds might obviously be inadequate. (2) As regards revolver ammunition, the Chief Commissioner wishes a maximum of 50 rounds per annum covered, of course, by maximum possession of 50 rounds to be fixed. (3) Cartridges for shot-guns may be allowed in such number as the District Magistrate may consider desirable in each case.

7. *N.-W. F. P. cir. no. 48-110-G., dated the 4th January 1922,* to all Local Governments and Administrations, Residents, Agents to Governor-General and to Deputy Commissioners in the N.-W.F.P. Under sub rule (3) of Rule 33 of the Indian Arms Rules, 1924, the Chief Commissioner has imposed the following **restrictions on the validity** in the North-West Frontier Province, of licences which have been made valid for that Province by licensing authorities in other provinces, namely :—

Licences issued in other provinces in India or Burma, which have been made valid for the North-West Frontier Province by licensing authorities there shall be in force in the North-West Frontier Province only when such licences have been countersigned by the District Magistrates of the Districts into which the arms are imported, and shall be valid, in each case, only for such area in the North-West Frontier Province as may be prescribed by the countersigning authority.

8. *N.-W. F. P. letter no. 297-5308-G, dated the 30th March 1922,* to all Local Governments and Administrations (except Punjab).—If there be no objection, you will kindly arrange to supply, with as little delay as possible, to the following officials of this Province details regarding all future sales of arms or amm.

dition made to persons residents of the North-West Frontier Province :—

In the case of residents of British Districts, <i>viz.</i> , Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan.	To the Superintendent of Police concerned.
In the case of residents of the Indian States of Amb and Phulera.	To the Deputy Commissioner, Hazara District, Abbottabad.
In the case of residents of the Indian States of Chitral and Dir.	To the Political Agent, Dir, Swat and Chitral Agencies, Malakand.

I am further to request that, in the event of there being no objection to the above request copies of any instructions issued in this connection may kindly be sent to this office for information and record.

NOTE.—A list of all the Local Governments who have agreed to report the sales, in printed below :—

Chief Commissioner, Ajmer-Merwara.	Agent to the Governor-General in Central India.
Government of Assam.	Government of the Central Provinces.
Chief Commissioner Baluchistan.	Chief Commissioner, Delhi.
Government of Burma.	Government of Madras.
Government of Bengal.	Agent to the Governor-General in Rajputana.
Government of Bihar and Orissa.	Government of the United Provinces.
Government of Bombay.	

NOTE.—The Punjab Government also follows the desired procedure, *vide* their Notification No. 1449, dated the 1st November 1915, republished on page 247.

9. *N. W. F. P. cir. memo. no. 11688-G., dated the 11th Dec. 1923.*—Instructions and remarks with regard to the Indian Arms Rules, 1924 :—

(1) It will be seen that the Arms Rules come into force on the 1st January 1924. The numbers, of many of the **forms have been changed** and also, to some extent, the forms themselves, and the conditions printed on the forms. This applies particularly to the forms most commonly used in the North-West Frontier Province, *viz.* old Form XIII, [now Form XVI,]—“License for the possession of arms and ammunition and for going armed for the purpose of

^{sport}
protection
^{display}”, —It is feared that it will not be possible for a stock of the revised forms to be issued by the 1st January as desired by the Government of India. But under Rule 49, licences under the Rules of 1920, can be renewed so far as they are not inconsistent with the new rules. Existing licences should be renewed, pending receipt of the revised forms.

(2) It will be noticed that the acquisition and **carrying of pistols or revolvers** of 450 bore has been much tightened up (Rules 7, 33 and 34) and that ammunition for the same will not be obtainable except from selected dealers (Rule 38). Ordinarily the import of 450 bore revolvers will be absolutely prohibited (*vide* the Committee's recommendation in paragraph 26 of their Report accepted by the Government of India in paragraph 17 of the Resolution (pages 12 and 20.) In this connection District Magistrates are reminded that under orders (H. D. no. 386, dated the 1st March 1920), which are still in force, licences for pistols and revolvers of all kinds should be issued only in cases of **real necessity**.

(3). **Rule 3**
Schedule I—Para. 5 of the Government of India Resolution of 3rd Novr. 1923—(i) Under proviso (b) to Rule 3, **exempted persons must register**, in such manner as the Local Government may prescribe, their fire-arms and ammunition.—(ii) No fee will be charged for such registration (para. 5 of the Resn. of 3rd Novr., 1923).—(iii) An exempted person must at once report the **loss or theft** of any arm in respect of which he is exempted, i.e., although an exempted person is not required to register the possession of a dagger, he is bound to report the loss or theft of a dagger.—(iv) Every exempted person shall furnish the District Magistrate by the 31st of March 1924, with **particulars as to the firearms and ammunition** in his possession, failure to do so rendering him liable to the cancellation of his exemption.—(v) Future purchases of **firearms and a ammunition** shall be reported to the District Magistrate within one week of the purchase.—(vi) The **purchase of firearms** will be subject to the maximum prescribed by the Local Government.

(4). **Schedule I**.—Para. 6 of the Resn.—Under the Rules of 1920, **persons included in entries 11, 11-A, 11-B and 12** of Schedule I are ordinarily **exempt from taking out a licence**. The four entries just specified have been excluded from the Rules of 1924. Entries 11-B and 12 do not concern the North-West Frontier Province. As regards entries 11 and 11-A which include **holders of titles, etc.**, conferred before the 1st January 1920, particular attention is invited to the orders requiring application for a life licence to be made before the 1st July 1924. All persons in your district known by you to be included in entry no. 11 should be informed of the orders and should make their applications without delay. As soon as forms are available, the requisite life-licences should be issued.

(5). Para 7 of the Resn.—The following are *prima facie* **qualifications for the grant of a licence** without preliminary enquiry :—

(a) payment of Rs. 500 land revenue : (b) any payment of income-tax ; (c) in the case of Government servants, pay of Rs. 100 per mensem or more ; but the District Magistrate has full power to order enquiries if he thinks fit. The determination of the agency for such enquiries is left to the Local Government. There seems no reason to depart from the present practice whereunder such enquiries as may be required, are ordinarily made by the Police.

(6). **Rule 33 (3)**.—All District Magistrates are reminded of the orders conveyed in letter no. 84-110-G., dated 4th January, 1922, reproduced below for facility of reference :—

Licences issued in other provinces in India or in Burma, which have been made valid for the North-West Frontier Province by licensing authorities there shall be in force in the North-West Frontier Province only when such licences have been countersigned by the District Magistrates of the districts into which the arms are imported, and shall be valid, in each case, only for such area in the North-West Frontier Province as may be prescribed by the countersigning authority.

(7). **Rule 40 (i)**—Attention is invited to the proviso to **Rule 40 (i)** which requires that in the case of **persons subject to the Indian Army Act, 1911**, application for any kind of licence shall be made,

not to the District Magistrate of the District in which the applicant happens to be serving, but to the licensing authority of the applicant's permanent place of residence.

(8). Rule 43 (i)—The proviso to Rule 43 (i) is new and provides that in any case in which the grant or **renewal of a licence is refused**, the applicant may appeal to the immediate official superior of the authority refusing the grant or renewal. Separate instructions will follow with regard to appeals under the proviso just referred to. (*Vide* para 10 on page 269).

(9). Second portion of para 9 of the Resn. (*i.e.* where paragraph 13 of the Committee's Report is referred to—page 17).—The intention of the orders of the Government of India India is not altogether free from doubt. The Chief Commissioner desires the continuance of the present practice whereunder the first year of the **currency of any licence** is taken to expire with the end of the calendar year in which the licence is granted. Thus, if on the 6th June 1924, the District Magistrate accepts an application for a licence for going armed, and the applicant is not prepared to wait until the 1st January 1925, and desires the immediate issue of his licence, then the first year's currency of the licence will expire on the 31st December 1924.

(10). Para 20 of the Committee's Report read with paras 13 and 14 of the Resn.—(1) Although ordinarily only the District Magistrate can sanction a licence in the first instance, any **Sub-divisional Magistrate can renew a licence** and the arms need not be produced at the time of renewal. Particular attention is invited to the fact that a licence can be granted or renewed for a period of three years and in order to save clerical labour and also unnecessary trouble to the licensee, the Chief Commissioner directs the initial grant or the renewal should ordinarily be for three years. In the North-West Frontier Province the fee will in that case be three times the annual fee (*vide* Para. III of Licence Form XVI).

The above rules should not be allowed to interfere with the **periodical check of the arms** themselves which is required to be carried out by the Police. The District Magistrate has full powers to require the **production of arms** at any time or place. (2) Where a licence has been issued in another district, the licensing authority should be informed of the fact of renewal. (3) **Licences can be applied for by post** and can also be sent for renewal by post. (4) It will be seen from rule 33 (i) (b) that a **licence in Form XVI** can be granted only by the District Magistrate or by Sub-Divisional Magistrate specially empowered by the Local Government.

(11). Para 14 of the Resn.—The **fees payable** for each licence are stated on the Forms concerned. Payments can be made in non-judicial stamps or in cash, as the applicant prefers.

(12). Para 16 of the Resn.
Para. 33 of the Report.—The Government of India orders are that applications for **licences and renewals** shall be dealt with promptly. Accordingly in supersession of the instructions conveyed

in this office memorandum no. 10006-10-G. dated the 10th November, 1923, recommendations requiring the Chief Commissioner's sanction should be submitted quarterly (*viz.* as soon as possible after the 1st Feb., 1st May, 1st Aug. and 1st Nov.) instead of every six months.

(13). Para 18 of the Resn.—Where it is desired to include in the licence a female member of the licensee's family, the lady should be entered as a "retainer."

10. Memo. no. 1230-34-G. dated the 24th Dec. 1923.—With reference to para. (8) of circular memo no. 11688-92-G. dated the 11th Dec. 1923, I am to convey the following instructions with regard to appeals preferred under the proviso to Rule 43 (1) of the Arms Rules, 1924. Pending the receipt of any general orders which may hereafter be received from the Government of India, the Chief Commissioner directs as follows :—

(1) For the purposes of the Arms Rules, the immediate official superior of a Sub-Divisional Magistrate is the District Magistrate, and the immediate official superior of the District Magistrate is the Chief Commissioner. (2) The period allowed for preferring an appeal to the District Magistrate or to the Chief Commissioner shall in each case be 30 days from the receipt of the intimation of the refusal to grant or renew the licence in question. [This period is prescribed on the analogy of appeals under the Income-tax Act (XI of 1922), *vide* sections 30 (2) and 32 (1) of that Act].

11. Memo. no. 605-04- , dated the 15th Jany. 1924.—Para 7 of the Government of India resn. no. F. 829-1-22, dated the 23rd Nov. 1923. Where there is any doubt with regard to the means and status of an applicant for a licence for a rifle, and where it is none the less desired for other reasons, such as with a view to village defence to grant the licence applied for, the District Magistrate may, before granting a licence, require the applicant to furnish security to the extent of Rs. 300 that the rifle will not be sold without permission either within or across the border, and will not be used for any unlawful purpose. Subject to the above instructions, circular no. 6 dated the 3rd March, 1910, should be regarded as cancelled.

12. Memo no. 610-14-G., dated the 15th Jan. 1924.—With reference Rule 33 (2) (a) of the Indian Arms Rules, and in supersession of notification no. 1181-G., dated the 24th March 1920, ordinarily a licence shall be issued only for the District in which the licensee resides. But the District Magistrate personally can, for sufficient reasons, make any such licence valid throughout the North-West Frontier Province or throughout British India. In the latter case care must be taken to see that the requisite enhanced licence fee has been paid.

13. Notn. no. 615-G., dated 15th Jan. 1924.—In exercise of the powers conferred by condition 3 of form XIV and condition 9 of form XVI of Schedule VIII of the Indian Arms Rules, 1924, District Magistrates in the North-West Frontier Province are authorised to cancel, where necessary, condition 2 (ii) of licence form XIV and condition 8 of licence form XVI which prohibit the

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possession of Government arms and ammunition. Notn. no. 1930-G., dated the 29th April 1920, is hereby cancelled.

14. Notn. no. 622-G., dated the 15th Jan. 1924.—In exercise of the powers conferred by Rule 37 (1) (b) of the Indian Arms Rules, 1924, the **Sub-Divisional Magistrates of Mardan, Nowshera and Charsadda** sub-divisions are empowered to grant licences for going armed on a journey in or through any Province in form XX. Notification no. 2179G., dated the 15th May 1920, is hereby cancelled.

15. Notn. no. 624-G., dated the 15th Jan. 1924.—Notification no. 468, G. N., dated the 8th July 1920—empowering the **Sub-Divisional Magistrates of the Mardan, Nowshera and Charsadda** sub-divisions to grant licences, in certain forms for the possession of arms and ammunition under the Indian Arms Rules of 1920, is hereby cancelled.

16. Notn. no. 626-G., dated the 15th Jan. 1924.—Notn. no. 834 G. N., dated the 2nd August 1920, and notn. no. 347-G., dated the 10th January 1921, being inconsistent with the instructions conveyed in paragraph 7 of the Government of India, resolution no. F-829-1-22, dated the 3rd November 1923, are hereby cancelled. The Chief Commissioner accepts the recommendations made by the Government of India in paragraph 7 of the resolution.

17. Notn. no. 627-G., dated the 15th Jan. 1924.—With reference to items (i) and (ii) of entry (6) of Schedule II of the Indian Arms Rules, the Chief Commissioner has declared that in the whole of the N. W. F. Province—

(1) lead required in good faith for industrial and manufacturing purposes (other than the manufacture of bullets and bird shot) in quantities not exceeding one cwt.,

(2) leaden bullets in quantities not exceeding two lbs. in weight, and

(3) bird shot not exceeding five lbs. in weight,
are exempted from the operation of all prohibitions and directions contained in the Indian Arms Act, 1878, Notn. No. 10903G. dated the 29th Nov. 1921 is hereby cancelled.

18. Notn. no. 628-G., dated the 15th Jan. 1924.—Notn. no. 5324-G., dated the 30th March 1922, regarding the **scale of exempted arms and ammunition** in case of persons exempted under entries 11 and 11A of Schedule I of the Indian Arms Rule, 1920, is hereby cancelled as entries 11 and 11A have been excluded from the Rules of 1924.

19. Notn. no. 629-G., dated the 15th Jan. 1924.—Notn. no. 7103 G. dated the 2nd May 1922, is republished below for general information:—All registers and instructions prescribed therein under the Indian Arms Rules of 1920, shall now be deemed to be prescribed under the corresponding provisions of the Rules of 1924.

20. Notn. no. 7103 G. dated the 2nd May 1922.—The following rules have been made under the Indian Arms Act 1878 (XI of 1878) and under Government of India resolution no. 1, dated the 1st January 1920.

Powers.

The Chief Commissioner has empowered—

(1) All Magistrates and all police officers not below the rank of officer in charge of a station to **detain** arms ammunition or military stores under **section 6**,

(2) all police officers not below the rank of officer in charge of a station to **conduct** searches under **section 25**, and

(3) has appointed all police officers of rank not below that of officer in charge of a station, in virtue of their office, to **conduct** searches under **section 30**

Stock and account books to be kept by licensed manufacturers and dealers.

(4) All persons holding licences to **manufacture, convert, keep and sell arms, ammunition or military stores** shall keep up stock books and accounts of receipts and issues in forms A and B, appended to these rules, and all persons holding licences 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 licence 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 with his official seal. Notn. no. 2609-G. N. dated the 27th August 1920, is hereby cancelled but weekly intimation must be sent by all dealers to the Superintendent of Police regarding all sales of arms, ammunition or military stores.

(5) The shops premises and stock of all **licensed manufactures and dealers** shall be inspected once in every quarter by a Police Officer not below the rank of Inspector and once at least in every year by a gazetted police officer. At the time of inspection the books shall be initialled 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.

(6) On receiving notice of a sale under clause 2, section 5, of the Arms Act, by a person lawfully possessing arms to any person not prohibited from possessing arms, the Magistrate or Police Officer may make enquiries 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.

Arms deposited in a Police Station.

(7) 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 in form R. showing the name of the depositor and the date of the deposit and shall give the depositor a duplicate or copy of the same. After seven days, if the owner has not obtained a licence authorising him to possess them the arms, ammunition or military stores shall be forwarded to the head-quarters of the district and

kept in the *malkhana* of the Magistrate of the district or in the Police magazine. The ministerial officer to whom they are entrusted shall keep a register in form S. 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 numbers of the register.

Arms and military stores seized.

(8) Arms, ammunition or military stores seized under section 11, 25 or 26 shall be similarly dealt with.

Disposal of confiscated arms.

*In partial modification of the rules published in this Government notification No. 629-G-12-58 1924, dated the 15th January 1924, the Governor in Council is pleased to direct that the following rules for the disposal of confiscated arms shall be substituted for rule IX thereof:—

(9) Arms, ammunition or military stores that have been forfeited to His Majesty under sections 14 and 16 or have been confiscated to His Majesty under sections 24 shall be disposed of as follows:—

(1) Arms, ammunition and stores which can be utilised by the police or any other Government department may be retained and brought into use with the sanction of the local Government.

(2) Arms, ammunition and stores not so retained shall be disposed of in the following manner:—

(a) All revolvers and pistols of whatever bore, and all rifles and ammunition of prohibited bores, shall be sent to the nearest arsenal for disposal.

(b) Arms, ammunition and stores other than those described under (a) above may be sold to licenced dealers or other persons entitled to possess them.

(c) Arms not disposed of under (b) shall be broken up locally and the materials sold, unless they are rifled fire-arms or rifle barrels, in which case they should be sent to the nearest arsenal to be broken up. Ammunition and stores not disposed of under (b) shall be destroyed. Alternately, all arms, ammunition and stores which cannot be disposed of under (b) may be sent to the nearest arsenal for disposal.

2. An acknowledgment should be obtained from the officer in charge of the arsenal concerned of the receipt of arms and ammunition sent to him under rule (2) above and, in due course, a certificate that the said arms and ammunition have been either destroyed or taken in to ordnance stock.

Note.—The expression "Stores" in these rules means "Military stores" as defined in section 4 of The Indian Arms Act, 1878.

Rewards.

(10) (1) When any arms or other articles are confiscated under section 24, the convicting Magistrate shall immediately upon

*Amended by notn. no. 6400 H. G. N. dated the 25th August, 1933 and No. 23631 H. G. and the 23rd Novr. 1934.

conviction, pay a reward of not less than half the value of the confiscated articles, and in such proportion as he may deem advisable after due consideration of all the facts of the case, to the person or persons (Police Officers are included) 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 articles. Such payment will be chargeable to Law and Justice, and be drawn by Magistrates in their contingent bills. *[When it is essential to maintain secrecy as to the identity of the informer the Court should pay the reward through the Superintendent of Police. His certificate that he has paid the informer will be a valid receipt.]

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

(3) The power vested in Magistrates by these Rules will be exercised subject to the supervision and general control of the District Magistrate (Notn. no. 7103 G. dated the 2nd May 1922 and no. 3028 G. dated the 18th March 1923).

Register of licences.

(11) Every magistrate of a district shall keep up in forms E and G appended to these rules, registers of licences to manufacture, convert, sell or keep for sale granted by him under rule 28 of the rules issued by the Government of India, and shall keep up in forms F and H registers of all licences to sell and keep for sale 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 licences issued by them. The Superintendent of Police will furnish to each officer in charge of a police station copies of extracts, columns (1) to (6) (of form E), giving the names, etc., of persons licensed within his jurisdiction.

(12) 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.

(13) Registers of licences granted by the Magistrate of the district under rules 29 to 32 of the rules made by the Government of India [present rules, 33, 35, 36 and 37] shall be kept up in forms J, K, L, M, N, and O, 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 licences 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.

*Added by notn. no. 99 H. G. of the 2nd January, 1935.

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(14) In place of the returns prescribed in the Punjab Government circular no. 7-669 dated the 26th April 1867 and no. 12-944 dated the 21st June 1867, the Chief Commissioner is pleased to direct that the forms P and Q appended to these Rules be used. Both returns will be prepared for the calendar year and be submitted through the Deputy Commissioners to the Inspector General of Police.

Registers to be maintained by persons licensed to keep in safe custody firearms deposited by their owners for that purpose

(15) All persons licensed to keep in safe custody firearms deposited by their owners for that purpose shall keep up a register in Form I appended to these Rules.

(17) Lead, leaden-bullets and bird-shot—*Vide* para 17, page 270.

FORM A—Stock book—, son of—, caste—, resident of— licensed to manufacture convert, sell or keep for sale arms, ammunition or military stores. [Rule 20 (4), page 271.]

1	2	3	4	5	6	7	8	9	10	11	12		
Date.	Particulars.	DESCRIPTION									Signature of licensee.		
		FIRE-ARMS		OTHER WEAPONS						Ammunition		Military stores, including lead, sulphur & saltpetre	Name and address of the dealer or firm supplying the articles received.
		Guns	Pistols.	Swords	Bayonets	Daggers	Others						
Jany. 1st.	In store—												
	Manufactured.—												
	Received—												
Jany. 2nd	Disposed of—												
	In store												

FORM B.—Daily sale book of—, son of—, caste—, resident of—, licensed to manufacture, convert, sell or keep for sale arms, ammunition or military stores. Rule 20 (4), page 271.]

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. Rs. As. P.	Signature of purchaser.

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FORM C.—Stock book of —, son of —, caste —, resident of —, licensed to sell and keep for sale arms, ammunition or military stores., [Rule 20 (4), page 271.]

With the following exception, the prescribed register is identical with that prescribed under Form A:—

In the case of column 2 of Form C. omit the word "manufactured" which appears in column 2 of Form A.—

FORM D.—Daily sale book of —, son of —, caste —, resident of —, licensed to sell and keep for sale arms, ammunition and military stores. [Rules 20 (4), page 271.]

Except for the heading the prescribed register is identical with that prescribed under Form B.

FORM E.—Register of licences to manufacture, convert, sell or keep for sale arms, ammunition or military stores other than breech-loading rifles, rifle ammunition or military stores for rifles in —district. [Rule 20 (11), page 273.]

1	2	3	4	5	6	7	8				
Tahsil.	No.	Name of licensee.	Father's name and caste and residence	Place of business.	Date	INSPECTION BY		REMARKS.			
						Police officer not below the rank of Inspector.				Gazetted Police Officer.	
						1st	2nd.		3rd.		4th.

Form X of 1924

FORM F.—Register of licences to sell and keep for sale arms, ammunition or military stores other than breech loading rifles, rifle ammunition or military stores for rifles in —[Rule 20 (11), page 273]

With the following exceptions, the prescribed register is identical with that prescribed under Form E.

In column 7 ("inspection by") substitute the following:—

- (1) In the first sub-column for the heading "Police Officer not below the rank of Inspector"

substitute "Assistant Superintendents or Inspectors of Police."

- (2) In the second sub-column for "Gazetted Police Officers"

substitute "Magistrate of district or Superintendent of Police."

Form XI of 1924.

FORM G.—Register of licences to manufacture, convert, sell or keep for sale breech-loading rifles, rifle ammunition or military stores for rifles [Rule 20 (11), page 273.]

Except for the heading, the prescribed register is identical with that prescribed under Form E.

Form XII of 1924.

FORM H.—Register of licences to sell and keep for sale breech-loading rifles, rifle ammunition or military stores for rifles. Rule 20 (11), page 273.]

With the following exceptions, the prescribed register is identical with that prescribed under Form E:—

In column 7 ("Inspection by") substitute the following:—

- (1) In the first sub-column for the heading "Police Officer not below the rank of Inspector" substitute "Assistant Superintendents or Inspectors of Police."

- (2) In the second sub-column for "Gazetted Police Officer" substitute "Magistrate or District of Superintendent of Police."

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Form XIII of 1934.

FORM I.—Register showing details of fire-arms deposited by owners for safe keeping with—licensed in from XI A of the Indian Arms Rules. [Rule 20 (15), page 274.]

1	2	3	4	5	6	7	8
Serial no. (of entry).	Date (of entry).	Name with particulars of owner of arms.	Detail with description of fire-arms deposited.	No. with date of the licence of the owner.	Attestation of deposit of arms in col. 4 by the owner in col. 3 verified by two witnesses in each case.	Check notes and endorsements by inspecting officers under condition 4 of the licence.	REMARKS.

Form XIV of 1934.

FORM J.—Register of licences for the possession only of arms (other than pistols and revolvers), ammunition or military stores. [Rule 20 (13), page 274]

Name, description and residence of licensee and agent (if any)	Number and description of arms	AMMUNITION OR MILITARY STORES.		Place (with description where articles are to be kept)	Period for which the licence valid.
		Description	Quantity		

Form XV of 1934.

FORM K.—Register of licences for the possession and use for the purpose of target practice of firearms and ammunition [Rule 20 (13), page 274.]

Serial no of licence.	Name, description and location of mess, club or association	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS		Place within which the licence is valid.	Date on which the licence expires.
		Description	Quantity		

Form XVI of 1934.

FORM L.—Register of licences to possess arms or ammunition and to go armed for the purposes of sport, protection or display in the—District. [Rule 20 (13), page 274.]

1	2	3	4	5	6	7	8
Tahsil.	No.	Date.	Name of licence-holder.	Father's name and caste, etc.	Residence.	No. and description of weapons.	REMARKS.

Form XVIII of 1934.

FORM M.—Register of licences to possess and go armed with arms and ammunition for the purpose of destroying wild animals which do injury to human beings or cattle in the—District. [Rule 20 (13), page 274.]

[illegible]

Form XIX of 1924.

FORM N.—Register of licences for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.

The prescribed register is identical with that prescribed under Form M. [Rule 20 (13), page 274]

Form XX of 1924.

FORM O—Register of licences for going armed on a journey in or through any province. [Rule 20 (13), page 275]

1	2	3	4	5	6	7
Serial no. of licence.	Name, description and residence of licensee and agent (if any)	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO CARRY.	RETAINERS (IF ANY) COVERED BY THE LICENCE	Place of departure, route and place of destination.	Period for which the journey is likely to occupy.	Period for which the licence is valid.
1	2	Description. Quantity.	Name of retainer Name of retainer's father. Address of retainer. Description. Quantity.	10	11	12

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FORM P.—Return of licences granted under Act XI of 1878, in the district of _____
for the year 193 . [Rule 20 (14) page 274.]

1	2	3	4	5	6	7	8
Detail of licences.	No. of licences in force last year.	OPERATION OF THE YEAR.			Number in force at end of present year.	Remarks by Deputy Commissioner.	Remarks by Inspector General of Police.
		New licences.	Renewed licences.	Revoked or suspended.			
1. In Form VII* for the transport of arms, ammunition or military stores.							
2. In Form IX to manufacture, convert, sell or keep for sale, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles.)							
3. In Form X to sell and keep for sale arms ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles.)							
4. In Form XI to manufacture, convert, sell or keep for sale breech-loading rifles, rifle ammunition or military stores for rifles.							
5. In Form XII to sell and keep for sale breech-loading rifles, rifle ammunition or military stores for rifles.							
6. In Form XIII for the possession by holders of licences in Form IX, X, XI or XII of fire-arms deposited by their owners for safe keeping.							
7. In Form XIV for the possession of arms (other than pistols or revolvers), ammunition or military stores.							
8. In Form XV for the possession and use for the purposes of target practice of fire-arms and ammunition.							
9. In Form XVI for the possession of arms and ammunition and for going armed for the purpose of sport, protection and display.							
10. In Form XVIII for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle.							
11. In Form XIX for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.							
12. In Form XX for going armed on a journey in or through any Province.							

N. B.—This return will be prepared for the calendar year and will be submitted to the Inspector General of Police through the Deputy Commissioners.

* For the sake of convenience the form numbers shown in column 1 are those prescribed under the rules of 1924.

FORM Q. Annual statement of the operation of the Arms Act XI of 1878 in the district of _____ for the year _____ [Rule 20 (14) page 274.]

This form is similar to form L of the forms attached to Punjab Rules on page 257.

FORM R. [Rule 20 (7) page 271.]

Receipt for arms, etc. deposited in a Police Station.

FOIL.
POLICE STATION. _____ DISTRICT. _____
Arms, ammunition or military stores deposited in the above Police Station under the Indian Arms Act XI of 1878
Serial No. _____
Date _____

Nature of arms, ammunition or military stores, and condition in which received.

Name and father's name of depositor.

Residence of depositor.

I certify that I have received the above mentioned articles and have deposited them in the Station Malkhana (store-room) after having labelled them.
Station Clerk.

Note—To be forwarded to head-quarters with a copy of this entry after seven days if owner has not obtained a licence authorizing him to possess them. This form is to be used for arms, ammunition and military stores seized under sections 11, 25 and 26.

FORM R. [Rule 20 (7) page 271.]

Receipt to be given to depositor.

COUNTERFOIL.
Under section 14 or 16 of Act XI of 1878.
POLICE STATION _____ DISTRICT _____
Serial No. _____
Date _____

Nature of arms, ammunition or military stores and condition in which received.

Name and father's name of depositor.

Station Clerk.

Tickets to be attached to arms, etc.

Serial No. Dated	Serial No. Dated
Serial No. Dated	Serial No. Dated
Serial No. Dated	Serial No. Dated
Serial No. Dated	Serial No. Dated

Forms S.—Registers of arms confiscated, [Rule 20 (7), page 271.]

_____ Police Department _____	District.
_____ Column 1. Serial No.	
_____ " 2. Date	
_____ " 3. Name of station whence received with station, date and Serial No.	
_____ " 4. Description of arms, ammunition and military stores.	
_____ " 5. Condition in which received.	
_____ " 6. How disposed of, under whose orders, and date.	

21. Memo. no. 813-G., dated the 17th Jan. 1924, to the Inspector General of Police and copy to Deputy Comrs. in the N.-W. F. P.—I am to invite a reference to endorsement no. 10011-G., dated the 10th November 1923, forwarding a copy of memo. no. 10006—10-G. dated the 10th November 1923, to all Deputy Commissioners, the relevant extract of which runs as follows:—

Future recommendations for fresh licences should state in each case the number of Government rifles, issued to the village concerned, and also the number of private licences for rifles, revolvers and shot-guns held by the village.

3. In order to facilitate the furnishing of the above information, I am to suggest that, where this is not already done, a register may be maintained showing all subsisting licences not only by police stations but also by villages.

(2) In view of the above, instructions may be issued for the preparation at each police station of a statement, by villages instead of as now by police stations, of the licences for private firearms in force at the end of the year 1923, and for the supply of a copy of this statement to the District Magistrates concerned.

21. *Memo. no. 1692-96 G., dated the 7th February 1924.*—The following instructions are issued with regard to the working of proviso (c) to Rule 42 (3) of the Indian Arms Rules, 1924 :—

(1) In the first place attention is invited to the requirements of proviso (c) which runs—"where a licence is renewed by an authority other than the authority who granted it, the former shall forthwith inform the latter of the fact of renewal and the period for which such renewal is valid.

(2) Under the first part of condition 11 of form XVI the licensee is obliged to report to the authority which granted the licence any change in his permanent residence. He is not obliged to report a temporary change of residence, yet under the second part of condition 11, he can have his licence renewed at any place at which he is residing although that residence may be temporary.

(3) In order that the district registers of firearms in the North-West Frontier Province may be kept up to date, it will be necessary for the North-West Frontier Province Officer renewing a licence granted elsewhere than in his own district to enquire whether the licensee has permanently changed his residence to the district of the renewing authority. If the answer is in the affirmative, renewal should be withheld pending the sanction of the District Magistrate, as, so far as the renewing district is concerned, the renewing is virtually the grant of a new licence, and the Chief Commissioner has decided that the grant, as opposed to the renewal, of licences shall be solely in the hands of the District Magistrate himself.

(4) When making the intimation required by proviso (c), the renewing authority shall in each case intimate to the authority which granted the licence whether the licensee states that his change of residence is permanent or merely temporary.

22. *Notn. no. 71-G. N. 14/62-24 dated the 23rd May 1924.*—Under section 35 of the Court Fees Act, 1870 (VII of 1870) as amended by the Devolution Act, 1920 (XXXVIII of 1920), the Chief Commissioner is pleased :—

(1) to remit all fees payable under Schedule II of the former Act upon applications in the N.-W. F. Province for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1924, in respect of which a fee is payable under these rules, and

(2) to reduce to one anna all fees exceeding one anna payable under the said Schedule upon other applications relating to licences or duplicates granted or renewed under the said Rules.

THE INDIAN ARMS (NORTH-WEST FRONTIER PROVINCE (AMENDMENT) BILL, 1933.

A Bill to amend the Indian Arms Act, XI of 1878, in its application to the North-West Frontier Province. [11th Aug. 1933.]

Whereas it is expedient to amend the Indian Arms Act, 1878, in its application to the North-West Frontier Province in the manner hereinafter appearing ;

and whereas the previous sanction of the Governor-General has been obtained under sub-section (3) of Section 80-A of the Government of India Act to the passing of this Act ;

It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Indian Arms (North-West Frontier Province Amendment) Act, 1933.

(2) It extends to the whole of the North-West Frontier Province.

(3) It shall come into force at once.

Amendment of the Indian Arms Act, XI of 1878. 2. Section 29 of the Indian Arms Act, 1878, is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

In the case, "The Government Advocate *vs* Fazal Rahim" (Cr Appeal, No 19 of 1933), the Judicial Commissioners, North West Frontier Province, have held that the previous sanction of the District Magistrate is necessary under section 29 of the Indian Arms Act (XI of 1878) for prosecution under section 19 (f) of the same Act.

Section 29 of the Arms Act, 1878, enjoins that the previous sanction of the District Magistrate should be obtained for such prosecutions in districts to which section 32 (2) of the Arms Act, 1860, (Act XXXI of 1860), was not applicable at the date on which the Arms Act of 1878, came into force.

Section 32 (2) of the Arms Act of 1860 deals with a proclamation or order for general disarmament or search for arms

It is true that no proclamation for such disarmament or search was made under the Arms Act of 1860 in the territories now forming the North-West Frontier Province. It is, therefore, correct that technically section 29 of the Arms Act, 1878, does apply to prosecutions under section 19 (f) in this Province. But a general search for arms was made in these territories in 1900 (notification No 1635, dated the 16th November 1900), and the *raison d'être* for section 29 has ceased to exist long ago.

The proximity of the North-West Frontier Province to the border is responsible for the import of a large quantity of arms and ammunition into British Territory, which are used in the commission of violent crimes. The number of prosecutions under section 19 (f) is, therefore, very large and the technicality of obtaining the previous sanction under section 29 has immensely increased the burden of work on the District Magistrates.

The Bill is therefore, introduced to amend the Indian Arms Act, 1878, by repealing section 29 of the same Act.

NORTH-WEST FRONTIER PROVINCE ACT, I OF 1934 [21st MAY 1934].

The Indian Arms (N - W. F. P. Amendment) Act, 1934.

An Act to amend the Indian Arms Act, 1878, in its application to the North-West Frontier Province.

Whereas it is expedient to amend the Indian Arms Act, 1878, in its application to the North-West Frontier Province in the manner hereinafter appearing ;

And whereas the previous sanction of the Governor-General has been obtained under sub-section 3 of section 80-A of the Government of India Act to the passing of this Act ;

It is hereby enacted as follows :—

Short title, extent and commencement. 1. (1) This Act may be called be Indian Arms (North-West Frontier Province Amendment) Act, 1934.

(2) It extends to the whole of the North-West Frontier Province.

(3) It shall come into force at once.

Amendment of the Indian Arms Act, 1878. 2. Section 29 of the Indian Arms Act, 1878, is hereby repealed.

LOCAL RULES AND ORDERS—DELHI.

1. *Notn. no. 690, dated the 1st Feb. 1915*, as amended by notn. no. 1973 dated the 25th March 1915.—Under section 17 (c) of the Indian Arms Act, XI of 1878, the Chief Commissioner of Delhi has made the following additions to the rules published with the Punjab Govt. notn. no. 943, dated the 10th July 1907, superseded by notn. no. 8408 dated the 6th March 1927.

Add to rule XVIII (4).

NOTE I, Every second page of register forms B. and D is perforated for extraction.

The pages of the registers are numbered series of two consecutive pages bearing the same number, the second of which is perforated for extraction

When a sale is completed it is entered on the first page of the series, a simultaneous entry on the second page being secured by means of carbon paper. When a page has been completed the perforated duplicate should be torn out and forwarded to the Superintendent of Police

II. On receipt of a record of sale prepared in accordance with note I the Superintendent of Police should verify by personal investigation or by inquiry from Superintendent of Police or Political Agent within whose charge the purchaser resides, whether the weapon is in the possession of the purchaser, and whether he is lawfully entitled to possess it

III The purchase of arms by residents of Native States should be reported to the Personal Assistant to the Chief Commissioner of Delhi by letter on the day on which the purchase is made. The letter should state the name and residence of the purchaser and the name of the Native State in which he resides.

2. *Letter No. 1072, dated the 29th Feb. 1924.*—The Chief Commissioner is pleased to lay down the following standard for the reasonable amount of **ammunition** which may be possessed by persons licensed to possess firearms in the Delhi Province :—

- | | |
|---|-----------------------|
| (1) In the case of shot guns of 22 bore or target rifles— | No limit. |
| (2) In the case of revolvers | ... 100 rounds. |
| (3) In the case of rifles | 200 rounds per rifle. |

(3) Any person who can prove that he needs more than 100 rounds for a **revolver** or 200 rounds for a **rifle** may be given a licence for a large number at the discretion of the District Magistrate.

(2) At the time, of the purchase of **revolver and rifle ammunition** the licence should invariably be produced.

For the purpose entries 4 and 5 of the table subjoined to Schedule II of the Indian Arms Rules, **lead bullets and bird shot** in quantities not exceeding one cwt. and **sulphur** in quantities not exceeding ten seers in the province of Delhi are excluded from the operation of all prohibitions and directions contained in the Indian Arms Act, 1878, (notn. no. 702 dated the 5th Feb. 1923.)

4. Registration of arms by exempted.—Similar to Punjab Rule prescribed by letter no. 6820 dated the 5th March 1923, below para. VIII, on page 247, *ante*.

Local Rules and Orders.—[Madras.]

1. Under section 16 (4) of the Indian Arms Act, 1878, all arms, ammunition and military stores within the Malabar District shall be deposited with the Officer in charge of the nearest Police Station and all licences issued for the possession or carrying of arms within the Calicut, Ernad, Walivanad and Ponnani talukas in the Malabar District are cancelled. [G. O., No. 260, dated the 30th January 1885, No. 355, dated the 6th Feb. 1885 and No. 222, dated the 10th September 1922.]

2. Guns, imported from and exported to the French territories of Pondicherry and Keraikel, without a licence, are liable to be detained by the Customs Officer and dealt with according to law. All cases of importation of arms without a licence when combined with smuggling from the French territory should be handed over to the Police Department for necessary action under the Arms Act. Where the case is one of mere smuggling under a valid licence, the officer detecting the case should submit a detailed report to the Circle Inspector of Customs detailing the facts of the case for necessary departmental adjudications.

3. Under rule 22 [1] of the Indian Arms Rules, 1924, a licence is required for *transport* within the confines of the same district. No licence is however necessary for the removal of ammunition from one magazine or ware house to another in the same locality.

4. The provisions of chapter IV of the Indian Arms Act, XI of 1878, cannot, as a matter of courtesy, be enforced to the case of the French Military and Police Officers, when passing the Tindivanam, Villupuram, and Cuddalore taluks of the South Arcot District and the Nannilam, Negapatam and Mayaveram Taluka of the Tanjore Districts, nor customs duty demanded at the Land Customs stations in respect of arms which such Officers are entitled to carry in French Territory.

5. It is necessary that the register of accounts maintained by dealers in arms and ammunition should furnish complete information not only of the purchase of any lethal weapon but also of the identity of the various weapons in stock in order that it may be possible to trace them in case of theft. They have therefore prescribed the form A.

6. The special **stock book** for firearms [Form C] is to be maintained in addition to the general stock book except by dealers who keep rebate book which gives all the information specified in the Form.

7. Dealers occasionally also receive arms and ammunition from persons who wish to effect their disposal, and it is necessary that all such arms and ammunition should be separately accounted for in an additional register [in Form D] showing receipts and disposal of such arms and ammunition,

8. Dealers in ammunition are also required to take out licences under the **Explosives Act** and the conditions of these licences require the maintenance of stock books and sale books. The Government have prescribed the forms that should be maintained under the Explosives Act. The forms of stock book and sale book are similar in principle to the forms prescribed under the Arms Act. Dealers who hold licences under both the Arms Act and the Explosives Act in respect of the same kinds of ammunition, or whose licences under the Explosives Act have been endorsed to have validity under the Arms Act, need keep only the stock books and sale books prescribed under the Arms Act provided that they contain columns to exhibit all the articles which the dealers are licensed to keep under both Acts.

Maintenance of Arms Licence Registers and the Grant and Renewal of Licences in Form XVI.

9. All District Magistrates, Taluk Magistrates and Deputy Tahsildars and Sub-Magistrates in zemindari tracts and station house officers will **keep in Form A, decennial registers of licences** issued under the Arms Act in Form XVI to persons residing in the areas with which they are, respectively, concerned. In the office of the District Magistrate a separate register will be maintained for each taluk or Deputy Tahsildari. In each taluk register the entries will be arranged by police stations and villages, the villages within the limits of each police station being arranged in alphabetical, or other convenient, order. A page or more will be allotted to each village, as may be found necessary, no village being omitted although no licensee resides therein. Entries relating to hamlets will be placed under the parent village. The page numbers of each taluk register will be consecutive throughout the register. An index of villages arranged in alphabetical order will be placed at the beginning of each taluk register. The serial number of the licence will be a fraction of which the number of the page of the register in which it is registered is the numerator and the number of the line is the denominator, preceded or followed by a letter indicating the taluk (e.g. $\frac{25}{3}$). The entries in the registers maintained in subordinate offices which will be supplied in the first instance from the District Magistrate's office, must therefore correspond exactly, page to page, and line to line, with the entries in the register maintained in the District Magistrate's office. The District Magistrate will fix dates between the 1st and 15th January for the submission to him of each taluk register in the district. Necessary entries will be made in the District Magistrate's office in these **taluk registers** relating to all licences renewed or the renewal of which has been refused for the year just begun. The taluk register will be returned to the Sub-Magistrate with as little delay as practicable. About the 1st of the second month of each quarter each station house officer will

take or send his register to the Taluk or Deputy Tahsildar's office, as the case may be, have it checked with the register maintained in that office, and corrected and brought up to date. All officers of the Police Department of and above the rank of Inspector, will inspect the police station register at every inspection of the station and see that it is properly maintained.

10. At the end of each **register maintained in the office** of a District or Taluk Magistrate or Deputy Tahsildar, and at a police station, **an abstract** will be made in Form B showing the number or weapons of each kind licensed in the taluk or station. A fresh abstract will be opened at the beginning of each year by counting the licences already granted or renewed for the year by the 1st January. Whenever an alteration is made in the body of the register, either by reason of the grant of a new licence or the cancellation of or refusal to renew an old licence, a corresponding entry will be made in column I of the abstract by quoting the register number of the licence, preceded by a + sign in the case of a new licence and a - sign in the case of a cancellation of or refusal to renew a licence; the necessary entries in columns II, III and IV of the abstract will be made whenever it is desired to bring the abstract up to date and whenever a line in column I is complete the net total should then be struck in column II of the abstract.

11. **Application for new licences** may be sent to the District Magistrate or to the Taluk Magistrate or the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts, or to the station house officers. Applications received by the District Magistrate direct will be sent to the Taluk Magistrate or to the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts for report. Taluk Magistrates and Sub Magistrate in Zamindari tracts will forward to the police for report only the applications which they receive direct or through their District Magistrate, from individuals whose character, status or reputation is unknown or doubtful; they will submit all others to the District Magistrate direct with their own reports. Station-house officers will forward their reports on applications for new licences to the District Magistrate through the Police Inspector and the Taluk Magistrate or the Sub-Magistrate in Zamindari tracts. The Taluk Magistrate or the Sub-Magistrate in Zamindari tracts will see that the correct names of the village, hamlet (if necessary) and police station within whose limits the village is situated are correctly entered in the application before submitting it with his report to the District Magistrate.

12. **Application for renewal of licence** should be submitted early during the last quarter of the year preceding that for which the renewal is desired as all weapons for the possession of which renewed licences have not been issued by the 1st January must be deposited in the police station.

Each application should be accompanied by the licence and may be sent either to the District Magistrates direct or to one of the other officers mentioned above. Subordinate Magistrates and police officers, who may receive such applications, should submit them at once without remark (unless some reason for refusing renewal is already known to them) to the District Magistrate direct.

13. District Superintendents of Police will issue instructions to their subordinates to report at once any information which may indicate that the **renewal of any licence is undesirable**. About the end of September in each year the Superintendent of Police and Taluk Magistrates and in Zamindari tracts Deputy Tahsildars and Sub-Magistrates will supply the District Magistrate confidentially with any information which would appear to render the renewal of any existing licence inexpedient.

14. Licences will be issued in printed form in the vernacular or in English at the option of the licensing officer. If the District Magistrate grants, renews or declines to renew a licence, he **should send the licence order** to the licensee either—(i) through the post, service paid, the nature of the contents being clearly noted on the cover in the vernacular (e.g., "licence for the possession of a gun"); or (ii) through the Taluk Magistrate, or the Deputy Tahsildar and Sub-Magistrate in the Zamindari tracts, or (iii) through the officer in charge of the nearest police station.

15. If the District Magistrate, on an application for a new licence, refuses to grant the licence, the order of refusal should be forwarded to the applicant through the Taluk Magistrate or Sub-Magistrate in Zamindari tracts for the information of the officer. If the licence or order sent by post is returned through the Dead Letter office, it should be sent out for delivery to the addressee through the local Taluk Magistrate or Deputy Tahsildar and Sub-Magistrate or the officer in charge of the nearest police station.

16. At the close of each month the District Magistrate will forward to the Subordinate Magistrates concerned **lists of the licences granted, renewed, cancelled or the renewal** of which he has **refused** during the month in Forms C and D. Licences renewed for the year following that in which the lists in Form C are sent need not be shown in the list. Licences the renewal of which is refused for the following year should be included in the lists in Form D, in order that action may be taken to see that the arm covered by the licence is not retained illegally by the licensee after the close of the year. If a licence is not renewed, the District Magistrate will state in the last column of the list in Form D, the reason

for non-renewal (such as the death of the licensee, the transfer of the weapon by sale, gift or otherwise) and should see that the weapon is not retained by any person who is neither exempted from the operation of the Indian Arms Act in respect of such weapon nor licensed to possess it.

17. Not later than the 15th January of each year the District Magistrate will forward to the Superintendent of Police (in Form E) **lists of licensees** who have not applied before the 1st January for the renewal of their licences with the request that he will ascertain and report the causes of the omission, whether the arms have been deposited in the police station, and whether a prosecution has been instituted in each case in which the arms were not duly deposited in the police station, a separate list will be sent for the village in each police station. The list should be returned to the District Magistrate's office not later than the 15th March by the District Superintendent of Police with his report and recommendation whether the unexpired licence should be renewed or not.

18. When the **Taluk registers** are submitted to the District Magistrate the District Magistrate will have them compared with the register maintained in his office, so far as the entries relating to the previous year are concerned, and corrected, if necessary, before the abstracts in the registers maintained by subordinate officers are compared with the abstract of the register maintained in the District Magistrate's office, the figures in the latter should be verified by counting the outstanding entries in the body of the register. The District Magistrate will include in his annual report brief remarks regarding the maintenance of these registers throughout his district. For this purpose the District Superintendent of Police will report annually, not later than the 1st February, to the District Magistrate of the maintenance of the register by station house officer during the previous year.

19. In the absence of any special reason to the contrary, licensing authorities have been authorised to adopt the following scales in the matter of fixing the maximum quantities of ammunition that can be possessed at any one time by the licensee.

Shot guns or .22 bore or target rifles	...	No limit,
Revolvers and Pistols		100 rounds each,
Rifles		200 " "

If any person proves that he needs more than 100 rounds for revolvers or 200 rounds for rifles he should be given a licence for a larger number.

20. The quantity of shot that may be possessed by licensee need not be entered in the licence as, birdshot when possessed in quantities not exceeding 1 cwt at any one time, is exempt from the operation of the Indian Arms Act, 1878.

21. The following instructions are issued for the guidance of District Magistrates and the Commissioner of Police in regard to the registration of retainers in forms XVI and XX of the licence forms in Schedule VIII of the Indian Arms Rules, 1924. These restrictions should be strictly observed :—

(i) Retainers should be permitted only to those persons whose standing or circumstances are such that they may reasonably require retainers or servants to carry weapons in the ordinary course of duty.

(ii) All applications for the inclusion of retainers must be dealt with by the District Magistrate or the Commissioner of Police in person.

(iii) No change should be made in the names of retainers entered in a licence except under the signature of the District Magistrate or the Commissioner of Police who granted the licence or his successor in office.

(iv) When retainers are licensed the fact should be clearly stated in the columns of the licence forms.

22. RULES UNDER SECTION 16 OF THE INDIAN ARMS ACT XI OF 1878,

AS AMENDED BY ACT XX OF 1919.

(MADRAS G. O. NO. 1823, DATED THE 28TH JULY 1920.)

1. (1) Arms, ammunition and military stores deposited at police stations under section 16 (1) of the Act, shall, if not returned or otherwise disposed of within one month from the date of their deposit, be removed to and lodged at the head-quarters police stores of the district.

2. With reference to paragraph 3 of G. O. No. 626, Judicial, dated 22nd April 1910, no separate register in the form prescribed therein need be maintained by dealers showing receipts and disposals of arms and ammunition occasionally received from persons who wish to effect their disposal. The registers which the dealers are required to maintain under rule 1 of the rules appended to this order may be utilized for the purpose.

3. The District Magistrates and the Commissioner of Police, Madras, will furnish the dealers in arms and ammunition, if any, in their respective jurisdictions, with copy of the rules appended to this order and of the instruction contained in paragraph 2 above.

Notification.

(1) Every licensed dealer with whom any arms ammunition or military stores have been deposited shall give to the depositor a receipt and shall enter the necessary particulars in a register to be maintained by the dealer in the appended form.*

*Form

Receipts.	Disposal.
1. Date of receipt.	6. How disposed of—whether by sale, return or other disposal.
2. Sender's name and address in full.	7. In case of sale or other disposal—purchaser's or transferee's name and address in full and particulars of his licence.
3. Particulars of sender's exemption or licence.	8. In case of return of the weapons, date of return and name and address of person to whom sent.
4. Description of arms with maker's name and number, if any	9. Date when due for forfeiture.
5. Description and quantity of ammunition and military stores,	10. Remarks.

(2) The licensed dealer shall furnish the Commissioner of Police or the District Magistrate with an extract of the Register on the day on which each deposit, return, sale or other disposal takes place. The officer receiving the extract shall depute an officer to check the extract with the dealer's register and initial each entry. .

(3) The stock on hand with the licensed dealer together with the arms, ammunition or military stores deposited with him under section 16 (1) of the Act shall not exceed the quantity which he is licensed to possess.

(4) Subject to the provision of rule (6), any arms, ammunition or military stores which are not returned or disposed of under section 16 (2) of the Act shall, after the expiration of three years from the date of their deposit, be forfeited to His Majesty.

(5) Licensed dealers shall submit at the end of each quarter, viz, 31st March, 30th June, 30th September, and 31st December, to the Commissioner of Police in the city of Madras and elsewhere to the District Magistrate, a statement showing the arms, ammunition or military stores that have become liable to forfeiture under rule (4).

(6) Arms, ammunition or military stores deposited by a guardian on behalf of a minor may be left in deposit until the expiration of one year from the date of such minor attaining majority when, if the person entitled to receive them back or dispose of them as required by section 16 (2) of the Act has not taken the required action, they shall be forfeited to His Majesty.

23. Register for licence in forms XIV and XVIII may be maintained in the appended forms A-1 and A-2. The forms will not be standardised and may be altered to suit local requirements. If District Magistrates find it convenient in districts where licences in these forms are few to enter them in the existing register A or in register A-3 appended, this may be done. For licences in form XIX to which the Government attach growing importance a separate register in form A 3 should be opened.

24. Powers and duties of police officers under the Arms Act :—

(1) To arrest any person found carrying or conveying any arms, ammunition or military stores, whether covered by a licence or not, in such manner or under such circumstances, as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used for any unlawful purpose :—

(2) to take such arms, ammunition or military stores from him ;

(3) to take without unnecessary delay such person's arms, ammunition and military stores before a magistrate (section 12) ;

(4) to disarm any person going armed without a licence or in contravention of the terms of a licence (section 13).

The last named person commits an offence under section 19 (e) which is cognizable. He may therefore, be arrested, but this should not ordinarily be done unless the circumstances require it. The case will be reported to the magistrate having jurisdiction and a process obtained,

25. (1) **The offences detailed in sections 19 and 20 are cognizable.**
 —(2) The District Magistrate's sanction is requisite to a prosecution under section 19 (f), (section 29).—(3) Under section 28 all persons are bound to give information of offences under the Act, which comes to their knowledge.

26. Persons (whether licensed or not) are forbidden to **go armed to fairs, religious processions or other public assemblies**, unless specially authorised by the officers granting the licence.

27. Under section 22 of the Act **licensed dealers** in arms and ammunition are bound to ascertain that the persons to whom they sell arms, ammunition or military stores are legally authorised to possess the same. Any tendency on the part of dealers to evade this obligation should be checked by the police by their constant strict supervision over the trade in arms and ammunition. The police should also exercise constant vigilant supervision over the registers maintained by licensed dealers in order to ensure that arms and ammunition are not sold to persons other than those legally authorised to possess the same. If on inspection, they find that arms and ammunition are supplied to persons whose exemption seems to be doubtful they should take steps to ascertain whether such persons are really exempt from the provisions of the Arms Act, and if not, to report the matter to the District Magistrate. In doubtful cases of sales to persons said to possess licences under the Arms Act, a reference to registers maintained in police station will show whether the purchasers are *bona-fide* or not.

28. (1) A register of licences granted under the Arms Act, shall be maintained in every station. Rules for its maintenance and the grant and renewal of licences are given in para. 9. This register will be supplied by District Magistrate.

(2) The station licence register shall be taken to the taluk or Deputy Tahsildars office about the 15th of every month for check with the register maintained and initialled by the Taluk clerk who keeps the register.

29. The agency for conducting the sale of arms and ammunition taken over under the provisions of section 88 of the Sea Customs Act or confiscated under section 167 of that Act is the Customs authority. All arms, ammunition or military stores which may be forfeited under any other legal enactment should be forwarded in the Presidency town to the Commissioner of Police and in the mufassil to the Magistrate of the district for disposal in accordance with the rules prescribed in that behalf. Such of these arms as are intended for destruction locally will be forwarded to the District Police Head-Quarter office for destruction by the Police Armourer or the Sergeant Major in charge of the Armed Reserve, who should certify to the Magistrate that the Arms have been properly broken up.

(3) Notification.—Under the Rule 43, sub-rule (2) of the Indian Arms

Rules, 1920 [c.f. present rule 48(2)] the following procedure shall be adopted in respect of licences to be issued under the Indian Arms Act, 1878.

Application for licences or duplicates thereof may be made on plain paper or on impressed stamps. In the former case the applicants shall supply impressed stamps of the value equal to the amount of fee leviable, in respect of such licences or duplicates. In the latter case the balance of the fee leviable after deducting from the licence fee the value of the stamp on which the application is made, shall be made good by non-judicial stamps to be supplied by the applicant. The stamped paper so prefixed to the applications need not contain anything but the signature of the applicant.

All applications should be in the annexed form.* Application forms printed on plain paper may be obtained from the Commissioner of Police in the Madras City and District Magistrates in the mufassil.

* (Application for new
renewal of gun licence.)

1. Is the application for a fresh licence or for renewal of old licence?
2. Name of the applicant with father's name in full.
3. Residence.—Village, Taluk and Police station.
4. Occupation.
5. Description of arms or ammunition required to be possessed.
6. Purpose—
(a) Is it for protection? (b) Is it for possession only? (c) Is it for sport
7. Area, within which applicant wishes to go armed.
8. If retainers are required—
(a) Their number, (b) their names, (c) their addresses.
9. Is the licence required for an old weapon now in deposit, or for a fresh weapon to be purchased?
10. Whether applicant had applied for a licence at any time before, and if so with what result?

Date.

Signature of Applicant.

(G. O. no. 644 Judicial dated the 21st September 1921.)

31. As some doubt seems to exist whether applications for licences under the Indian Arms Act may still be sent through officers in charge of police stations, the Government desire to explain that the executive instructions which empower Police Station House officers to receive applications for arms licences have not been cancelled by the issue of the Arms Act Rules of 1920. It is not compulsory that applications should be sent through officers in charge of police stations, nor is it incumbent on District Magistrates to consult the police before granting or refusing a licence. There is however no objection to the sending of an application through the officer in charge of a police station. (Madras No. 268 J., dated 11th June 1921)

32. Section 15 of the Arms Act has been extended to the **Malabar district**. It is therefore hereby notified, that within the limits of the said district, no person who is not specified or described in Schedule I of the Indian Arms Rules, 1924, as exempted shall, from the date of this notification have in his possession any arms of any description except under a licence and in the manner and to the extent permitted by it. (Notn. no. 222 dated the 14th Sept. 1922).

33. Under the proviso in column 3 against entry 1 of Schedule II all prohibitions and directions contained in sections 5 and 6 of the Indian Arms Act, 1878, are retained in respect of the manufacture, conversion or selling or keeping, offering or exposing for sale of **bayonets, swords and daggers** and also in respect of the import, export and transport of bayonets, swords and daggers, except under a licence and in the manner and to the extent permitted thereby throughout the Presidency of Madras. (Notn. no. 281 dated the 1st Decr. 1922 and notn. no. 73 dated the 22nd March 1923).

34. It has been brought to the notice of Government that instances are becoming common in which **persons leaving the country** deposit their firearms with friends or others without ascertaining whether the persons with whom they deposit the arms possess the necessary licences or not and without intimating the fact of such transfer of arms to the licensing authorities. It is also reported that weapons so deposited are not infrequently used by persons who have no licence to use them. To deposit arms, except in the manner prescribed under the Arms Act, constitutes an offence punishable under the Act. The Government, therefore, desire to **warn** all licensees and the general public against such violation of the provisions of the Arms Act and Rules. The proper procedure to be followed in such cases is for the licensee to deposit his weapons for safe custody in a police station or with a licensed dealer, i. e. the holder of a licence in Form IX, Form X, Form XI or Form XII of the rules. In the latter case a licence in form XIII, which is issued free of fee, should be obtained by the licensed-dealer for the possession of such arms. A licensee may also at his option leave his weapons, other than pistols and revolvers, with a private person, provided that a licence in Form XIV, which is also issued free of fee, is obtained in the name of such person. In the case of revolvers and pistols, however, a fresh licence in Form XVI, should (on payment of the prescribed fee) be obtained by the person in whose custody they are left. The Government trust that the procedure described above will be strictly followed in future by all licensees. (G. O. no. 49 dated the 28th Jany. 1926).

35. It will be necessary in future to obtain licences from the local

Government to re-import rifles of '303 and '450 bores and pistols and revolvers of '441, '455 and intermediate bores ; but it will be left to the Customs authorities to give the necessary permission to reimport such weapons when the required conditions are satisfied. The re-importation of such weapons will be permitted only on the conditions specified ; *vide* note no. (10) to Rule 7 on page 74). (G. O. no. 658 dated the 2nd Nov. 1926)

36. The weapon known as "Zipo" or "Life Preserver" is subject to all prohibitions and directions contained in the Arms Act. G. O. no. 968, dated the 9th Aug. 1930 and note (8) to sec. 4, page 26).

37. Under Section 13 of the Indian Arms Act 1878, all forest officers of and above the rank of rangers in the Madras Presidency are empowered to disarm any person going armed without a licence or in contravention of the provisions of his licence. (G. O. no. 1554 dated the 5th Decr. 1932).

38. The District Magistrates and the Commissioner of Police, Madras, should maintain a register of fire-arms in the possession of persons resident within their jurisdiction who are exempted under Schedule I to the Indian Arms Rules, 1924 (other than those included in entry (1) (b), or (2) or (6) (c) thereof). They therefore direct that the following notification, to these proceedings be published in the Fort St. George Gazette. (G. O. No. 159 Public (Police) dated the 29th Mar. 1933)

***NOTIFICATION.**—In exercise of the powers conferred by clause (b) of the proviso to subrule (1) of rule 3 of the Indian Arms Rules, 1924, the Governor in Council is hereby pleased to direct that every person resident in the Presidency of Madras who is exempted under Schedule I to the said rules, other than the persons included in entry (1) (b), entry (2) or entry (6) (c) of the said Schedule, shall register the fire-arms in his possession in respect of which he is exempted from the operation of any provision of the Indian Arms Act, 1878 (XI of 1878), in the manner prescribed in the following rules :—

1. For the purpose of these rules—

(i) 'registering authority' shall mean the Commissioner of Police in the Presidency town of Madras and the District Magistrate elsewhere ; and

(ii) 'exempted person' shall mean a person exempted under Schedule I to the Indian Arms Rules 1924, other than the persons included in entry (1) (b), entry (2) or entry (6) (c) of that Schedule.

2. (a) The registering authority shall send to every exempted person residing within his jurisdiction two copies of the form appended to these rules.

(b) The exempted person shall within one month of the receipt by him of such forms fill them correctly and return them to the registering authority for registration.

(c) The registering authority shall on receipt of the forms duly filled in verify that they are identical, assign them a number, and stamp and countersign them. He shall retain one of the forms for his record and return the other to the exempted person to be kept by him.

(d) The forms retained by the registering authority shall be filed together in serial order and indexed.

3. (a) On or before the 7th of January every year, the registering authority shall call for a report in writing from every exempted person residing within his jurisdiction regarding any changes in the description and number of the fire-arms in his possession which have taken place since the submission by him of the forms under sub-rule (b) of rule 2 or the last report under this rule, as the case may be.

(b) The exempted person shall submit a report accordingly before the end of the month and in case there is any change in the description or number of the fire arms in his possession, he shall submit with his report the form kept by him after making the necessary entries or corrections therein.

(c) The registering authority shall, on receipt of the report and the form, make the necessary entries or corrections in the form retained by him for his record and shall return to the exempted person the form submitted with his report after attesting the new entries and corrections therein.

4. Every exempted person shall report any permanent change of residence to the registering authority within whose jurisdiction his new place of residence is situated.

5. When an exempted person has changed his permanent residence from the jurisdiction of one registering authority to that of another, the latter authority shall obtain from the former the enquiry form and subsequent reports if any, submitted by the exempted person.

Provided that in the case of an exempted person arriving from outside the Presidency of Madras, the registering authority shall proceed in the manner laid down in rule 2.

6. No fee shall be payable for the registration of fire-arms under these rules.

Statement of fire-arms in the possession of persons exempted under Schedule I to the Indian Arms Rules, 1924 (other than persons included in entry (1) (b), entry (2) or entry (6) (e) of that Schedule), in respect of which he is exempted from the operation of any provision of the Indian Arms, Act 1878.

1. Name of person exempted and address.

2. Class under which exempted.

3. Description of fire arms exempted.

(a) Serial number of fire arms.

(b) Whether a rifle, pistol, revolver or gun

(c) Description and bore with maker's name and number and other marks stating the part of the weapon on which they are stamped.

(d) Whether muzzle loading or breech loading.

(e) Whether single or double barrelled.

(f) Whether single shot or magazine and capacity of magazine. (If a revolver, number of chambers for cartridges.)

(g) Whether with the exemptee or his retainer.

4. Signature of person exempted.

Date

5. Remarks

6. Countersignature of the registering authority.

Date

7. Stamp of the office of the registering authority.

FORM B, (Madras Rule 10)

DAILY sale and issue book of _____ son of _____, resident of _____ licensed to manufacture, convert, sell or keep arms ammunition or military stores according—

to license No. _____ of 19 _____, in Form. $\left. \begin{array}{c} \text{IX} \\ \text{X} \\ \text{XI} \\ \text{XII} \end{array} \right\}$ of the rules under the Indian

Arms Act, 1878, and licence No. _____, in Form $\begin{array}{c} \text{A} \\ \text{B} \end{array}$ of the rules under the Indian Explosives Act, 1884.

				DESCRIPTION.															
Date of sale.		Name and father's name of purchaser.		Profession of purchaser.		Residence of purchaser.		Fire-arms.										Other weapons, implements, etc.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18		
				'303 B. L. rifles.	'450 B. L. rifles.	B. L. rifles of bores ranging from '290 to '320, excluding '303 bore	Other B. L. rifles	B. L. arms (not rifled)	Muzzle-loading arms	Revolvers.	Pistol (magazine.)	Description of weapon. (single or double barrel)	Maker's name.	Number of the weapon.	Swords,	Anvil.	Implements.		

DESCRIPTION.																	
Ammunition.														Military Stores.			
19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
	'303 loaded rifle cartridges.	'450 loaded rifle cartridges	Loaded cartridges for rifles of bores ranging from '290 to '320, excluding '303 bore.	Other loaded rifle cartridges.	B. L. (not rifled) cartridges imported locally	B L. (not rifled) cartridges imported from Europe etc.	Cartridge cases.	Revolver cartridges.	Pistol cartridges.	Gunpowder.	Percussion caps.	Fuses.	Gun cotton.	Dynamite.	Sulphur.	Lead bullets.	Lead shot.
																	Signature of purchaser or authorised agent and if purchaser is licenced, number, date and form of licence.
																	Signature of dealer or authorized agent.

NOTE.—(1) Details of issues to manufactory for loading, etc., should be entered in the appropriate column

(2) Column 2—Father's name—need not be entered, if purchaser's profession and residence are sufficient for identification. Column 3 should always be filled up

(3) Column 5 to 35—If any dealer has not a licence for any of the classes of arms, etc., specified, the necessary columns may be omitted. If on the other hand, he has a licence for any other defined species, an appropriate column should be added.

(4) Column—36—If the purchase has been made by post or telegram, the fact should be noted in the column.

FORM C. (Madras Rules 6 and 16)

Stockbook of firearms in possession of—, son of—, resident of—, licensed to manufacture, convert, sell or keep arms under licence no.—of 19—, in Form no.—of the Rules under the Indian Arms Act, 1878.

Date of receipt,	Description of arms.	Maker's name.	Number of arm,	Mode of acquisition. If by sea-vessel by which imported with date of arrival. If supplied by a firm in India, name and address of dealer.	Date of sale.	REMARKS.
1	2	3	4	5	6	7

FORM D.—(Madras Rule 7 and 16).

Register of—, son of—, resident of—, showing stock and disposal of arms and ammunition received for sale on commission.

RECEIPTS.						DISPOSALS.			
Date of receipt.	Sender's name and address in full.	Particulars of sender's exemption or licence.	Description of weapon.	Maker's name and number of the weapon.	Description and quantity of ammunition.	Date of sale.	Purchaser's name and address in full.	Signature of purchaser and dealer, and if purchaser is licensed, number, date and form of licence.	REMARKS.
1	2	3	4	5	6	7	8	9	10

FORM A—(Madras Rule 23)

Village.—

Register number	Page number	Residence of licensee (Hamlet.)	Name.	Of licensee.	Of his father.	Nature and description of the arms.	Nature of arms.	Date of renewal, grant, cancellation or order refusing renewal of licence for the year :—										Remarks showing disposal of weapon if license is not renewed.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

NOTE.—In column 5 R.=Rifle, G.=Smooth-bore gun, M.=Magazine, D. B.=Double-barrelled, S. B.=Single-barrelled, B. L.=Breech-loading, M. L.=Muzzle-loading percussion cap, Ma. L.=Match-lock, F. L.=Flint-lock, Re.=Revolver, P.=Pistol, B.=Bayonet, S.=Sword, D.=Dagger.

FORM A-1, (Madras Rule 23)

Police Station.

Village.—

1	Register	page line	number.
2	Residence of the licensee (Hamlet)		
3	Of licensee,	Name.	Arms, ammunition or military stores covered by licence.
4	Of his father.		
5	Description.		
6	Quantity		
7	Place (with description) where articles are to be kept		
8	Period for which the licence is valid.		
9	Date of grant or renewal		
10			
11			
12	When licence cancelled or not renewed, disposal number, and date of District Magistrate's order and disposal of weapon.		
13			
14			

FORM A-2, (Madras Rule 23)

Police Station —

Village —

1	Register	page line	number.
2	Residence of the licensee		
3	Of licensee	Name.	Arms or ammuni- tion covered by licence.
4	Of his father		
5	Description.		
6	Quantity		
7	Place or tract within which licence is valid		
8	Specification of the wild beast which may be destroyed under the licence.		
9	From	Period for which the licence is valid	Production of weapon and licence before Magistrate
10	To		
11	Date of production		
12	Designation of the Magistrate before whom produced		
13	When licence cancelled or not renewed, disposal number, and date of District Magistrate's order and disposal of weapon.		

FORM A-3, (Madras Rule 23)

Police Station —

Village —

1	Register	page line	number.
2	Residence of licensee (Hamlet).		
3	Of licensee	Name	Name and description of any member of the licensee's family or servant residing with him and employed to watch crops or cattle, by whom also the arms covered by this licence may be used
4	Of his father		
5	Description.		
6	Quantity.		
7	Place or tract within which the licence is valid.		
8	From	Period for which the licence is valid	Arms or am- munition covered by licence
9	To		
10	When licence cancelled or not renewed, disposal number and date of District Magistrate's order and disposal of weapon.		
11			

FORM B. (Madras Rule 10)

Abstract of the number of weapons of the several kinds.

NOTE.—D, B = Double-barrelled, S, B = Single-barrelled; B, L = Breech-loading; M, L = Muzzle-loading percussion-cap.

I	II														III														IV
	GRANTED,														GRANTED,														
	Rifled arms							Smooth-bore guns							Rifled arms							Smooth-bore guns							
	Magazine	Double-barrelled.	Single-barrelled	D B B L	S B B L	D B M L	S B M L	Match locks.	Flint locks	Revolvers	Pistol.	Bayonets	Swords	Daggers	Magazine	Double-barrelled	Single-barrelled	D B B L	S B B L	D B M L	S B M L	Match locks	Flint locks	Revolvers	Pistols	Bayonets	Swords.	Daggers	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
Details showing the page number and line number of every new licence granted and old licence cancelled																													

FORM C [Madras Rule 16]

Proceedings of the District Magistrate of—

dated No of 19 .

The District Magistrate of has been pleased to grant licences for the year 19 — 19 under the Indian Arms Act to the following individuals residing in the Taluk of for the weapons specified against their names.

2. The Taluk Magistrate of is requested to cause the necessary Sub-

entries to be made in this copy of the register of licences under the Indian Arms Act. The number and date of this order should also be entered in red ink in the appropriate column under the heading "Date of renewal grant, cancellation or order refusing renewal."

Page number	Line number	Village and hamlet	Licensee's name	Father's name.	Nature of the arms.	Number of arms.	Police Station and Circle
1	2	3	4	5	6	7	8

NOTE.—(1) The entries in column, 3, 4, 5, 6, and 7 above should be neatly copied in the appropriate column of the licence Register on the page specified in column 1 and in the line noted in column 2.

(2) In column 6, R.—Rifle, G.—Smooth-bore gun, M.—Magazine, D, B—Double-barrelled, S, B.—Single-barrelled, B, L.—breech-loading, M, L.—Muzzle-loading percussion cap, M, L.—Match-Lock, F, L.—Flint-lock, R.—Revolver, P.—Pistol, B.—Bayonet, S.—Sword, D.—Dagger.

FORM D. [Madras Rule 7].

Proceedings of the District Magistrate of—

dated No of 19 .

The District Magistrate of has cancelled or refused to renew for the year 19 -19 , the licences issued under the Indian Arms Act to the following individuals residing in the Taluk of Deputy Tahsildar for the weapons specified against their name

2. The Taluk Sub Magistrate of is requested to cause the word "cancelled" to be neatly written in red ink in the register of licences issued in form XVI against each licence mentioned below immediately after the last "Renewal" entry. The entry in the "Remarks" column below should also be noted after the word "cancelled" with the number and date of this proceeding. A red ink line should also be drawn through the entries in the register relating to the licence.

Page no.	Line no.	Village and Hamlet	Licensee's name.	Father's name	Nature of the arm	Number of arms	Police Station and Circle.	Remarks (Reason for cancellation and disposal of weapons)
1	2	3	4	5	6	7	8	9

* E G.—"Cancelled—Died L C, Dis. No 1-0904", "Cancelled—weapon sold L C. Dis No 2-1904", "Cancelled unrenewed, L C Dis No 3-1504", etc, etc

NOTE —In column 6. R.—Rifle G—Smooth-bore gun M—Magazine, D B—Double barrelled. S B.—Single-barrelled, B L—Breech-loading M. L.—Muzzle-loading percussion cap, M. L.—Match lock, I. L.—Flint lock, Re—Revolver, P—Pistol, B.—Bayonet, S—Sword, D.—Dagger

FORM E [Madras Rules 17]

List of persons who have not applied for the renewal of their licences in Form XVI in Division Taluk, District for the year 19 , on or before the 1st January 19 .

Number of the village and Hamlet if any,	Number and name of licensee who has not renewed his licence.	Father's name.	Nature of arms	Number of arms.	Police Inspector's report as to the cause to the omission or renewal of licence in each case.	Remarks.	Order of District Magistrate.
1	2	3	4	5	6	7	8

NOTE—In column 6 R.—Rifle G—Smooth-bore gun. M...Magazine, D B... Double barrelled, S B. Single-barrelled, B L Breech-loading M, L...Muzzle-loading percussion cap, Ma L...Match-lock, F. L...Flint-lock, Re Revolver, P...Pistol B. Bayonet, S...Sword, D...Dagger

FORM NO 17 Report of the Inspection, held by the Inspector of Police of Circle, of shops licensed under the Arms Act and of shops declared under Rule 63 of the Rules under the Explosives Act to have been licensed under the Arms Act, for quarter ending ,

Name of licensee and date of Inspection	Place of business.	Number and date of licence and the Form in which it is granted.	Description of arms ammunition or explosives	Quantity licensed to be possessed at one time	Quantity licensed to be possessed for the whole year	Balance on hand on 1st January in the shop and the magazine	Manufactured or received from 1st January to date of Inspection	Sold from 1st January to date of Inspection.	Balance on hand on date of Inspection in the shop and the magazine	Whether accounts nos. 1, 2 and 4 are properly kept	Remarks, noting whether a quantity in excess of licence was ever maintained.
1	2	3	4	5	6	7	8	9	10	11	12
			Sulphu								
			Shot								
			Caps								
			European gunpowder								
			Country gunpowder ...								
			Blasting powder ...								
			Firework.								

Inspector of Police,—Circle,

FORM No. 16—Report of Inspection of stock, Premises and Books of Person licensed under the Indian Arms Act in Forms to manufacture, convert, keep or sell arms, ammunition or military stores (G. O. No 1453. Judl dated 30th September 1882).

Name father's name and residence of licensee.	Date and form of licence	Place of business	Date of inspection by superior officer of police	Remarks.
1	2	3	4	5

Superintendent of Police

FORM No 79

Serial number	Date	Particulars of arms	By whom deposited or from whom taken	Residence		Signature of station house officer, owner, and a witness when arms are deposited	If licence obtained, when	If licence not obtained how were arms disposed of	Designation of magistrate passing order	Signature of owner for return of arms with date	Signature of station house officer, and date of disposing of arms.
1	2	3	4	Village	Taluk	7	8	9	10	11	12

An Act to amend the Law relating to Explosive Substances.

[46 Vict. Ch. 3] [10th April 1883]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

1. This Act may be cited as the Explosive Substances Act, 1883.

2. Any person who unlawfully and maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be guilty of felony, and on conviction shall be liable to penal servitude for life, or for any less term (not less than the minimum term allowed by law), or to imprisonment with or without hard labour for a term not exceeding two years.

Punishment for causing explosion likely to endanger life or property.

3. Any person who within or (being a subject of Her Majesty) without Her Majesty's dominions unlawfully and maliciously—

Punishment for attempt to cause explosion, or for making or keeping explosive with intent to endanger life or property.

(a) does any act with intent to cause by an explosive substance, or conspires to cause by an explosive substance an explosion in the United Kingdom of a nature likely to endanger life or to cause serious injury to property ; or

(b) makes or has in his possession or under his control any explosive substance with intent by means thereof to endanger life, or cause serious injury to property in the United Kingdom, or to enable any other person by means thereof to endanger life or cause serious injury to property in the United Kingdom,

shall, whether any explosion does or not take place, and whether any injury to person or property has been actually caused or not, be guilty of felony, and on conviction shall be liable to penal servitude for a term not exceeding twenty years, or to imprisonment with or without hard labour for a term not exceeding two years, and the explosive substance shall be forfeited.

4. (1) Any person who makes or knowingly has in his possession or under his control any explosive substance, under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, shall, unless he can show that he made it or had it in his possession or under his control for a lawful object, be guilty of felony, and, on conviction, shall be liable to penal servitude for a term not exceeding fourteen years, or to imprisonment for a term not exceeding two years with or without hard labour, and the explosive substance shall be forfeited.

Punishment for making or possession of explosive under suspicious circumstances.

(2) In any proceeding against any person for a crime under this section, such person and his wife, or husband, as the case may be, may, if such person thinks fit, be called, sworn, examined, and cross-examined as an ordinary witness in the case.

5. Any person who within or (being a subject of Her Majesty) without Her Majesty's dominions by the supply of or solicitation for money, the providing of premises, the supply of materials, or in any manner whatsoever, procures, counsels, aids, abets, or is accessory to, the commission of any crime under this Act, shall be guilty of felony, and shall be liable to be tried and punished for that crime, as if he had been guilty as a principal.

Punishment of accessories.
Inquiry by Attorney General, and apprehension of absconding witnesses.

6. (1) Where the Attorney General has reasonable ground to believe that any crime under this Act has been committed, he may order an inquiry under this section, and thereupon any justice for the county, borough, or place in which the crime was committed or is suspected to have been committed, who is authorised in that behalf by the Attorney General, may, although no person may be charged before him with the commission of such crime, sit at a police court, or petty sessional or occasional court-house, or police station in the said county, borough, or place, and examine on oath concerning such crime any witness appearing before him, and may take the deposition of such witness, and, if he see cause, may bind such witness by recognizance to appear and give evidence at the next petty sessions, or when called upon within three months from the date of such recognizance; and the law relating to the compelling of the attendance of a witness before a justice, and to a witness attending before a justice and required to give evidence concerning the matter of an information or complaint, shall apply to compelling the attendance of a witness for examination and to a witness attending under this section.

(2) A witness examined under this section shall not be excused from answering any question on the ground that the answer thereto may criminate, or tend to criminate, himself; but any statement made by any person in answer to any question put to him on any examination under this section shall not, except in the case of an indictment or other criminal proceeding for perjury, be admissible in evidence against him in any proceeding, civil or criminal.

(3) A justice who conducts the examination under this section of a person concerning any crime shall not take part in the committing for trial of such person for such crime.

(4) Whenever any person is bound by recognizance to give evidence before justices, or any criminal court, in respect of any crime under this Act, any justice, if he sees fit, upon information being made in writing, and on oath, that such person is about to abscond, or has absconded, may issue his warrant for the arrest of such person, and if such person is arrested any justice, upon being satisfied that the ends of justice would otherwise be defeated, may

commit such person to prison until the time at which he is bound by such recognizance to give evidence, unless in the meantime he produces sufficient sureties: Provided that any person so arrested shall be entitled on demand to receive a copy of the information upon which the warrant for his arrest was issued.

7. (1) If any person is charged before a justice with any crime under this Act, no further proceeding shall be taken against such person without the consent of the Attorney General, except such as the justice may think necessary by remand, or otherwise, to secure the safe custody of such person.

No prosecution except by leave of Attorney General. Procedure and saving.

(2) In framing an indictment the same criminal act may be charged in different counts as constituting different crimes under this Act, and upon the trial of any such indictment, the prosecutor shall not be put to his election as to the count on which he must proceed.

(3) For all purposes of and incidental to arrest, trial, and punishment, a crime for which a person is liable to be punished under this Act, when committed out of the United Kingdom, shall be deemed to have been committed in the place in which such person is apprehended or is in custody.

(4) This Act shall not exempt any person from any indictment or proceeding for a crime or offence which is punishable at common law, or by any Act of Parliament other than this Act, but no person shall be punished twice for the same criminal act.

8. (1) Sections seventy-three, seventy-four, seventy-five, eighty-nine, and ninety-six of the Explosives Act, 1875, (which sections relate to the search for, seizure, and detention of explosive substances, and the forfeiture thereof, and the disposal of explosive substances seized or forfeited), shall apply in like manner as if a crime or forfeiture under this Act were an offence or forfeiture under the Explosives Act, 1875.

Search for and seizure of explosive substances.
38 & 39 Vict. c. 17.

(2) Where the master or owner of any vessel has reasonable cause to suspect that any dangerous goods or goods of a dangerous nature which, if found, he would be entitled to throw overboard in pursuance of the Merchant Shipping Act, 1873, are concealed on board his vessel, he may search any part of such vessel for such goods, and for the purpose of such search may, if necessary, break open any box, package, parcel, or receptacle on board the vessel, and such master or owner, if he finds any such dangerous goods or goods of a dangerous nature shall be entitled to deal with the same in manner provided by the said Act, and if he do not find the same, he shall not be subject to any liability, civil or criminal, if it appears to the tribunal before which the question of his liability is raised that he had reasonable cause to suspect that such goods were so concealed as aforesaid.

36 & 37 Vict. c. 85.

9. (1) In this Act, unless the context otherwise requires,—

Definitions and application to Scotland. The expression “explosive substance” shall be deemed to include any materials for making any explosive substance; also any apparatus, machine, implement, or materials used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance; also any part of any such apparatus, machine, or implement.

The expression “Attorney General” means Her Majesty’s Attorney General for England or Ireland, as the case may be, and in case of his inability or of a vacancy in the office, Her Majesty’s Solicitor General for England or Ireland, as the case requires.

(2) In the application of this Act to Scotland the following modifications shall be made:

The expression “Attorney General” shall be deemed to mean the Lord Advocate, and in case of his inability or of a vacancy in the office, Her Majesty’s Solicitor General for Scotland.

The expression “petty sessional court-house” shall be deemed to mean the sheriff court.

The expression “felony” shall be deemed to mean a high crime and offence.

The expression “recognizance” shall be deemed to mean juratory caution.

The expression “justice” shall include sheriff and sheriff substitute.

ACT No. IV of 1884—[26th February, 1881.]*

An Act to regulate the manufacture, possession, use, sale, transport and importation of Explosives.—[As modified up to the 1st October, 1911]

Whereas it is expedient to regulate the manufacture, possession, use, sale, transport and importation of explosives; it is hereby enacted as follows:—

Short title. 1. (1) This Act may be called the Indian Explosives Act, 1884, and

Local extent. (2) It extends to the whole of British India.

*For Statement of Objects and Reasons, see Gazette of India, 1883, Pt. V, p. 22; for Proceedings in Council, see *ibid*, 1882, p. 1856, and *ibid*, 1883, Supplement, p. 43, and *ibid*, 1884, Supplement, p. 377.

This Act has been declared, under s. 3 (a) of the Scheduled Districts Act, 1874 (14 of 1874), Genl. Acts, Vol. II, to be in force in the Districts of Hazaribagh, Lohardaga (now called the Ranchi District—see Calcutta Gazette, 1899, Pt. I p. 44), Palamau and Manbhum and in Pargana Dhalbhum and the Kolhan in the Singhbhum District of the Chota Nagpur Division—see Gazette of India, 1896, Pt. I, p. 972.

It has been declared to apply to the Santhal Parganas under s. 3 of the Santhal Parganas Settlement Regulation (3 of 1872), as amended by the Santhal Parganas Laws Regulation, 1886 (3 of 1886), and by s. 3 of Regn. 3 of 1809.

For other law relating to Explosives Substances, see also the Explosive Substances Act, 1908 (6 of 1908), on page 314.

2. (1) This Act shall come into force on such day as the Governor General in Council, by notification in the Gazette of India, appoints:

(2) * * * * † :

[The Act came into force on the 1st July 1887 (H. D. Notn. no. 1416 dated the 24th June 1887.)]

3. [Repeal of portions of Act XII of 1875.] Rep. by Act X of 1889.

4. In this Act, unless there is something repugnant in the subject or context,—

Definitions

(1) "explosive"

(a) means gunpowder, nitro-glycerine, dynamite, gun-cotton, blasting powders, fulminate of mercury or of other metals, coloured fires and every other substance, whether similar to those above mentioned or not, used or manufactured with a view to produce a practical effect by explosion, or a pyrotechnic effect; and

(b) includes fog signals, fireworks, fuzes, rockets, percussion caps, detonators, cartridges, ammunition of all descriptions, and every adaptation or preparation of an explosive as above defined:

(2) "manufacture" includes the process of dividing into its component parts, or otherwise breaking up or unmaking, any explosive, or making fit for use any damaged explosive, and the process of remaking, altering or repairing any explosive:

(3) "vessel" includes every ship, boat and other vessel used in navigation, whether propelled by oars or otherwise:

(4) "carriage" includes any carriage, wagon, cart, truck, vehicle or other means of conveying goods or passengers by land, in whatever manner the same may be propelled:

(5) "master" includes every person (except a pilot or harbour-master) having for the time being command or charge of a vessel: provided that, in reference to any boat belonging to a ship, "master" shall mean the master of the ship:

(6) "import" means to bring into British India by sea or land.

NOTES

(1) **China Crackers** cannot as a rule be excluded from the category of Explosives. The *onus* lies upon the accused to show that they are Crackers.

GURUMURTHY CHETTY

25 M. L. T. 175, 48 I. C. 988.

(2) Even **throw down** and **Chinese Crackers** are explosives within the meaning of the amendments to rules 3 and 4 of the Explosives Act.

CHINA

A. I. R. 1932 Mad. 320.

(3) **Lavangi Crackers** are toy fireworks within the meaning of rule 3, and as such are exempt from rule 35 of the Explosive Rules requiring a licence for their possession.

RACHAPPA GURAPPA HATTARVAT—18 Bom. L. R. 556—37 I. C. 491—18 Cr. L. J. 139).

†Sub-section (2) of section 2 was repealed by the Repealing and Amending Act, 1891 (12 of 1891).

This Act is in force in Upper Burma (Upper Burma Laws Act, 1908, first Schedule) and has been extended with certain modifications to the Myelat and to such lands in the Southern Shan States as now are or hereafter may be occupied by the Southern Shan States Railway, including the land occupied as Stations and for outbuildings and for other purposes connected with the said railway. (Burma Poll. Dept. notn. no. 20 dated the 1st Decr. 1910). The Act has also been extended to the Northern Shan States (Burma Poll. Dept. Notn. no. 22 dated the 31st August 1913).

5. (1) The Governor-General in Council may, for any part of British India, and each Local Government, with the previous sanction of the Governor-General in Council, may, for any part of the territories under its administration, make rules* consistent with this Act to regulate or prohibit, except under and in accordance with the conditions of a licence granted as provided by these rules, the manufacture, possession, use, sale, transport and importation of explosives, or any specified class of explosives.

(2) Rules under this section may provide for all or any of the following, among other matters, that is to say :—

- (a) the authority by which licences may be granted ;
- (b) the fees to be charged for licences, and the other sums (if any) to be paid for expenses by applicants for licences ;
- (c) the manner in which applications for licences must be made, and the matters to be specified in such applications ;
- (d) the form in which, and the conditions on and subject to which, licences must be granted ;
- (e) the period for which licences are to remain in force ; and
- (f) the exemption absolutely or subject to conditions of any explosives from the operation of the rules.

(3) The authority making rules under this section may by the rules impose penalties on all persons manufacturing, possessing, using, selling, transporting or importing explosives in breach of the rules, or otherwise contravening the rules ;

Provided that the maximum penalty which may be imposed by any such rules shall not exceed—

- (a) in the case of person so importing or manufacturing an explosive, a fine which may extend to three thousand rupees ;

* (1) For rules made by the Governor-General in Council under this section and section 7 to regulate (a) the manufacture, possession and sale of explosives in British India, and (b) the transport and importation of explosives, see Govt. of India, Dept. of C. and I., no 4013-33 dated the 6th June 1914, as amended by subsequent notifications,

For the rules made with reference to rule 22 of the latter rules as to the test which certain explosives shall be required to pass before importation, see Gazette of India, 1907, Pt. I, p. 420.

(2) For rules as to the transport of explosives in—

- (a) the Port of Bombay, see Bom. R. and O., 1911, Vol. I, p. 376 ;
- (b) the Port of Aden, see Bom. R. and O., 1911, Vol. I, p. 274 ;
- (c) the Port of Karachi, see Bom. R. and O., Vol. I, p. 377 ;
- (d) the Port of Madras, see Mad. R. and O. ;
- (e) Bengal, supplementary to the rules by the Governor-General in Council, see Ben. R. and O., Calcutta Gazette, 1909, Pt. I, p. 1092 ;
- (f) the Ports of Rangoon, Bassein, Akyab and Kyaukpau, see Burma Gazette, 1910, Pt. I, p. 476.

† For notification declaring that no fee shall be charged for licenses to possess explosives in reasonable quantities for blasting purposes—see Genl. Stat. R. and O., Vol. II, p. 913.

(b) in the case of a person so possessing, using or transporting an explosive, a fine which may extend to one thousand rupees ;

(c) in the case of a person so selling an explosive, a fine which may extend to five hundred rupees ; and

(d) in any other case, two hundred rupees.

NOTES.

(1) A licence for the **manufacture of explosives** is not at liberty to associate other persons with himself in the manufacture and sale of explosives without such other persons being approved of by the authorities and being provided with licences.

SAMINADA PILLAI

1 Weir 756.

(2) The accused held a licence under the Indian Explosives Act to **manufacture gunpowder**. One of the conditions of the licence was that the explosive shall be manufactured in a tent or lightly constructed building exclusively appropriated for the purpose and separated from any dwelling house. The accused constructed a building outside the village which complied with this condition, and employed a woman who used to work exclusively in this building. One day the woman with her assistant went with ingredients for manufacturing gun-powder to the house of the accused in the village, and performed part of the process of manufacture there with pestles having iron rings without the knowledge of their master and while he was engaged elsewhere. During the process of manufacture there was explosion and the woman was killed and her assistant was injured. *Held*, that the act of the woman, though unauthorised, was one within the scope of her employment and the accused, her master, would be liable for her wrongful act.

MAHADEVAPPA HANUMANTAPPA

A. I. R. 1927 Bom. 209.

(3) Accused's house was searched for opium and in it were found **three cartridges of blasting powder and three detonators**. He was convicted under section 5 of the rules for the manufacture, possession and sale of explosives in Burma, for possessing an explosive without a licence. *Held* that licences under these rules are not required for the possession of explosives of this nature in moderate quantities. The rules are not applicable to the case. But cartridges and detonators are "ammunition" as defined in s. 4 of the Indian Arms Act and the accused might properly have been convicted under s. 19 (f) of that Act.

NGA YE U.

U. B. R. 1887-1901-Vol. I, 193.

(4) The permission to import a large quantity of explosives is intended only to prevent a separate application being made each time the stock is reduced and must be read subject to any restrictions imposed by the possession licence.

GURUMURTHY CHETTY

25 M. L. J. 175, 48 I. C. 988.

(5) **Patakas**, which are small packets, wrapped in a paper, of coloured potash mixed with small pieces of kankar, and which explode with a slight report when thrown with force against a wall or other hard surface, are not fireworks within the meaning of Explosives Act, and so no licence is necessary for the manufacture or sale of "Patakas."

BANSIDHAR

8 P. R. 1910 Cr., 5 I. C. 1911.

(6) Where a person is accused of having taken delivery of consignments described as "**fireworks**" in contravention of rule 35, the burden of proving that these were explosives such as are covered by the Explosives Rules is upon the prosecution and the mere fact that the accused took possession of and signed for a consignment which was described as fireworks does not amount to an admission by him that these were explosives such as are within the purview of these rules.

POLAKI CHIDAMBARAM.

A. I. R. 1930, Mad. 678, 3 M. Cr. C. 59.

Power for Governor-General in Council to prohibit the manufacture, possession or importation of specially dangerous explosives.

6. (1) Notwithstanding anything in the rules under the last foregoing section, the Governor-General in Council may, from time to time, by notification in the *Gazette of India*—

(a) prohibit, either absolutely or subject to conditions, the manufacture, possession or importation of any explosive which is of so dangerous a character that, in the opinion of the Governor-General in Council, it is expedient for the public safety to issue the notification;

(b) *Repealed by Act X of 1914.*

(2) The officers of sea customs at every port shall have the same power in respect of any explosive with regard to the importation of which a notification has been issued under this section and the vessel containing the explosive as they have for the time being in respect of any article, the importation of which is prohibited or regulated by the law relating to sea customs and the vessel containing the same; and the enactments for the time being in force relating to sea customs or any such article or vessel shall apply accordingly.

(3) Any person manufacturing, possessing or importing an explosive in contravention of a notification issued under this section shall be punished with fine which may extend to three thousand rupees, and, in the case of importation by water, the owner and master of the vessel in which the explosive is imported shall, in the absence of reasonable excuse, each be punished with fine which may extend to three thousand rupees.

Power to make rules conferring powers of inspection, search, seizure, detention and removal

7. (1) The Governor-General in Council, or the Local Government with the previous sanction of the Governor-General in Council, may make, *rules consistent with this Act authorising any officer, either by name or in virtue of his office,—

(a) to enter, inspect and examine any place, carriage or vessel in which an explosive is being manufactured, possessed, used, sold, transported or imported under a licence granted under this Act, or in which he has reason to believe that an explosive has been or is being manufactured, possessed, used, sold, transported or imported in contravention of this Act or of the rules made under this Act;

(b) to search for explosives therein;

(c) to take samples of any explosive found therein on payment of the value thereof; and

(d) to seize, detain, remove and, if necessary, destroy any explosive found therein.

(2) The provisions of the Code of Criminal Procedure relating to searches under that Code shall, so far as the same are applicable, apply to searches by officers authorized by rules under this section.

NOTES.

Vide CHIDAMBARAM A. I. R. 1930 Mad. 678, note note (6) under sec. 5, page 309.

*For rules appointing officers or giving power to appoint officers for the purposes of this Section, see Genl. Stat. R. and O., Vol. II, p. 937. For rules conferring certain powers on the Chief Inspector of Explosives with the Government of India, see Genl. Stat. R. and O., Vol. II, p. 953.

8. Whenever there occurs in or about, or in connection with any place in which an explosive is manufactured, possessed or used, or any carriage or vessel either conveying an explosive or on or from which an explosive is loaded, or unloaded, any accident by explosion or by fire attended with loss of human life or serious injury to person or property or of a description usually attended with such loss or injury, the occupier of the place, or the master of the vessel, or the person, in charge of the carriage, as the case may be, shall forthwith give notice thereof to the officer in charge of the nearest police station.

Notes of Accidents.

NOTES

(1) Where the petitioner was bound to give information to the police under s. 8 of Act IV of 1884 of an explosion of fire-work which resulted in the death of a child, it is none the less an offence, even though the Adhigari was also present who was under similar obligation to report. This is, no legal justification for the petitioner's omission, where a person is under a legal duty to report certain facts and fails to report them, he must be presumed to intend to conceal them, unless he can show that he had reason to suppose that the authority to which the report was due had the information from other sources.

NAMPUDRIPAD (1915)

17 M. L. T. 263, 1915 M. W. N. 276.

(2) The primary requisite for the obligation to give notice to the police under s. 8 of the Explosive Act is not "serious injury to property" but an accidental explosion. If the explosion was designed the obligation to give notice does not arise even if the explosion may have been attended with serious injury to property. The word "occupier" in s. 8 of the Act refers to some one in the spot at the time of the Explosion who must have necessarily become aware of the explosion. Unless the omission to give notice is intentional s. 176 I. P. C. does not apply.

ZERI KHAN (1915)

8 Bur L T 288, 30 I. C. 446.

9. (1) Whenever, in the opinion of a District Magistrate, Sub-divisional Magistrate or any other Magistrate specially empowered by the Local Government in this behalf, an enquiry is necessary into the cause of any accident of the description mentioned in section 8, he may either himself make the enquiry or direct a Magistrate subordinate to himself to make the enquiry.

(2) Any Magistrate making an enquiry under this section shall, for the purposes of conducting the enquiry, have all the powers which he would have in holding an enquiry into an offence under Code of Criminal Procedure.

(3) The powers conferred on a Magistrate by this section may, in a Presidency town, be exercised by the Commissioner of Police as well as by any Magistrate specially empowered in this behalf under sub section (1).

10. When a person is convicted of an offence punishable under this Act or the rules made under this Act, the Court before which he is convicted may direct that the explosive, or ingredient of the explosive, or the substance (if any) in respect of which the offence has been committed, or any part of that explosive, ingredient, or substance shall, with the receptacles containing the same, be forfeited.

Forfeiture of explosives.

312 INDIAN EXPLOSIVES ACT, IV OF 1884 [Secs. 11-15].

11. Where the owner or master of a vessel is adjudged under this Act to pay a fine for an offence committed with, or in relation to, that vessel, the Court may, in addition to any other power it may have for the purpose of compelling payment of the fine, direct it to be levied by distress and sale of the vessel, and the tackle, apparel and furniture thereof, or so much thereof as is necessary.

12. Whoever abets, within the meaning of the Indian Penal Code, the commission of an offence punishable under this Act, or the rules made under this Act, or attempts to commit any such offence and in such attempt does any act towards the commission of the same, shall be punished as if he had committed the offence.

13. Whoever is found committing any act for which he is punishable under this act, or the rules under this Act, and which tends to cause explosion or fire in or about any place where an explosive is manufactured or stored, or any railway or port, or any carriage, ship or boat, may be apprehended without a warrant by a Police-officer or by the occupier of, or the agent or servant of, or other person authorized by the occupier of, that place, or by any agent or servant of, or other person authorized by, the railway administration or conservator of the port, and be removed from the place where he is arrested and conveyed as soon as conveniently may be before a Magistrate.

14. Nothing in this Act shall apply to the manufacture, possession, use, sale, transport or importation of any explosive—

(a) by order of the Government, or
(b) by any person employed under the Government in the execution of this Act, or as a keeper of a magazine, artizan, soldier, sailor, policeman or otherwise, or enrolled as a volunteer under the Indian Volunteers Act, XX of 1869, in the course of his employment or duty as such.

15. Nothing in this Act shall affect the provisions of the Indian Arms Act, XI of 1878 :

Provided that an authority granting a licence under this Act for the manufacture, possession, sale, transport or importation of an explosive may, if empowered in this behalf by the rules under which the licence is granted, direct by an order written on the licence that it shall have the effect of a like license granted under the said Indian Arms Act.

16. Nothing in this Act or the rules under this Act shall prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or those rules, or from being liable under that other law to any other or higher punishment or penalty than that provided by

this Act or those rules: Provided that a person shall not be punished twice for the same offence.

17. The Governor-General in Council may, from time to time, by notification in the Gazette of India, declare that any substance which appears to the Governor-General in Council to be specially dangerous to life or property, by reason either of its explosive properties or of any process in the manufacture thereof being liable to explosion, shall be deemed to be an explosive within the meaning of this Act; and the provisions of this Act (subject to such exceptions, limitations and restrictions as may be specified in the notification) shall accordingly extend to that substance in like manner as if it were included in the definition of the term "explosive" in this Act.

Procedure for making, publication and confirmation of rules.

18. (1) An authority making rules under this Act shall, before making the rules, publish a draft of the proposed rules for the information of persons likely to be affected thereby.

(2) The publication shall be made in such manner as the Governor General in Council, from time to time, by notification in the Gazette of India, prescribes.

(3) There shall be published with the draft a notice specifying a date at or after which the draft will be taken into consideration.

(4) The authority making the rules shall receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(5) A rule made under this Act shall not take effect if it is made by the Governor General in Council until it has been published in the Gazette of India, and if it is made by the Local Government until it has been published in the local official Gazette.

(6) The publication in the Gazette of a rule purporting to be made under this Act shall be conclusive evidence that it has been duly made, and, if it requires sanction, that it has been duly sanctioned.

(7) All powers to make rules conferred by this Act may be exercised from time to time as occasion requires.

Section 17.—*Picric acid* with certain exception has been declared to be an explosive within the meaning of this Act (G. of I. notn. no. 1217 M. dated the 20th November 1926, (Madras G. O. no. 699 dated the 1st December 1926).

Acetylene with certain exceptions has been declared to be an explosive within the meaning of this Act (G. of I. notn. no. 525 D. dated the 6th December 1919).

*ACT VI OF 1908. [8th June 1908.]

AN ACT FURTHER TO AMEND THE LAW RELATING TO
EXPLOSIVE SUBSTANCES.

Whereas it is necessary further to amend the law relating to explosive substances ; It is hereby enacted as follows :—

Short title, extent and application. 1. (i) This Act may be called the Explosive Substances Act, 1908.

(2) It extends to the whole of British India and applies also to—

(a) all native Indian subjects of His Majesty in any place without and beyond British India ;

(b) all other British subjects within the territories of any native prince or chief in India.

2. In this Act the expression “explosive substance,” shall be
Definition of “explosive substance.” deemed to include any materials for making any explosive substance ; also any apparatus, machine, implement or material used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance ; also any part of any such apparatus, machine or implement.

3. Any person who unlawfully and maliciously causes by any
Punishment for causing explosion likely to endanger life or property. explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be punished with transportation for life or any shorter term, to which fine may be added, or with imprisonment for a term which may extend to ten years, to which fine may be added.

* *Statement of Objects and Reasons* [6th June 1908.]

Recent events have brought prominently to notice the inadequacy of the existing law to deal with crimes committed by means of explosive substances. The Indian Explosives Act, 1884, was framed to prevent accidents rather than to prevent crime and its provisions are clearly inadequate to meet the present emergency. No sentence of imprisonment can be imposed under that Act and the maximum penalty is only a fine of three thousand rupees. The Indian Arms Act, 1878, though it applies to the possession of explosives as well as arms, is also inadequate in respect both of the penalties it allows and the scope of its provisions for dealing promptly with preparations to manufacture bombs and other explosives. The Penal Code provides for the punishment of persons who cause hurt or mischief by means of explosive substances and it also deals with attempts to cause hurt or mischief but only when any act towards the commission of the offence is actually done. But it does not provide any penalty for making or possessing explosive substances with unlawful intent and it does not in other cases always provide such severe penalties as are requisite. The Governor-General in Council therefore considered it necessary to supplement the existing law by an Act on the lines of the *English Explosive Substances Act, 1883*, [Vide page 303] which was enacted for the express purpose of dealing with anarchist crimes. The Bill which has been drafted to give effect to this decision provides for the punishment of any person who causes an explosion likely to endanger life or property, or who attempts to cause such an explosion, or makes or has in his possession any explosive substance with intent to endanger life or property. It further makes the manufacture or possession of explosive substances for any other than a lawful object a substantive offence and throws on the person who makes or is in possession of any Explosive Substance the onus of proving that the making or possession was lawful. It also provides adequately for the punishment both of principals and accessories.

Punishment for attempt to cause explosion, or for making or keeping explosive with intent to endanger life or property.

4. Any person who unlawfully and maliciously—

(a) does any act with intent to cause by an explosive substance, or conspires, to cause by an explosive substance, an explosion in British India of a nature likely to endanger life or to cause serious injury to property; or

(b) makes or has in his possession or under his control any explosive substance with intent by means thereof to endanger life, or cause serious injury to property in British India, or to enable any other person by means thereof to endanger life or cause serious injury to property in British India; shall, whether any explosion does or does not take place and whether any injury to person or property has been actually caused or not, be punished with transportation for a term which may extend to twenty years, to which fine may be added, or with imprisonment for a term which may extend to seven years, to which fine may be added.

NOTES.

(1) The accused got made for him an iron arch and also gave a false name when he got the arch made. It was also proved that a piece of a paper found at the house of the accused was taken from a copy of a certain book, and the scraps found at the scene of explosion were taken from a copy of the same book. *Held*, that the facts proved were not sufficient to sustain the conviction of the accused for the offence of murder and for an offence under section 3 of the Explosive Substances Act, 1908. *Per Chief Justice*—The essence of the offence under section 3 of Act VI of 1908, is the unlawfully and maliciously causing, by an explosive substance, an explosion of a nature likely to endanger life or to cause serious injury to property. *Per Abdur Rahim, J*—Under section 5 of the Explosive Substances Act, it is not necessary to come to any more definite finding than that the accused had possession of the explosive substance under suspicious circumstances. The gist of section 3 of the Act is the causing of an explosion unlawfully and maliciously, which must be proved in the ordinary way. The law makes the contents of a report of a Chemical Analyst to the Government, evidence, and dispenses with the necessity of examining the expert as a witness in the case. But such report can be of no use unless there is proof of identity of the articles found during investigation and sent to the Chemical Examiner with the articles examined by him. *Per Benson, J*—The facts proved in this case lead one clearly to the belief that the first accused either himself made the bomb and buried it in the path where it exploded, or caused it to be made and buried there by some other person, and in either case he is equally guilty on the principle *qui facit per altum facit per se*. If a person buries a bomb in a frequented path where it is almost certain to be trodden on, and to explode and cause the death of any one treading on it, and if it does, in fact, explode and cause death, that person is guilty of murder, unless he can explain his action in such a way as to negative the inference as to his intention which the nature and circumstances of the act suggest.

CHUKKAPALLI RAMAYYA (1910)

20 M. L. J. 657.

(2) Malice in the legal sense is not confined to personal spite against individuals but consists in a conscious violation of the law to the prejudice of another. In the legal sense it means a wrongful act done intentionally without just cause or excuse. It is in the legal sense that the word "maliciously" in s. 3 is used.

BHAGAT SINGH

A. I. R. 1930 Lah. 260

(3) Where a complaint was filed by a Sub-Inspector of Police before the sub-divisional magistrate, of an offence under s. 399 I. P. C. and the facts disclosed also an offence under s. 4(b) of the Explosive Substances Act of which the magistrate could not then take cognizance for want of the consent of Government, under s. 7 of the Act, and a complaint was subsequently filed by the Superintendent of Police, with such consent obtained before the additional district magistrate.—*Held*, that the latter had jurisdiction to take cognizance of the offence and that the initiation and continuation of the proceedings by him were legal, notwithstanding that he had not withdrawn the original case to his

own file :—*Held*, also, that, in any case, having regard to s. 529 (e), 530 (k), and 531, Cr. P. C., unless it appeared that the proceedings wrongly held had, in fact, occasioned a failure of justice, they could not be set aside. A search for explosives by police officers of rank not below that of an inspector, is legal under rule 32 (1) (b) of the Government Rules framed under the Indian Explosives Act (IV of 1884). S. 309 (1), Cr. P. C., requires the opinions of the assessors to be stated orally, and not in writing or in the form of a judgment under s. 367. Under s. 399, I. P. C., having in possession or immediate control, any explosive substance is one of several means to the end, whereas, under s. 4 (b) is the offence itself, provided the necessary intent is proved. In order to render documents found in the possession of a party admissible against him as proof of their contents, it is necessary to show that he has in some way identified himself or, in other words, has by any act, speech or writing manifested an acquaintance with, and knowledge of the contents of all or any of them. The rule would apply more strongly where some of the papers and letters were received, and others written, by the party against whom they are sought to be used.

LALIT CHANDRA CHANDA CHAUDHURI (1912) 39 Cal. 119, 15 I. C. 665, 13 C.L.J. 433.

(4) An accused is entitled to know with certainty and accuracy the exact value of the charge brought against him. But where the accused fully understood the nature of the offence with which they were charged, they had clearly not been prejudiced by the omission of the words "unlawful and maliciously" and "in British India" occurring in s. 4 (b). Such an omission can be cured by the verdict. Where the illegal act charged under s. 120 B., I. P. C., is unlawful and malicious possession of explosive substances within the meaning of s. 4, it is not essential to specify in the charge the explosive substance which the accused have conspired to have in their possession or under their control. If A, B and C conspire to make, or have in their possession or under their control, an explosive substance within the meaning of the Act, and, if in pursuance of such conspiracy, A makes or has in his possession or under his control an explosive substance, they may, if the Court thinks fit, be charged and tried together under s. 120 B., I. P. C., and s. 4 (b) of Act VI of 1908. If all the known conspirators named in the charge are not placed on their trial, the trial of some (separately) without the others is not vitiated. If the accused have committed an offence under s. 4 (b) in pursuance of criminal conspiracy, it is open to the Crown to prosecute them for such offences, irrespective of the question of ultimate design of the alleged conspiracy. S. 4 substantially reproduces the provisions of s. 3 of 46 ch. 3 (Explosive Substances Act, 1883) consequently the expression "unlawfully and maliciously" may be interpreted in the sense in which it is familiarly used in the criminal law of England "Unlawfully" signifies "not for a lawful object," and "maliciously" signifies "intentionally and without justification or excuse or claim of right." The term "explosive substance" as used in s. 4 (b) includes any part of an apparatus, machine or implement intended to be used or adapted for causing or aiding in causing any explosive substance, and "by means thereof does not mean by means thereof alone". The reference of fact may legitimately be drawn that the "explosive substance" made and possessed by Sasanka were intended for use in British India. It is the duty of the prosecution, not so much to secure a conviction as to place all the available evidence in the case fairly and fully before the tribunal by which alone the guilt or innocence of the accused is to be determined. "The proof of the case against the prisoner must depend for its support not upon the absence or want of any explanation on the part of the prisoner, but upon the positive affirmative evidence of his guilt that is given to the Crown." But "if there is a certain appearance made out against a party, if he is involved by the evidence in a state of considerable suspicion he is called upon, for his own sake and his own safety, to state and bring forward the circumstances, whatever they may be, which might reconcile such suspicious appearances with perfect innocence." While it is not necessary to prove manual possession of the explosive substance by the accused, it must be proved that it was in his power or control: possession to be punishable must also be possession with knowledge and assent. The mere fact that the other accused were in the room does not show they were in possession of all or of any of the things contained therein. When the evidence at the disposal of the prosecution is insufficient to secure a conviction for the crime committed, it is inexpedient, even though it may be lawful, to prosecute the accused for a conspiracy the proof whereof really rests on the establishment of that very crime. A man's guilt is to be established by proof of the facts alleged and not by proof of his character, such evidence might create a prejudice but not lead a step towards substantiation of guilt. In India, as in England, the accused are entitled in cross-examination to elicit facts in support of their defence from the prosecution witnesses wholly unconnected with the

examination-in-chief. In the course of cross-examination of this character the defence are entitled, in view of the generality of s 143 of the Evidence Act, to ask leading questions. Under s 154, the Court has the discretion to permit the prosecution to test, by way of cross-examination, the veracity of their own witnesses with regard to the (unconnected) matters elicited by the defence in cross-examination [while in the United States a party has no right to cross-examine any witness, except as to circumstances connected with matters stated in his examination-in-chief, and if he wishes to examine him respecting other matters he must do so by making him his own witness and by calling him as such in the subsequent progress of the case]. The defence is not entitled to elicit from the individual prosecution witnesses whether he was a spy or an informer, or to discover from police officials the names of persons from whom they had received information, but a detective cannot refuse, on grounds of public policy, to answer a question as to where he was secreted. In strictly carrying out the provision of s 360 (1), Cr P C, by the daily reading over in open Court of the deposition of such witness, the Court does not lay itself open to criticism though that procedure should occupy considerable time. Though written statements may be accepted from the accused in accordance with the universal practice in the courts under the Calcutta High Court, they do not take the place of evidence nor of such examination of the accused as is contemplated by s. 342, Cr. P C

AMRITA LAL HAZRA (1915)

42 Cal 957, 19 C W N 676, 21 C L J. 331.

(5) Not only the term "possession" imply knowledge but the expression "maliciously" as used in s 4, connotes intention. But neither knowledge nor intention as to the use to be made of an object, can be imputed to a person who is not conscious of existence. Where the portion of a house in which the article is found is not in the exclusive possession of any one member of the joint family, but is used by, or accessible to all the members of the family there is no presumption that the article is in the possession or control of any person other than the house master or the head of the family. But it is open to the prosecution to prove that the possession was with some other member of the family, and that member would then be liable to account for it. (15 All 129 folld)

DULA SINGH

A. I. R 1928, Lahore 272.

(6) In regard to a criminal charge, when an article is found in a room to which several persons have access, it cannot be held to be in the possession of anyone of them. When a bomb was found in one of the rooms of a house to which all the inmates of the house had access, held, that it could not be held that a particular inmate was in possession of the bomb within the meaning of the Act, although the finding of the bomb in a room assigned to one of the inmates might be fair ground for imputing to him the possession or control of the bomb within the meaning of the Act. The evidence of conduct of an accused person unless it is incompatible with his innocence, is in fact a make weight and nothing more, and care should be taken that it may not have an exaggerated effect. It depends upon temperament, surroundings and other circumstances as to how a man would act in a particular situation and all these combine to form a most fallacious basis for assumed conclusions. It is dangerous to convict on a charge which covers a wide period of time and which is supported by evidence indefinite as to the point of time when the offence was committed. When a charge of conspiracy against the accused was framed in these words:—"That you—on or between the 8th of June 1908 and 31st July 1908, at Midnapur, unlawfully and maliciously conspired to cause by an explosive substance, viz, a bomb an explosion in British India of a nature likely to endanger life, and thereby committed an offence, etc." *Semle*—That the charge should have specified with what other persons the accused had conspired. In a criminal trial, two documents were made exhibits one of which purported to be a record of contemporaneous statements made to the police by an informer in their service and the other a document written up by a police officer for the purpose of assisting the informer in connection with the evidence, which the police, then expected he would give held, that the statements contained in the documents were not evidence against the accused, but they were useful in so far as they tended to expose the methods employed in getting up the prosecution case: their evidentiary value was in no sense constructive, but if anything, destructive of the case against the accused.

JOGJIBAN GHOSH

13 C. W. N. 861.

318 EXPLOSIVE SUBSTANCES ACT, VI OF 1908 [Secs. 5-6]

(7) Where there is no means of discriminating between the cases of the various persons found in house where incriminating articles are discovered and the circumstances point to the conclusion that every person found in the house was a member of the occupancy, absence of proof that a particular person was there innocently leads to the conclusion that no one's presence was innocent. Temporary residence in a house containing explosive articles, even with the knowledge of their existence there is not possession within the meaning of s. 5 of the Explosive Act. Conspiracy to possess connotes some act of possession of attempted possession,
HARI NARAYAN CHANDRA AND ORS. A. I. R. 1928, Cal. 27.

(9) *Vide* A. I. R. 1927, Bom. 21—Kullappa Dandappa note [21 under sec. 7 page 319.]

5. Any person who makes or knowingly has in his possession or under his control any explosive substance, under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, shall, unless he can show that he made it or had it in his possession or under his control for a lawful object, be punishable with transportation for a term which may extend to fourteen years, to which fine may be added, or with imprisonment for a term which may extend to five years, to which fine may be added.

NOTES.

(1) The accused person had pointed out and was a mere tool for disclosing the existence of some explosives from places of which he had no exclusive possession. Held: that still it was for the prosecution to show that from the facts it could be inferred that these articles were in control and possession of the accused: 18 P. R. 1917 Cr. Ref.
AMRIKH SINGH A. I. R. 1931 Lah. 50.

(3) It is not that every person in a joint Hindu family should merely on the ground that a bomb is found in the joint family residence, be liable to be imprisoned and tried for an offence under s. 5. If, the article is found in the portion of the house of which one member of the family have the exclusive use, such member must *prima facie* be held responsible for anything that is found there. But if the article is found in a portion of the house of which all the members of the family have use, then *prima facie* the *katta* of the family is responsible. But in either case it is only a presumption which may be rebutted and if the police act on the information, which they believe, showing the article found in a house is in the exclusive possession of one member of the family and the article is found in a portion of the joint family residence of which all the members of the family have the use, then the head of the family is not liable to arrest merely on the ground the article is found in a portion of the house to which all the family can resort,
PEARY MOHAN DAS (1913) 16 C. W. N. 145, 13 Cr. L. J. 65.

6. Any person who by the supply of or solicitation for money, the providing of premises, the supply of materials, or in any manner whatsoever, procures, counsels, aids, abets, or is accessory to, the commission of any offence under this Act shall be punished with the punishment provided for the offence.

NOTES.

The intention to procure, counsel, aid, abet or to be accessory to the commission of the offence is a necessary ingredient of the offence under sec. 6 and ordinarily, it is the primary intention of the accused that must be taken into consideration in determining his guilt.
BIMAL PRASAD JAIN 35 Cr. L. J. Lah. 752.

7. No Court shall proceed to the trial of any person for an offence against this Act except with the consent of the local Government or the Governor-General in Council.

Restriction on trial of offences.

NOTES.

(1) A Court convicting an accused under the Act on a consent given under s. 7 may convict him of an offence under a section of the Act even different from what the consenting authority mentions in the order of consent, provided that the fact stated in the consent order and those upon which the conviction is based are the same. S. 230 Cr. P. C. fully authorises such a course.

AMAR SINGH

31 P. R. 1919 Cr., 55 I. C. 102.

(2) The failure to obtain necessary consent of Government as required by sec. 7 does not invalidate the commitment proceedings conducted by Magistrate for an offence under s. 4 and exclusively triable by the Sessions Court as the committal proceedings are only inquiry as defined in cl. (K) of s. 4, Cr. P. C.

KULAPPA DANDAPPA

A. I. R. 1927 Bom. 21.

Losses, Thefts and Recoveries of Firearms and Ammunition.

1. In supersession of the existing orders on the subject the following instructions have been issued by the Government of India regarding the reporting of losses and thefts of Government and private firearms and ammunition capable of being used for military purposes are issued with the approval of the Government of India. (Govt. of India, Intelligence Bureau, Home Dept., Memorandum no 13/A and A/34 dated the Octr. 1934.)

2. Under Military Regulations. Officers Commanding detachments report the loss or recovery of arms, important components or ammunition to the Superintendent of Police or, if the loss or recovery takes place in a Native State, to the Political Officer. The Superintendent of Police or Political Officer, is then responsible for all further action towards the tracing and recovery of the lost or stolen articles.

3. Reports should be made by Superintendents of Police and Political Officers to the Provincial Criminal Investigation Department of the loss, theft or recovery of arms, important components and ammunition coming under the following category, of which they may receive information from any source, whether military, civil or private :—

- (i) Machine guns, Light automatics, Grenades and articles of Royal Air Force armaments.
- (ii) Rifles, Revolvers and Pistols,—Government or private.
- (iii) Barrels and bolts of 303 bore.
- (iv) Ammunition for cannon, machine guns and high velocity rifles.
- (v) High explosives whether in bulk or in made-up charges including fuses and detonators.

4. (a) Reports concerning items of the above category should be made by telegram whenever there is *prima facie* evidence or reasonable suspicion of a recent theft. In other cases report should be made by letter. In all cases every effort must be made to include either in the initial report or in a very early continuation report the fullest possible details both for the identification of the missing arms, components or ammunition and as regards the methods and identity of the thieves.

(b) Provincial Criminal Investigation Department on receipt of reports according to the above instructions will be responsible for the direction of suitable action for detection and recovery. If in any case there may appear grounds for suspecting the agency of professional arms thieves from the North-West Frontier, telegraphic information giving the fullest available particulars should be sent to the Assistant to the Inspector General of Police, C. I. D., N. W. F. P., Peshawar, (Telegraphic address—"Punishment Peshawar.")

5. A return of all identifiable arms, etc., lost, stolen or recovered should be maintained by the Provincial Criminal Investigation Department and should be sent in annually to the Director, Intelligence Bureau.

6. All reports of losses, thefts and recoveries of arms, etc., should be published by the Provincial C. I. Departments in their Criminal

Intelligence Gazettes or Confidential Supplements. Such reports must invariably include all details necessary to establish the identity of any particular weapon or component part.

7. When losses are sufficiently serious to be brought to the notice of the Government of India, or to rank as matter of public interest, as well as in the following cases.—

- (a) When the theft appears to be the work of Ut Khels or other professional rifle thieves,
- (b) When the loss appears to indicate that standing rules for the custody of arms and ammunition, either in possession of regiments or individuals or during transit by rail or otherwise are defective and should be amended,

intimation of such losses should be telegraphed to the Director Intelligence Bureau, ^{Simla} New Delhi by the Provincial C. I. Department, and copies of all subsequent reports submitted by the Superintendent of Police should also be sent to him.

8. In the particular case of revolvers and pistols, all losses, thefts and recoveries should be reported to the Director, Intelligence Bureau, by the provincial Criminal Investigation Departments. The reports regarding recoveries should include information, if possible, as to where, when and from whom the weapon was obtained by the person from whom it is recovered. All reports should be submitted as soon as convenient after the loss, theft or recovery.

9. No report need be made under these rules in the case of the loss or theft of smooth-bore weapons, ammunition for such weapons, swords, bayonets or accoutrements. Converted Martini-Henries and Sniders are classed as smooth-bore weapons.

10. Deliberate attempts to smuggle arms and ammunition into India, by land or sea, or air, should promptly be reported to the Director, Intelligence Bureau. Similarly the discovery of fire-arms which appear to have been deliberately smuggled into India should also be reported to the same quarter.

In all instances, full particulars of the articles seized, such as the maker's name, place of manufacture, number, bore and other distinguishing marks in the case of firearms; and maker's name, bore and distinguishing marks in the case of cartridges, should be communicated at the time the report is made or as soon afterwards as possible. Information, if available, obtained from the smuggler or otherwise, as to where, when and from whom the weapon, etc., were obtained should be given. Whenever a prosecution is initiated with respect to a reported case of smuggling of, or attempt to smuggle, arms and ammunition, the result should also be communicated to the Director, Intelligence Bureau.

These instructions do not affect the quarterly returns of arms and ammunition seized by the Customs, which should continue to be submitted by the C. I. Departments of Maritime provinces as at present.

Grant of Shooting Passes for sporting purposes.

1. *Home Dept. ren. no. 1458-84, dated the 27th Sept. 1895*—In resolution, 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 an 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.

2. (1) *Home Dept. letter, No. 3476, dated the 31st Dec. 1900.*—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 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) The revised rule 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 Officers, 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 provision 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 the 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. 30—1012—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 no. 18-1230-1239, dated the 31st July 1891, 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 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. ⁵⁰_{2349-58,} dated the 14th October 1887, 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.

APPENDIX III TO THE ARMY REGULATIONS, INDIA, VOLUME II.

Rules relating to the possession of private arms by Indian Officers, British and Indian other ranks.

1. **General provisions.**—The Indian Arms Act provides that any person disposing of arms, which he possesses, for his own private use to any other person not entitled by law to possess the same, is liable to be punished with imprisonment for three years, or with fine, or with both.

If any person wishes to dispose of arms and ammunition either by private sale, public auction or otherwise, 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 lists, he will apply to the Magistrate or Deputy Commissioner of the district, or to the local Political Officer, as the case may be, for permission for the transaction to take place. In the case of individuals under the rank of officer the above procedure will be conducted through the Unit Commander.

2. **British soldiers.**—Firearms purchased by British soldiers be inspected by the armourer sergeant or armament artificer, and passed by the Unit Commander. A register will be kept of all arms in which will be recorded description, sales or other disposals. Private arms supplied by Government for sporting purposes will be inspected monthly by the armourer sergeant or armament artificer.

3. **Indian officers.**—An Indian officer is allowed, after having obtained a licence, for which no fee will be charged to carry or possess, for his personal use, arms and ammunition to the extent and under the restrictions prescribed in Schedule I, Indian Arms Rules, 1924.

4. **Exemptions for certain retired Indian officers.**—A retired Indian officer in receipt of a pension, and who was exempt under the Indian Arms Rules, 1909, immediately before coming into force of the Indian Arms Rules, 1920, is exempt from the provisions of sections 13 to 15 of the Indian Arms Act, 1878.

5. **Swords of Indian officers.**—A pass is not required for the regimental swords of an Indian officer proceeding on leave or furlough, if permission to carry it is entered on his furlough certificate.

6. **Purchase of arms by Indian officers and other ranks.**—An Indian officer or soldier shall not purchase arms or ammunition unless—

(i) he has been furnished by competent authority with a written permit specifying, in the case of arms, the period for which it is valid and, in the case of ammunition, the amount purchasable on the occasion of each individual purchase;

(ii) the arms and ammunition are purchased from a person entitled under the Indian Arms Act, 1878 (XI of 1878) and Indian Arms Rules, 1924, to possess or sell arms or ammunition,

(iii) the arms and ammunition so purchased by him and the arms and ammunition already possessed by him do not exceed the numbers and quantity authorised by these rules.

7. **Indian soldiers.**—An Indian soldier is allowed, after having obtained a licence for which no fee will be charged, to carry or possess, for his personal use, one gun or pistol, one sword, dagger or knife, twenty cartridges, or an equivalent quantity of powder, bullets or shot, and caps. The conditions are:—

(a) The soldier shall be of good character.

† Note to rules 3 and 7.—The expression "permanently resides" occurring in the proviso to the sub-rule (1) of rule 40 of the Indian Arms Rules, 1924, which applies to persons subject to the Indian Army Act, 1911, refers to the permanent home of an applicant for a licence and not to the place where he is for the time being residing (vide the first proviso and also the addition made to Rule 40 (1) of the Indian Arms Rules, page 94).

(b) The arms shall not be of a class superior to that of the arms in use in the Indian Army, not a rifle of 303 bore, nor a rifle of 450 bore, imported subsequent to the 11th September, 1936 and he may not possess ammunition which can be fired from a 303 rifle

(c) The possession of arms and ammunition to which these rules apply will be immediately reported and their description entered in the private arms register maintained in the unit, extracts of which shall be sent with the man's documents when he is transferred

(d) All arms will be kept in the armoury while the soldier is with his unit

(e) The loss of arms or ammunition will be immediately reported

(f) If he wishes to take his arms on furlough or leave, he will obtain a pass from his Unit Commander. This pass will be produced on return, together with the arms to which it relates. The Unit Commander will satisfy himself that the arms have not been changed. Failure to produce the arms or pass will be punished by deprivation of a pass for one year, which should be communicated to the Magistrate or Political Officer concerned. If in absence is found in possession of arms and ammunition not covered by a pass, he will be made over to the military authorities for trial

8 Passes—Every pass shall be granted by the Unit Commander who shall not delegate his authority. The pass shall contain—

(a) a full description of arms, with a record of their distinctive marks, and ammunition authorised by the pass

(b) the parentage, religion, class, tribe and home of the holder of the pass

The Magistrate or Political Officer of the district in which the pass-holder intends to reside shall be furnished with a duplicate copy of the pass by the Unit Commander in the case of men proceeding on leave or furlough. When passes are cancelled or withdrawn the civil officer will be informed

A pass shall not be granted to an Indian officer or soldier whose home is situated beyond the N. W. Frontier, unless he shall have obtained, from his clansmen in the unit, and deposited security to the full trans-frontier value for the return of any arm which it is proposed to take away. The Brigade Commander will decide what is the trans-frontier value of any arm.

9 Disposal of arms near the Frontier.—An Indian officer or soldier shall not, unless authorised by competent authority, give or otherwise transfer any rifle to which these rules apply, to any Indian whose home is situated near or beyond the N. W. Frontier.

10 Forfeiture of security.—When an arm, for which security has been deposited and a pass granted, is not returned the security shall be forfeited and the clansmen of the defaulter shall, for a period not exceeding two years, be precluded from taking arms on furlough. These cases will be reported to the District Commander.

11 Special licence for exporting arms outside British India—An Indian soldier at the time of his discharge, possessing a weapon requiring a licence, shall be warned, if his home is situated beyond the limits of British India, that he shall obtain, through his Unit Commander an export licence from the Foreign and Political Department, except in the case of a *kukri* of a Gurkha proceeding to Nepal. No export licence will be granted to a trans-frontier tribesman, except for arms certified by his Unit Commander to have been brought from his home on enrolment.

12. Pensioners and reservists.—An Indian soldier, before transfer to pension or reserve wishing to retain his private arms, subject to the extent specified in the first paragraph of this Appendix, will fill in a form in triplicate and give full description of the arms in respect of which he desires exemption from payment of licence fees. The Unit Commander will endorse his recommendation on all three forms and will give one copy to the soldier before he leaves the unit, one copy will be despatched to the civil officer concerned, the third copy will be kept in the unit for record.

13. Application of pensioners and reservists for renewal of licence.—An application by a pensioner or reservist for renewal of licence, free of licence fee, will be submitted to the civil authority through the Unit Commander.

14. Offences committed by pensioners or reservists.—Offences under the Arms Act and Rules, committed by pensioners and reservists, will be dealt with in the ordinary manner, by the civil authorities.

15. Report of loss of arms by pensioners and reservists.—Every soldier before transfer to the pension establishment or reserve, and every reservist before returning home after training, shall be warned by his Unit Commander that he must report the loss or theft of any arms covered by his licence, to the nearest police station as required by the conditions on the licence form.

16. Passes not to be given to discharged soldiers or reservists.—Soldiers and reservists on leaving the army cannot be granted arms passes and any such passes will be withdrawn from them.

17. Sikh kirpan.—All kirpans possessed or carried by Sikhs while serving in the Army are exempt from the operation of the Indian Arms Act, 1878, and Indian Arms Rules, 1924, provided they conform to the measurements laid down, viz., maximum length of blade of 9 inches and a maximum width of 1½ inches.

The following instructions will be observed by the military authorities in respect of the private arms of British and Indian ranks. Applications from soldier received direct by District Magistrates should be returned to be forwarded in accordance with this procedure.

British and Indian soldiers who are still serving.—Commanding officers will call for descriptive returns of all private arms in possession of the warrant and non-commissioned officers and men of their units.—Nominal rolls will then be prepared of soldiers of good character whose exemption from the payment of licence fees is recommended.—An application, accompanied by a copy of the nominal roll and full description of the private arms, will then be submitted to the civil authorities concerned for the issue of the necessary licences.

Indian soldiers about to be transferred to the pension establishment or the reserve.—In the event of a soldier wishing to keep his private arms, after leaving the colours, he should be required to fill in, in duplicate, a form giving full descriptions of the arms in respect of which he desires exemption from payment of licence fees. The commanding officer will endorse his recommendation on both copies of the form and will make over one copy to the soldier and despatch the other direct to the civil officer concerned.

British and Indian pensioners and reservists.—will apply for exemption from payment of licence fees through their commanding officers.—In the case of British ranks, the commanding officer will be as defined in the "Indian Addendum to the Regulations for the Army Reserve, 1911."—In the case of Indian ranks, the

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applications should be submitted through the officer commanding their ~~law~~ unit, or depot, if unit is on field service. (H. D. No. 1898 dated the 11th Oct. 1920.)

Indian Army Order no. 303 of May 1928.—**Arms Licences for serving Soldiers.** *Instances of the indiscriminate issue of recommendations by Officers Commanding Indian Units for the grant of arms licences to serving soldiers, particularly in Districts where large numbers of such men reside, have been brought to the notice of the Government of India. This has caused considerable embarrassment to the Civil authorities responsible for the issue of licences. In many districts it is imperative to restrict the number of licences granted, either because the total number of licenced weapons in the district is already excessive, or for other reasons. Consequently, if the number of recommendations by Commanding Officers is excessive, it becomes impossible for the Civil authorities to give such recommendations the consideration to which they would normally be entitled.*

Commanding Officers must, therefore, take particular care in the issue of recommendations for licences to soldiers, each case being dealt with on its merits. Such recommendations will be made on a definite form signed by the Officer Commanding the Unit at the time, and contain a certificate that the officer is satisfied that the arms are genuinely required for sporting purposes or the protection of crops.




2. It has also been represented that in certain cases firearms of prohibited bore have been presented by Commanding Officers to serving soldiers and Indian Officers without any intimation to this effect being sent to the Civil authorities concerned.

The rules on the subject of the disposal of arms are contained in para. 1, of Appendix III, *Regulations for the Army in India*, page 324. On such presentation being proposed, full details, with the amount of ammunition, will be sent to the Deputy Commissioner of the District in which the Indian Officer or soldier resides, and actual presentation will not be made until the proposed recipient is in possession of a licence to carry the weapon in question.

The possession of Government arms and ammunition is prohibited—*vide conditions of licence forms, and also the following extracts from the letter of the H. D. no. 848 dated the 6th May, 1896:—*

1. *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.*

It is evident, however, that in cases in which it may be desired to prosecute for the illicit possession of Government arms and 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 that 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.

2. It has been arranged with the Secretary of State for India that in the case of 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. Arms obtained from the War Office in England bear the mark W  and those provided by India Office, London, are marked . I am to append statements* containing complete information as to the distinguishing Government marks on Government arms and ammunition whether manufactured in England or in India. All arms which are sold or given away, and which thus cease to be the property of Government, will be distinguished from Government arms by bearing the mark of inverted arrows together with the Arsenal monogram and date of issue in the places indicated at the end of the last statement.

3. Instructions should now be issued to district and other local authorities with a view to the prosecution, under the provisions of the Indian arms Act, 1878, of persons who may be in possession of arms and ammunition which are the property of Government.

[*Note—The statements referred to are published on pages 160-180 of the *Burma Arms Manual*, Edn. 1926.]

Rules for the Export, Import and Transport of Arms, Ammunition and Military Stores on Railways passing through Indian states.

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 railways 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: [For. Dept. no. 3573-I., dated the 29th Oct. 1895.]

I.—In these rules “arms” “ammunition” and “military stores” have, respectively, the meanings assigned to them in the Indian 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. [For. Dept. no. 2143-B., dated the 5th Aug. 1898.]

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

(b) Station master 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.—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 licence issued by the Secretary to the Government of India, 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

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(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 licence and authorised 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.—No licence 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.

VII.—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 sections 13 to 15 of the Indian Arms Act (XI of 1878) or has a licence 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.—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.—(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 licence 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.

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

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

(b) imports after the expiration of the period for which such licence 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.—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 such cases notice calling upon the importer or consignee to appear and to produce the licence 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 licence 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.—(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 persons, 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.

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

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