

The Commissioner of Police, Calcutta, shall depute a responsible police officer to the arsenal to check and compare with the invoice the number and description of such weapons made over to the Ordnance Officer for disposal. An acknowledgment should be obtained from the Officer-in-charge of the arsenal concerned of the receipt of arms and ammunition sent to him, and in due course, a certificate that the said arms and ammunition have been either destroyed or taken into ordnance stock. (Home Dept. letters Nos. F. 21/L/31 and F. 21/LII 34, dated, respectively, the 1st July, 1933, and 14th Nov. 1934).

The weapons which have been deposited but not yet been forfeited, may be sold by auction on the written application of the owner, the sale-proceeds being paid to the owner.

Note (1)—When despatching consignments to the arsenal, District Officer should send an intimation to the Commissioner of Police, Calcutta, together with a complete list giving the number and description of the weapons sent for destruction. (Bengal letters Nos. 1585 1591 and 4775 Pl., dated, respectively, the 17th May, 1923 and 26th November, 1929).

Note (2)—District Officers are authorised to sanction the issue of forfeited and confiscated firearms from the malkhans for the use of police on requisition from the Superintendent of Police. (Bengal letter No. 1961 Pl., dated the 20th October, 1932).

Note (3)—The above rules do not contemplate the sale of confiscated and unclaimed revolvers and pistols to police officers for their personal use. (Home Dept., letter No. F. 21/XII/34, dated the 20th April, 1934).

Note (4)—The auction sale in each district should be notified to all the local dealers and also in the Calcutta and local press at least a month before the date fixed for sale. Where there is a question of the sale of a considerable number of guns particular care should be taken that the dates of sales in districts within a division are fixed with reasonable interval between each so that the dealers may not find it inconvenient to bid at the sales in the different districts within a division. (Bengal letter No. 5577-5581 Pl., dated the 26th November, 1935).

Note (5)—The unsold firearms due for destruction locally should be so effectively destroyed that they become irreparable beyond any shadow of doubt. (Bengal Memorandum No. 5944 Pl., dated the 7th December, 1935).

98. Sale of arms by Collector of Customs.—Arms and ammunition confiscated, uncleared or otherwise unclaimed under the Sea Customs Act, should be sold by the Collector of Customs by auction to licensed vendors or to persons who by licence or exemption are entitled to possess such weapons, the police being informed of the names and addresses of the purchasers in order to enable them to verify the sales. This does not include arms of prohibited bores like 303 and 450 which will be disposed of by the Ordnance Department as in paragraph 97 above.

Note (1).—Arms of prohibited bores can be sold to officers entitled to possess them as part of their military equipment. (Govt. order Nos. 2696-2697 S. R., dated the 29th October, 1921, Memorandum No. 3734 Pl., dated the 11th November, 1921, and Central Board of Revenue letter No. D. Dis. 152 Cus. II/30, dated the 6th December, 1930).

Note (2)—Customs officials are debarred from selling pistols and revolvers of whatever bore, and all pistols and revolvers should be sent by the Collector of Customs to the nearest arsenal for disposal. (Commerce Dept., endorsement No. 290, Com., dated the 18th January, 1933).

99. Sale of arms by Civil Courts.—Whenever guns or other arms in respect of which licences have to be taken by purchasers under the Indian Arms Act, XI of 1878, are sold by public auction in execution of decrees, the Court directing the sale shall give due notice to the Magistrate of the district of the names and addresses of the purchasers and of the time and place of the intended delivery to the purchasers of such arms, so that

proper steps may be taken by the police to enforce the requirements of the Indian Arms Act. [Rule 107, Chapter I of High Court's General Rules and Circular Orders (Civil)].

100. Disposal of unclaimed arms and ammunition found in railway trains or premises.—All unclaimed arms and ammunition found in railway trains or in the premises of a railway should be forwarded by the officers of the railways concerned within a week, if possible, to the officers noted below :—

Railways	Officers
East Indian Railway	} District Magistrate, Howrah
Bengal Nagpur Railway	
Eastern Bengal Railway	} Commissioner of Police, Calcutta
Assam-Bengal Railway	
Bengal Duars Railway	} The nearest Magistrate
Howrah Amta Railway	
Howrah Sheakhala Railway ..	} District Magistrate, Howrah
Darjeeling-Himalayan Railway ..	
Barasat Basirhat Railway ..	Deputy Commissioner, Darjeeling.
Tarakeswar Mogra Railway ..	Subdivisional Officer, Barasat
Kalighat Falta Railway ..	District Magistrate, Hooghly
Jessore Jhenida Railway ..	Commissioner of Police, Calcutta
Bankura-Damodar Railway ..	District Magistrate, Jessore
Burdwan Katwa Railway	District Magistrate, Bankura
	District Magistrate, Burdwan

The District Magistrates and Subdivisional Officers specified above should send the articles to the Commissioner of Police, Calcutta. The Commissioner of Police should arrange for their sale under proper safeguards to duly authorized persons only, and should remit the proceeds to the Railway authorities concerned

(Bengal Resn No 2451 P—D, dated the 21st September, 1911, and No 6797 P., dated the 19th December, 1911, Govt of India letter No 2106 R T, dated the 3rd December, 1908, Home Dept Memorandum No 1995, dated the 6th July, 1911, and Bengal letter No. 4040 P1, dated the 29th August, 1932)

SECTION (XI).—Police and Arms Registers.

101. Supply of list of licences to police-station.—Additions and alterations in lists of licences made during the year should be reported promptly by District Magistrates to officers in charge of police-stations, and a list of unexpired licences should be furnished to thana officers at the end of the year as soon as renewal of licences is over. To guard against the possibility of omission on the part of the District Officers to send notices of additions and alterations made in the list to the thana officers and of the information thus received not being entered in the lists at the police-stations, the District Magistrates should send their up-to-date copy of the lists annually to each police-station which should return the same to the District Magistrates making necessary corrections in the register kept there. (Bengal letter No. 4040 P1., dated the 29th August, 1932).

102. Check on arms in police custody.—Every sub-inspector on assuming charge of a police-station shall personally compare the arms on deposit at the police-station with their descriptions in the Register in P. R. B. Form No. 10 (item No. 11 in Schedule of Provincial Arms Act Forms) and enter a certificate to this effect in the register in his own hand, signed and dated.

103. Every sub-inspector on assuming charge of a court office shall personally compare the arms in stock in the Malkhana with their descrip-

tions in the Arms Register of the Malkhana in Bengal Executive Form No. 190 (item No. 10 in Schedule of Provincial Arms Act Forms) and enter a certificate to this effect in the Register in his own hand, signed and dated.

104. The Magistrate in charge of licences shall examine the register of cancelled licences once a month, and in any case in which delay has occurred he shall call on the thana officer for a report, and if on receipt of the report it appears to him that the fault lies with the licensee, he should submit the case to the District Magistrate for orders as to whether a prosecution should be instituted or not.

105. The Magistrate in charge of licences shall inspect the Court Malkhana twice a year and should compare the arms in stock with the Malkhana Register and with the register of cancelled licences.

SECTION (XII).—Responsibilities of vendors, inspection of premises, and verification of sales.

106. **Licences under Explosives Act for licensed vendors.**—Vendors of ammunition should be required to take out licences under the Explosives Act in addition to the licences they may be required to take under the Arms Act as vendors of firearms.

It will be the duty of the District Officer or Commissioner of Police to satisfy himself that the receptacle or building provided for the storage of gunpowder is secured against all reasonable probability of theft and he should at the same time insist by executive order that proper precautions are taken for the safe custody of any firearms kept for sale. In the event of any person failing to comply with the District Officer's demands, he should be warned that the penalty for this neglect will be the refusal of a renewal of the licence, and this penalty should be rigorously enforced. In extreme cases where immediate action is called to preserve the public peace, it is open to the Magistrate to cancel the licence under section 18 (a) of the Indian Arms Act, XI of 1878.

Licences for the sale of firearms and ammunition should ordinarily only be issued for shops situated at district and subdivisional headquarters. (E. B. and A. Govt. letter No. 3903-07 G., dated the 14th June, 1910).

107. **Licences not required for saltpetre in districts not on the external land frontier.**—Shop-keepers are not required to take out licences in respect of saltpetre or to keep accounts of saltpetre possessed and sold by them, except in the districts on the external land frontier of British India, viz., Jalpaiguri and Darjeeling. Except for such districts, the figures for the sale of saltpetre need not be shown in column 22 of the statement under paragraph 2 "sale and verification" of the annual report on the working of the Arms Act. In the districts on the external land frontier, saltpetre is not exempt from the provisions of the Act, except within the limits laid down in item 7 of Schedule II to the Indian Arms Rules, 1924.

108. **Responsibility of vendors.**—Licensed vendors should protect themselves by making references to the District Officers in all cases in which there is any room for doubt as to the right of a would-be purchaser to possess the arms he is purchasing. By delivering arms, ammunition and military stores to any person, without previously ascertaining that he is legally authorised to possess the same, they render themselves liable to imprisonment which may extend to six months or to fine or to both.

District Magistrates should reply without delay to any reference made by licensed vendors with regard to the right of any intending purchaser to possess the arms he is purchasing. District Magistrates should not treat such reference as matter of mere routine, but satisfy themselves carefully the persons in question are actually entitled to purchase the arms and ammunition in contemplation. (Bengal letter No. 4803 P., dated the 10th August, 1911).

109. If in any licence issued in Forms XVI, XVIII or XIX the quantity of ammunition covered by the licence has not been noted an arms-vendor should refuse to supply any ammunition to the licensee and should return the licence to be properly filled in.

110. **Deposit of licences with dealers for endorsing sales.**—Purchases of ammunition excepting that for shot guns and rifles of .22 bore by persons holding licences in Forms XVI, XVIII and XIX have to be entered on the licence by the seller. Orders, therefore, cannot be complied with till the licence has been received by the latter which involves delay and causes inconvenience to licensed dealers and their customers. This can be obviated if the person holding the licence deposits it with the dealer who can then enter purchases on the licence, and comply at once with urgent orders. The dealer must furnish the licence-holder with a receipt for the same which can be produced at once if the licence is called for by any person authorized to do so under Rule 44 of the Indian Arms Rules, 1924, and the licence itself can be called for and obtained from the dealer when necessary.

111. **Registers prescribed.**—Registers in Bengal Executive Forms Nos. 186A., 187 and 188 (items Nos. 14, 15 and 16 in Schedule of Provincial Arms Act Forms) have been prescribed for recording the sale of arms and the sale of ammunition. It is the duty of inspecting officers to see that the registers are actually maintained in the prescribed form. (Bengal letter No. 12161 P., dated the 21st Dec., 1914).

112. Selected dealers authorised under Rule 28 (3) of the Indian Arms Rules, 1924, to keep and sell ammunition for rifles of 303 or of 450 bore and for pistols and revolvers of 441, 455 or any intermediate bore are required to maintain registers in the forms shown in items Nos. 18 and 19 in Schedule of Provincial Arms Act Forms

113. **Officers empowered to inspect premises of licensed dealers and examine their stocks and accounts.**—Under sub-rule (4) of rule 28 of the Indian Arms Rules, 1924, every Magistrate and every Police Officer of and above the rank of sub-inspector in the Presidency of Bengal, outside the town of Calcutta, may, within the limits of his local authority, enter and inspect the premises of any licensed dealer in arms and ammunition and examine his stocks and accounts. In the town of Calcutta Magistrates and Police Officers not below the rank of inspector are so authorised. Bengal letter No. 12161 P., dated the 21st December, 1914).

114. **Inspection of shops.**—No rule is laid down prescribing a scale for the inspection of shops. It is left to the Inspector-General of Police and the Commissioner of Police to issue instructions on the subject and to satisfy themselves that inspections are being made regularly. (Para. 16 of Bengal letter No. 12161 P., dated the 21st December, 1914).

115. **Verification of sales and imports of arms and ammunition.**—All sales of arms should be verified. The verification of sales of ammunition is left to the discretion of the Commissioner of Police and the Superin-

tendent of Police. The following sales, however, should always be verified:—all sales of rifles, pistols and revolver cartridges, empty and loaded;—sales of smooth bore cartridges exceeding 150 loaded and 500 empty;—sales of gunpowder exceeding one seer;—sales of percussion caps exceeding 500;—sales of sulphur, leaden bullets and bird shot, exceeding the limit prescribed by Government, viz., bird shot and leaden bullets 5 seers and sulphur 10 seers.

116. All dealers in arms and ammunition are required to send to the Commissioner of Police, Calcutta, and to the Superintendent of Police elsewhere a monthly return of the stock and sales of arms and ammunition in Bengal Exe. Form No. 130 (item No. 47 in Schedule of Provincial Arms Act Forms). Such returns should be preserved in the Police office for a period of ten years. (Bengal letter No. 12162 P., dated the 21st December, 1914).

117. Dealers in arms and ammunition in Calcutta are required to submit weekly a transcript from their sale-registers to the Commissioner of Police who will verify such of the sales as relate to Calcutta. Copies of entries relating to Bengal outside Calcutta will be sent in Bengal Exe. Form No. 131 (item No. 12 in Schedule of Provincial Arms Act Forms) by the Commissioner of Police to the Superintendents of Police concerned, who will cause the sales to be verified in accordance with the instruction contained in paragraph 115. They will return the verification slips, after noting the result of their enquiries, to the Commissioner of Police who will then fill up the last column of the transcript from the dealers' sale-book. Copies of entries in the transcript relating to other provinces will be sent by the Commissioner of Police to the province concerned.

Note.—To facilitate the preparation of the annual return of arms and ammunition in the possession of the public, the Commissioner of Police, Calcutta, will also send weekly report to the Superintendent of Police in districts, lists containing particulars of loaded smooth bore gun cartridges sold in quantities of less than 150.

118. Verification may be made in whatever manner the Commissioner of Police or the Superintendent of Police consider most suitable, but the work should invariably be entrusted to officers possessed of tact, discretion and courtesy. Superintendents of Police will bring all cases of illicit transactions and all excessive purchases of ammunition by exempted persons to the notice of the District Magistrate.

119. The same procedure will apply *mutatis mutandis* in the case of sales in districts. Superintendents of Police will verify sales relating to their own districts and will send verification slips in Bengal Exe. Form No. 131 (item No. 12 in Schedule of Provincial Arms Act Forms) to the Commissioner of Police in the case of sales to residents of Calcutta and to the Superintendents of Police in the case of sales to residents in Bengal outside Calcutta.

120. **Reports of sales to provinces outside Bengal.**—The Commissioner of Police for Calcutta and Superintendents of Police outside Calcutta will report to the Secretary to the Government of Madras, Home Department and to the Inspectors-General of Police of other provinces (except the North-West Frontier and Orissa Provinces) purchases of arms and ammunition in Bengal by residents of their respective provinces. Purchases of arms and ammunition by residents of the Indian States in the Madras Presidency will be reported direct to the Agent to the Governor-General, Madras States, Trivandrum.

Purchase of arms and ammunition by residents of Eastern States should be reported to Political Officers concerned as shown in the list below. These reports should be separate for each State.

LIST.

Names of the States, reports in respect of which are to be made to the Resident, Eastern States, Ranchi—

- (1) Cooch Behar
- (2) Tripura
- (3) Mayurbhanj.

Names of the States, reports in respect of which are to be made to the Political Agent, Orissa States, Sambalpur—

- | | |
|----------------|------------------|
| (1) Athgarh | (13) Kharsuan |
| (2) Athmallik. | (14) Narsinghpur |
| (3) Bamra | (15) Navagarh |
| (4) Baramba | (16) Nilgiri |
| (5) Baudh. | (17) Pal lahara |
| (6) Bonai | (18) Rairakhol |
| (7) Daspatha | (19) Raipur |
| (8) Dhenkanal | (20) Seraikela |
| (9) Gangpur | (21) Sonapur |
| (10) Hindol | (22) Talcher |
| (11) Keonjhar | (23) Tigiria |
| (12) Khandapa. | |

Names of the States, reports in respect of which are to be made to the Political Agent, Chhattisgarh States, Raipur—

- | | |
|-----------------|----------------|
| (1) Bastar | (9) Khairagarh |
| (2) Changbhakar | (10) Nandgaon |
| (3) Chhukhadan | (11) Palna. |
| (4) Jashpur | (12) Raigarh. |
| (5) Kulahandi | (13) Sarangarh |
| (6) Kanker | (14) Surguja |
| (7) Korea | (15) Sakti |
| (8) Kawardha | (16) Udaipur |

Bengal letter No 2088 Pl, dated the 17th May, 1937.

Reports of the purchase of firearms by residents of the Civil and Military station, Bangalore, will be sent to the District Magistrate of that station.

The Commissioner of Police, Calcutta, and Superintendents of Police outside Calcutta should report to the officers mentioned below the purchase of all arms and ammunition by persons residing in or who are permanent residents of the North-West Frontier Province from dealers or manufacturers in Bengal:—

(i) In the case of residents of British districts, viz, Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan—To the Superintendent of Police concerned.

(ii) In the case of residents of the Indian States of Amb and Phulera—To the Deputy Commissioner, Hazara district, Abbottabad.

(iii) In the case of residents of the Indian States of Chitral and Dir—To the Political Agent, Dir, Swat and Chitral Agencies, Malakand.

121. When residents of Bengal purchase arms and ammunition of any description in the United Provinces, the Central Provinces, Bihar, Orissa, the Madras Presidency and the Civil and Military Station, Bangalore, it has been arranged that the District Magistrates of those

Provinces and the station of Bangalore shall address the Commissioner of Police, Calcutta, when the purchaser is a resident in Calcutta and in the case of the purchaser living in Bengal, outside Calcutta, the Superintendent of Police of the district in which he resides.

122. The Commissioner of Police, Calcutta, will maintain a register in the Bengal Exc. Form No. 393 (item No. 8 in Schedule of Provincial Arms Act Forms) showing the importation of arms by dealers. Licensed dealers when importing arms should be required to submit their bills of entry in triplicate and the triplicates should be sent by the Collector of Customs in weekly bundles to the Commissioner of Police for such use as may be required for police purposes.

A register in the Bengal Exc. Form No. 150 (item No. 9 in Schedule of Provincial Arms Act Forms) showing the importation of arms by private individuals should be maintained province by province in the office of the Collector of Customs, Calcutta. The Collector of Customs should forward transcripts of this register weekly to the province concerned and those relating to Bengal to the Commissioner of Police, Calcutta, who will verify the entries in the same manner as sales of arms. Transcripts of the register showing the import of arms by residents of Indian States should also be forwarded to the Commissioner of Police for record and verification through the local authorities.

SECTION (XIII).—Game-Shooting.

123. **Close seasons for certain birds and animals.**—In exercise of the power conferred by section 3 of the Wild Birds and Animals Protection Act, 1912 (VIII of 1912), and in supersession of the late Eastern Bengal and Assam Government's Notification No. 1361 P.L., dated the 28th April, 1911, issued under the provisions of the Indian Arms Rules, 1909, the Governor in Council is pleased to declare the periods indicated in lists A and B annexed hereto to be close seasons for the birds and animals, respectively, mentioned in those lists throughout the whole of the Presidency of Bengal. (Bengal Notification No. 8338 For., dated the 25th Aug. 1914, published at page 1659, Part I of the Calcutta Gazette of the 2nd Sept., 1914, is hereby cancelled).

LIST A.—(The whole year).

Birds.

Laughing thrushes (Timaliidae).
 Babblers (Timaliidae).
 Whistling thrushes (Turdidae).
 Nuthatches (Sittidae).
 Drongos (Dicruridae).
 Creepers (Certhiidae).
 Wrens (Troglodytidae).
 Warblers (Sylviidae).
 Shrikes (Laniidae).
 Minivets (Campephagidae).
 Orioles (Oriolidae).
 Grackles (Graculidae).
 Starlings (Sturnidae).
 Mynas (Sturnidae).
 Fly-catchers (Muscicapidae).
 Chats (Turdidae).

Robins and red starts, thrushes (Turdidae).
 Blackbirds and ouzels (Turdidae).
 Martins and swallows (Hirundinidae).
 Wagtails (Motacillidae).
 Pipits (Motacillidae).
 Larks (except Ortolans) (Alaudidae).
 Sunbirds (Nectariniidae).
 Pittas (Pittidae).
 Woodpeckers (Picidae).
 Bee-eaters (Meropidae).
 Hoopoes (Upupidae).
 Swifts (Myiropidae).
 Suckoos (Cuculidae).
 Owls (Tytonidae) (Asionidae).
 Adjutant birds (Ciconiidae).
 Floricans-cock and hen (Otididae).

Animals.

Female buffaloes throughout the Presidency and male buffaloes in reserved or protected forest areas

Rhinoceroses

Female bisons, male bisons in the Jalpaiguri and Darjeeling districts and also in the area outside the reserved forests of Chittagong and the Chittagong Hill Tracts districts

Female deer of all kinds.

Female antelopes

Swamp deer—male and female

Male deer when hornless or in velvet

Gazelles

Cheetal stags in the Rajshahi Division (Bengal letter No 2506 Pl, dated the 16th July, 1938)

Ringed or water lizards (*Varanus Salvator*) (vernacular Rangoddi) (length 4 feet inclusive of tail and girth 11 inches, and below)

Black lizards (*Varanus Nebulosus*) (vernacular Kalagoddi) (girth measurement 8 inches and below)

Yellow land lizards (*Varanus Flavescens*) (vernacular Sonagoddi) girth measurement 8 inches and below)

Grey land lizards (*Varanus Bengalensis*) (girth measurement 8 inches and below)

LIST B.—(Part of the year).

Birds

All wild ducks—1st May to 30th September

Jungle fowl—15th March to 30th September

Partridges—15th March to 30th September

Pheasants—15th March to 30th September

All pigeons except rock pigeons—1st March to 31st August

Pea fowl—1st March to 30th September

Ortolans—1st April to 31st August

Little egrets and cattle egrets—1st July to 31st August

Kingfishers—1st January to 31st May

Animals

Male bisons other than in places mentioned below—

Darjeeling and Jalpaiguri districts and the area outside the reserved forests of Chittagong and the Chittagong Hill Tracts districts—1st May to 31st August

Barking deer stags with horns, not in velvet—1st April to 30th September

Hog deer stags with horns, not in velvet—

For Rajshahi Division—1st October to 28th February

For other Divisions—1st May to 30th September

Cheetal stags with horns not in velvet (other than Rajshahi Division)—1st October to 28th February

Sambhur with horns not in velvet—1st April to 30th September

Male antelopes—1st May to 30th September

Hares—1st April to 30th September

Serow and Goral—male and female—1st April to 30th September

Ringed or water lizards (*Varanus Salvator*) (vernacular Rangoddi) of more than 4 feet in length (inclusive of tail) and 11 inches in girth—1st July to 31st December

Black lizards (*Varanus Nebulosus*) (vernacular Kalagoddi) of more than 8 inches in girth—1st July to 31st December

Yellow Land Lizards (*Varanus Flavescens*) (vernacular Sonagoddi) of more than 8 inches in girth—1st July to 31st December

Grey Land Lizards (*Varanus Bengalensis*) of more than 8 inches in girth—1st July to 31st December. (Bengal Rev Dept Notn No 442T R, the 19th May, 1930 and A and T Dept No 14 For dated the 3rd January, 1935 and No 4863 For dated the 3rd March, 1937.

124. **Warning to sportsmen.**—The following warnings have been issued by the Government of India to all sportsmen whether Europeans or others.

(1) Not to trespass on standing crops without the consent of the owners.

(2) Not to shoot peafowl or other birds and animals, regarded as sacred, in the vicinity of villages or habitations.

(3) Not to shoot domestic animals, such as dogs and pigs.

(4) Not to shoot in the immediate vicinity of villages, temples and mosques. (Home Dept No. 16 Public—1458—83, dated the 27th September, 1895).

SECTION (XIV).—Annual Report.

125. **Annual Report.**—There should be a single annual report on the working of the Arms Act in the form shown below —

It should be prepared in the first instance by the District Magistrate in such manner as he directs and submitted to Government through Commissioners of Divisions. In respect of Calcutta, the Commissioner of Police shall submit the annual report to Government in the Political Department direct.

The report should be in respect of the calendar year and should be submitted by District Magistrates to their Divisional Commissioners on or before the 1st March. Commissioners in turn should submit to Government a consolidated report for their division on or before 30th April. The report of the Commissioner of Police should also reach the Secretariat by the 30th April. The Secretariat will give the Inspector-General of Police an opportunity of seeing the divisional reports for any remarks which he may have to make.

The report should also contain a statement regarding Government guns distributed to panchayats and others. It is only in the disarmed district of Bakarganj that there has been any distribution of guns on a large scale. Accordingly such figures are required for that district only, and the Magistrate of Bakarganj should submit a statement on this subject, to be attached to the consolidated report submitted to Government (Bengal orders Nos. 1122 P, dated the 26th January, 1915, and 11680 P, dated the 6th September, 1917).

The report should also contain (a) a brief note on the working of the rules under section 16 of the Arms Act as published with Government notification No. 1372 P., dated the 24th March, 1920, and (b) a statement showing the total amount of fees realized during the year in respect of licences under the Act.

The report should also contain an annual review of the position in regard to the illicit possession of arms and ammunition. The District Magistrates and the Commissioner of Police, Calcutta, should deal with the matter and report whether, in their opinion, the number of arms and amount of ammunition held illicitly is such that it either forms a menace to the peace of the district or should be taken into consideration from the point of view of the military internal security arrangements. (Bengal Orders Nos. 3750-55 Pl., dated the 12th November, 1921, and 1518-1546 Pl., dated the 1st April, 1926).

In the report a note should also be recorded to the effect that, as prescribed in the note to paragraph 48A, a list of weapons held by persons exempted under section 1 (b) of the Arms Act has been maintained and kept up to date. (Bengal letter No. 1636-Pl., dated the 3rd April, 1933).

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District
In the - of
Division
Town of Calcutta

Paragraph 1.—Manufacture.

(1) State whether the arms and ammunition are locally manufactured. If so, give any information you can collect about the character and approximate numbers of the arms manufactured (guns, daggers, etc.), and the kind of ammunition and its quality and quantity.

(2) What is the state of the factory or other places in which manufacture is carried on?

Paragraph 2.—Sale and Verification.

(1) Sale—Fill up the statement, shown on page 191 of the Bengal Arms Manual, showing the sale of arms and ammunition during the year 19 .

(2) Verification—Were all sales of arms and all sales of ammunition of the kinds and quantities given in paragraph 115 verified. Did the ^{Commissioner of Police Calcutta} Superintendent of Police in exercise of his discretion verify the sale of any ammunition sold in smaller quantities than those specified in the paragraph. Give the general results of verification, quoting any case of note especially those in which facts of importance were brought to light during verification.

Paragraph 3.—Stock and sale of arms and ammunition.

Fill up the statement prescribed on page 192, Bengal Arms Manual

Paragraph 4.—Exempted persons and licences.

(a) Fill up the list prescribed on page 199, Bengal Arms Manual

List of persons exempted from the operation of certain provisions of the Indian Arms Act under Schedule I, clause 6 (c) of the Indian Arms Rules, 1924, up to the 31st Dec., 19 .

(b) Fill up the list shown on page 198, Bengal Arms Manual

List of persons holding life licences granted under para 3, of Bengal Govt. letter no. 70 97 Pl., dated the 7th Jan., 1924

(c) Fill up the list of persons possessing cannon. (Form prescribed by letter nos. 2810 2815 Pl., dated the 23rd July, 1929, on page 194 of Bengal Arms Manual)

(d) General remarks on the working of the system of registering firearms in the possession of exempted persons

(e) General remarks as to exempted persons and the way in which they utilized the privilege of exemption with reference to any specific cases of improper utilization
Licences

Fill up the statement described on page 195 of the Bengal Arms Manual

Statement showing the number of licences issued under the Indian Arms Act during the year 19 .

Paragraph 5.—Prosecution and Confiscations.

(1) Prosecutions—(a) Fill up the statement prescribed on page 196 of the Bengal Arms Manual, showing the results of prosecutions and confiscations under the various sections of the Arms Act during the year 19

- (b) Refer briefly to important cases of prosecutions with their results.
- (2) Confiscations.—(a) Give a description of the confiscated weapons.
- (b) State briefly the circumstances which necessitated the confiscation.
- (c) How were the confiscated arms disposed of?

Paragraph 6.—Rewards. (1) State on Form prescribed on page 197 of Bengal Arms Manual the aggregate number of cases with the total amount of rewards granted—(a) by the Magistrate, and—(b) by the Superintendent of Police in connection with the Arms Act. Details are not required.

(2) State briefly important cases and give names of officers who have done good service during the year. Details of every case are not required and only the names of the officers need be given whose services have been especially meritorious.

Paragraph 7.—Thefts. Give a short account of the number of cases of thefts of firearms and ammunition with the general results and details of important cases during 19 .

Paragraph 8.—Miscellaneous. Give a general summary of any features of the year's work which call for special comment, and refer to any other important matter not mentioned in the above paragraphs.

SECTION (XV).—Questions for the Inspection of the Arms Act Department.

1. Has the District Magistrate by a written order delegated any of his duties to a subordinate magistrate (Paragraph 51)?
2. Who is the Magistrate in charge of the Department? From what date has he been in charge?
3. When was the last inspection made—
(a) by the Magistrate in charge, (b) by the District Magistrate?
Has action been taken on the points noted by them?
4. Does the District Magistrate personally perform the functions which he is required by paragraph 51 to perform?
5. What have been the total numbers of—
(a) licensed arms ;—(b) licensed revolvers ;
in the district in each of the last three years? If there is any striking variation, what is the cause of it?
6. How many licences are there in—
Form XVI—Form XVIII—Form XIX?
Is proper use made of Forms XVIII and XIX? (Paragraph 64).
7. Is a list kept of exempted persons as an index to the guard files prescribed in paragraph 37?
8. Are guard files of enquiry forms relating to them maintained in groups according to the entries in Schedule I? Are they complete? (Paragraph 37).
9. Are enquiries made from exempted persons in January every year to ascertain changes of address and particulars of new weapons possessed by them? Are steps taken to see that replies are promptly received and necessary changes made in the enquiry forms (Paragraph 36)?

10. In cases of exempted persons arriving from another District, does the District Magistrate obtain their forms from the Magistrate of the District from which they have come (Paragraph 36)?

11. Are retainers in the case of licensed weapons allowed only on the principles laid down in paragraph 38?

12. Are parwanas issued to their retainers by exempted persons and by private firms as prescribed by paragraphs 40 and 41?

13. Is the spare stock of parwana forms kept under lock and key in charge of a responsible officer (Paragraph 40)?

14. Are licences granted on application and without previous enquiry to the class of persons described in Paragraph 52?

15. Are all applications for licences duly entered in the "Register of Applications under the Arms Act" prescribed by paragraph 56? Are dates always fixed for the submission of reports and entered in column 5? Are applications for licences disposed of promptly? Are reports in cases in which preliminary enquiries are made received within the dates fixed and is action taken in cases where there has been delay in submitting reports (Paragraph 56)?

16. When a licence is refused, is the entry in column 7 made in red ink, and are new applications checked with the registers of the past 3 years to see whether a previous application has been rejected (Paragraph 56), and with the Register of cancelled licences (Paragraph 92)? Are reasons for rejecting applications for licences adequate? Have all 'C' class papers due for destruction been destroyed?

17. Are licences for pistols and revolvers granted by the District Magistrate himself and are reasons for granting them recorded? Are all pistols and revolvers produced for renewal, and licences for such weapons not renewed for more than one year save in very exceptional circumstances? When production of weapons is not demanded before renewal, does the licensee file with his application a declaration that the weapon in question is in his possession and in good condition and that the number of the weapon has been inspected and found to tally with that of his licence (Paragraphs 58 and 76)?

18. Has action been taken in all the cases during the preceding year in which the licensee failed to produce arms (Paragraph 68)?

19. Are all licence forms kept under lock and key in charge of a responsible officer (Paragraph 71)?

20. Is the register of licences written up thana by thana in a separate volume for each? Is the fee realized for each licence recorded properly in the register? Are additions and alterations made in the register during the year reported promptly to thana officers? Is the list of unrenewed licences furnished to thana officers as soon as renewal of licences is over? Is an up-to-date extract of the register of licences sent to the thana officer for check and return? Have proper fees been realized? Do the stamps bear the number and date of the licences to which they relate? Have they been duly defaced and those due for destruction destroyed (Paragraphs 72 and 101)?

21. Are thana officers called upon in November to report through the Superintendent of Police on the renewal of licences? Is the procedure prescribed in paragraph 75 observed?

22. Do the reports of thana officers deal only with cases in which the licensee is dead or has left the thana, or in which there is a specific objection to the renewal of the licence (Paragraph 75)?

23. Is care taken to avoid all possible delay and inconvenience to licensees in inspecting arms and returning the renewed licences to their owners (Paragraph 81)?

24. Does the Arms Act clerk submit a list immediately after 1st of February each year showing what licences have not been presented for renewal? Have proper measures been taken in all cases of failure to renew licences in the preceding year (Paragraph 82)?

25. Is an entry made in the Register of **cancelled licences** and initialled by the Magistrate as soon as a licence is cancelled (Paragraph 92)?

26. Is the Register of cancelled licences kept thana by thana with an alphabetical index (Paragraph 92)?

27. Do thana officers send in arms which have been forfeited or the licences which have been cancelled with P. R. B. Form No. 193 (item No. 11 in Schedule of Provincial Arms Act Forms) in triplicate (Paragraph 94)?

28. The object of the Register of cancelled licences and the Arms Register of the Malkhana are to ensure—(1) that every weapon the licence for which is cancelled is deposited, and—(2) that the licence for every deposited weapon is cancelled. Does the Magistrate initial column 8 of every entry in the Register of cancelled licences in token of having satisfied himself that the weapon has been deposited and entered in the Arms Register of the Malkhana?

29. Does the Magistrate examine the Register of cancelled licences once a month and take action on delay in depositing weapons (Paragraph 104)?

30. Does the Magistrate inspect the Court Malkhana twice a year and compare arms in stock with the Malkhana register and with the register of cancelled licences? Are reasonable measures taken to keep the arms in good condition (Paragraph 105)?

31. Does the Arms Act clerk initial column 11 of the Arms Register of the Malkhana in token of having been informed of the number assigned to the weapon on its deposit?

32. Is action taken under paragraph 97 for the disposal of confiscated or forfeited weapons which are due for disposal before 15th March every year?

33. When arms are destroyed locally does the Magistrate appointed to supervise their destruction actually see them destroyed (Paragraph 97)?

34. Are reasonable facilities given to the owners of arms, which have not been forfeited but the licences for which have been cancelled, to dispose of them to licensed persons within the period prescribed by rule under section 16 (2) (b) of the Arms Act. Is it understood that within the period such arms are still the property of the depositor and that he is entitled to receive sale proceeds?

35. Are orders for rewards passed by the District Magistrate in person and do subordinate magistrates convicting an offender submit the record to the District Magistrate with recommendations for rewards? Are rewards paid promptly (Paragraph 86)?

36. Are the copies of the Arms Act Manual used by the District Magistrate, the Magistrate in subordinate charge, and the Arms Act clerk corrected up to date?

37. Have defects in the administration of the Arms Act Department, if any, noticed in the previous inspection been remedied.

SCHEDULE OF FORMS APPENDED TO THE BENGAL LOCAL RULES AND ORDERS

Item No 1—Bengal Loc Form 125 E, Rule 36

Form of enquiry for firearms possessed by exempted persons

Name and Address

Rifles. The following particulars should be given for each weapon:—

- (a) Description and bore with maker's name and number on barrel, or stock, or both—(b) Whether muzzle or breech loading—(c) Whether single or double barrel—(d) Whether single shot or magazine—(e) If repeating, the capacity of magazine—(f) The name of the dealer or person, from whom obtained, with approximate date

Smooth Bores. The following particulars should be given for each weapon—

- (a) Description and bore with maker's name and number on barrel, stock or both—(b) Whether muzzle or breech loading—(c) Whether single or double barrel—(d) Whether single shot or magazine—(e) The name of the dealer or person from whom obtained, with approximate date

Revolvers. The following particulars should be given for each weapon—

- (a) Description and bore with maker's name and number, and all other marks stating the part of the weapon on which they are stamped—(b) Whether muzzle or breech loading—(c) Number of chambers for cartridges—(d) Name of the dealer or person from whom obtained, with approximate date.

Pistols. The following particulars should be given for each weapon—

- (a) Description and bore with maker's name and number stating the part of the weapon on which they are stamped—(b) Whether muzzle or breech loading—(c) Whether single or double barrel—(d) Whether single shot or repeating—(e) If repeating, the capacity of the magazine—(f) The dealer or person from whom obtained, with approximate date (Govt of Bengal Ntn No 1560 P J, dated the 1st April, 1920)

Other arms in respect of which exemption is enjoyed.—The number of arms of the following kinds in the possession of the exempted persons should be shown against each

- (a) Swords and sword sticks—(b) Bayonets—(c) Daggers (Bengal letter No 4299 Pl, dated the 22nd October, 1929 and para 36, Bengal Rules)

Item No. 2—B L Form 125, Rules 40

***Parwana Form.**—You A B, son of C D of village E, than F, are hereby appointed to be my armed retainer and you are authorised to possess, carry and use in accordance with all lawful orders issued by me or my agent at one muzzle loading gun No _____, gunpowder and _____ percussion caps. You must not use the gun or ammunition for any unlawful purpose except as you may be ordered and you must carry this parwana with you whenever you carry the gun outside the house or my Kachert. You must at once inform the nearest police station of the loss or theft of any ammunition or of the gun.

(Thumb impression of retainer, to whom this parwana is issued)

(Sd) X Y Z—(Name, title, if any, and address)

(This system was first introduced in E B and Assam by that Govt letter No. 167 G, dated the 16th April, 1910, and extended to Western Bengal in the Govt of Bengal No. 2802 4 P. D, dated the 23rd August, 1913)

Item No. 2A—See Rule 37B

Authorisation for the carrying of arms in British India by servants of a Ruling Prince or Chief having a salute of guns, not accompanying such Prince or Chief.—(See paragraph 37B).

Names of the servants	Names of fathers of the servants	Arms and ammunition carried by the servants		Date up to which authorisation is valid To be filled in by the Ruling Prince or Chief
		Brief description of each weapon with details e.g. distinguishing marks, etc.	Quantity and description of each kind or ammunition	
1	2	3	4	5
		Seal of Ruling Prince or Chief Signature of Ruling Prince or Chief Date—	Seal of Ruling Prince or Chief Signature of Ruling Prince or Chief Date—	
		Seal of Ruling Prince or Chief Signature of Ruling Prince or Chief Date—	Seal of Ruling Prince or Chief Signature of Ruling Prince or Chief Date—	
		Seal of Ruling Prince or Chief Signature of Ruling Prince or Chief Date—	Seal of Ruling Prince or Chief Signature of Ruling Prince or Chief Date—	

Seal of Political Officer
Signature of Political Officer
Designation

Date—

Note—The form may be signed by a responsible Minister on behalf of the Ruling Prince or Chief concerned

(Govt of India For and Pol Dept, letter No F 363 G 29, dated the 16th Dec, 1930, and letter No F 363 G 29, dated the 18th June, 1931)

Item No 3—B E F No 134A (Bengal Rule 41)

Parwana— You, son of , of village , Thana , District, , are hereby appointed to be an armed retainer of the firm and you are hereby authorised to possess, carry and use in accordance with all lawful order issued by me or a member or agent of the firm one breech loading gun No. and cartridges. You must not use the gun or ammunition for any unlawful purpose or except as you may be ordered, and you must carry this Parwana with you whenever you carry the gun.

Parwana— Name Address Position in firm Name and address of firm . (Thumb impression of retainer to whom this parwana is issued).

Item No. 4.—B. E. Form 185 (New)—225 B. (Old)

Register of applications, (Rule 56).

Serial No.	Date of petition.	Name and residence of applicant.	Purport of petition.	Preliminary order and date by which the report (if any) called for must be calsubmitted.	Date of submission of report	Final order and date	Remarks.
1	2	3	4	5	6	7	8

Item No. 5. (Bengal Rule 56).

Form of Enquiry on an Application for a Licence under the Arms Act.

Item No. 6.—B. E. F. 126. (Bengal Rule 72). B. E. F. 126.

Register of licences issued to persons residing in the police-station.

(Bengal letter No. 372-99 Pl., dated, the 29th January, 1930, and letter No. 63 Pl. D., dated the 14th April, 1930).

Item No. 7.—B. E. F. 189 (Bengal Rule 92).

Register of cancelled licences under the Indian Arms Act, 1878.

Item No. 8.—B. E. F. 393. (Bengal Rule 122).

Register of import of fire-arms.

Item No. 9.—B. E. F. 150 (Bengal Rule 122).

Register of the import of arms by private individuals.

Item No. 10.—B. E. F. 190. (Bengal Rules 94 and 103).

Form of the Arms Register of the Malkhans.Item No. 11.—P. R. B. F. 193. (Bengal Rules 94, 95, 96 and 102).
Original.

Note.—The above form is required in triplicate.

Item No. 12.—B. E. F. No. 131. (Bengal Rules 117 and 119).

Safe Verification Slip.

No.....

Date.....

From the Commissioner of Police, Calcutta.

The Superintendent of Police, —District.

Please verify the following sale:—

The Sub-inspector.....Town.

To

The Supdt. of Police.....District.

From dealer.....

Signature and rank of verifying Officer.

Item No. 13.—B. E. F. No. 184 (New). (Bengal Rules 89 and 90).

Register of firearms and ammunition deposited for safe custody prescribed under condition 3 of Licence Form XIII.

Item No 14—B E F 186A (Bengal Rules 111)

Sale Book—Section 17 (c) of Act XI of 1878, (For Calcutta only).

Fire arms and Ammunition—

- A—Muzzle loading
- B—Breech loading (rifled)
- C—Breech loading (not rifled)
- D—Double barrelled
- S—Single barrelled

Item No 15—B E I 187 (Bengal Rule 111)

Sale Book of Arms—Section 17 (c) of Act XI of 1878 (For places outside Calcutta).

Item No 16—B I F 188 (Bengal Rule 111)

**Sale Book of Ammunition—Section 17 (c) of Act XI of 1878
(For places outside Calcutta).**

Item No 17—B I I 180 (Bengal Rule 110)

Return of the Stock and Sales of Arms and Ammunition for the month of 19

A Muzzle loading	Number and quantity in stock on the 1 st	Number and quantity imported by sea direct	Number and Quantity purchased in India		Number and quantity manufactured locally	Total Columns 2, 3, 4 and 6	Number and Quantity sold		Number and quantity remaining in stock
			From private individuals	From dealers			To private individual	To dealers	
1	2	3	5	6	7	8	9		10

Item No 18—B L I No 400 (Bengal Rule 112)

Stock of ammunition which can be fired from rifles of 303 or of 450 bore and from pistols and revolvers of 441, 455 or any intermediate bore.

Item No 19—B E I No 401 (Bengal Rules 112)

Sale of ammunition which can be fired from rifles of 303 or of 450 bore and from pistols and revolvers of 441, 455 or of any intermediate bore

CHAPTER I—THE INDIAN ARMS ACT, XI OF 1878—PAGE 84, *ante*.

CHAPTER II—THE INDIAN ARMS RULES, 1924—PAGE 155, *ante*.

CHAPTER III—THE UNITED PROVINCES ARMS RULES AND ORDERS, 1936.

PREFACE—A—History and Principles of Arms Legislation

Although, as the passing of Act XVIII of 1841 and of Act XXX of 1854 testify, certain restrictions on the possession and carrying of arms have existed since the advent of British rule in India, no comprehensive arms legislation was introduced until 11th September, 1857, when Act XXVIII of 1857 was passed. This Act was a temporary measure intended to regulate the import, manufacture, sale, possession and use of arms and ammunition for a period of two years. It supplemented Act XVIII of 1841 by which the export of arms ammunition and military stores without a licence was already regulated. The Act of 1857 was continued in force by Act XXIX of 1860 and then by Act XXXI of 1860, until 1st October, 1860, when it was replaced by Act XXXI of 1860 passed on 17th July, 1860. This Act which was the precursor and the basis of the present Act, was enforced for a period of five years from 1st October, 1866, in the first instance and was continued for one year by Act VI of 1865 and then, with certain modifications, by Act VI of 1866 until further orders. Both it and Act VI of 1866 were then repealed by the present Act. The Act of 1860 differed from the Act of 1857 in two important respects, viz.:—

(i) while neither Act imposed any restrictions except in special circumstances on the possession of arms (other than cannon, howitzers and mortars) and ammunition, the later one provided for the disarming of any province, district or place and made it unlawful for any one in any disarmed province, district or place to possess arms and ammunition without a licence (section 32); and—(ii) the Act of 1860 contained a provision, which was not present in the Act of 1857, prohibiting the purchase of arms or ammunition from unlicensed persons.

On 1st October, 1878, the existing Act XI of 1878 came into force. This Act is in the main a consolidation of the law which was previously in force and a re-enactment of that law in a simpler form with such improvements in points of detail as the experience of the working of the Act of 1860 had shown to be desirable. It provides, however, for a stricter regulation of the importation, transport and possession of arms and ammunition. Since it was originally passed, it has been amended in minor detail on three occasions—firstly in 1891 by Act XII of 1891, then in 1919 by Act XX of 1919 and finally in 1920 by Act XLIX of 1920.

2. The first set of rules under the Indian Arms Act, 1878, was published on 6th March, 1879. Those rules, with such amendments and additions as circumstances demanded from time to time, continued in force for about thirty years. They were then revised in the form of the Indian Arms Rules, 1909, published on 16th August, 1909. Changes made in the revised rules were, for the most part, only such as were required to make the rules clear or were necessary in consequence of administrative changes, such as the formation of the North-West Frontier Province, the creation of new districts in the Punjab and the formation of the then province of Eastern Bengal and Assam. One important change, however, was that the revised rules

made separate provision for the grant of licences—(1) for the possession of arms and ammunition, and—(2) for going armed—

(a) for the destruction of wild animals which do injury to human beings or cattle, and—(b) for the destruction of wild animals which to injury to crops or cattle.

The rules of 1909 as amended from time to time were in force until 1st January, 1920, when they were replaced by the Indian Arms Rules, 1920. The new rules were framed on the advice of a representative committee of officials and non-officials which was appointed by the Government of India in deference to a resolution moved in the Imperial Legislative Council in September, 1918. They introduced the following three main changes:

(1) the removal of racial discrimination, —(2) greater restrictions on exemption, and—(3) the exclusion, generally, of arms other than firearms.

The rules of 1920 continued until 1st January, 1924, when they were replaced by the existing Indian Arms Rules, 1924, which were introduced after the Government of India had considered the recommendations of a committee appointed in pursuance of a resolution moved in the Legislative Assembly in February, 1922. The following are the main changes which the existing rules introduced:

(i) the removal of title-holders and certain others from the list of exemptees,—(ii) the reduction of the fees for the renewal of licences for firearms, other than muzzle-loading weapons, to one half of the fees for the issue of such licences,—(iii) the grant of power to sub-divisional officers to renew licences, and—(iv) the compulsory registration by certain exemptees of the firearms and ammunition in respect of which they were exempt.

Since they were first introduced the existing rules have been considerably amended in matters of detail

A—History and principles of Arms Registration

B—The Report of the Arms Rules Committee—printed on page

49, *ante*.

C—The Resolution of the Government of India, Home Department, No. 829—I—22, dated the 30th November, 1923—printed on page

70, *ante*.

D.—Resolution No. 1719/VIII—225, Police Department, dated Naini Tal, the 3rd May, 1924.

READ—

The report of the Committee appointed to revise the United Provinces Arms Rules and Orders with reference to the Indian Arms Rules, 1924.

OBSERVATIONS.—On 3rd November, 1923, the Government of India published in their Home Department notification under No. F-829/I—23, the Indian Arms Rules, 1924. On the same date they issued resolution No. F-829/I—22, in which they discussed the recommendations of the Indian Arms Rules Committee and indicated the questions which were left to the decision of the local Government. A small committee was then appointed by this Government to examine these questions. After full consideration of the report, the Governor in Council has been pleased to sanction a number of changes in the United Provinces Arms Rules and Orders, which will shortly be amended accordingly. Meanwhile a summary of the more important decisions is published for general information.

2. The Indian Arms Rules, 1924, have made a number of changes in existing practice. Some of these take effect without further action by the local Government. Among these may be noted that—

(1) power is given to sub-divisional officers to renew licences ;— (2) fees payable on renewal of licences for firearms other than muzzle-loading weapons have been reduced by one-half ; and—(3) entries II, II A, II-B of Schedule I of the Arms Rules, 1920, have been abolished,

Title-holders and others who were formerly exempted under these clauses will now receive licences for life free of charge, provided that they apply to the District Magistrate within six months of January 1st, 1924, or, in the case of those who were not in India on that date, within six months of their return to India.

3. In other cases executive orders are necessary in order to give effect to the orders of the Government of India, as framed in the Indian Arms Rules of 1924. These will be published in due course. Among these are the following:—

(1) Under rule 3(1) (b) of the Arms Rules, 1924, all persons exempted are required to register the firearms or ammunition in respect of which they are exempted. It has been decided that this registration shall not be made annually and in respect of ammunition shall only be made at the time of the initial registration. After the initial registration an exempted person will be required to report to the District Magistrate any change in the arms in his possession in respect of which he is exempted—
(2) Under rule 43 (1) a right of appeal is given when a licensing authority refuses to grant or renew a licence. It has been decided that this appeal must be made within 30 days of the order appealed against. It will be observed that no mention is made of the right of appeal against an order of cancellation under section 18 of the Arms Act, 1878. When a licence is cancelled in the course of a judicial proceeding, an appeal presumably lies in the ordinary course, and there seems no reason why, when appeals are allowed in cases of refusals to grant or renew a licence, an order of cancellation by a District Magistrate should not also be appealed against. It has therefore been decided that appeals against orders passed under section 18(a) of the Arms Act, 1878, shall be allowed in the same way as appeals under rule 43 of the Indian Arms Rules, 1924.— (3) Applications for the grant or renewal of licences may be made by post. This does not, however, affect the obligation of any licensee to produce the arms when required under rule 45 ; and it has accordingly been decided that applications for the renewal of cultivators' licences Forms XVIII and XIX shall not be made by post unless they are attested by the tahsildar after examination of the arms which they cover.

4. The following orders have been passed on the questions left to the decision of the local Government:

(1) *Schedule I, clause (6) (g)*—The following landholders will be included in this clause, namely, those who—

(a) pay land revenue not less than Rs. 10,000 or would so pay if they were not wholly or in part revenue-free ; and—(b) are borne on the divisional durbar lists and whose fathers or immediate predecessors in interest were also so borne. The limit of exemption and the number of retainers allowed will be laid down by the local Government in each case.

(2) *Schedule VII, clause (7)*—Under this clause will come—(a) Stipendiary Magistrates and—(b) Justices of Peace in respect of all arms.—(3) The licence year instead of running from 1st April to March 31st as hitherto,

will be the same as the calendar year, i.e., from 1st January to 31st December.—(4) Under rule 52(3) (c) when a licence is renewed by an authority other than the authority who granted it the former will inform the latter of the fact of renewal. To cover the cases of those who change their residence more than once it has been decided that information must also be given to the last renewing authority as well as to the authority who originally granted the licence.—(5) In accordance with the recommendations of the Arms Rules Committee it has been decided that no fixed limitation of ammunition shall be laid down. The ordinary standards to be allowed will be 200 rounds per rifle, and 100 rounds per revolver. No limit is prescribed in the case of shot-guns or .22 bore or target rifles, while for muzzle-loading guns the limits will remain as at present. The licensing authorities will, however, have the power to vary these standards in the direction of greater or less restriction at their discretion.

5. These changes will be given effect to in a new edition of the United Provinces Arms Rules and Orders, which is under preparation. The Governor in Council trusts that licensing authorities will exercise their powers under these rules with discretion and consideration and will observe the spirit as well as the letter of the rules. In particular, he desires to emphasise the desirability of avoiding delay in the issue or renewal of licences and, when enquiries as to the suitability of applicants for licences have to be made, of subjecting the applicants to as little annoyance and indignity as possible.

PART I—EXPLANATION AND DEFINITIONS.

1. **Introductory**—The rules and orders contained in Chapter III of this Manual are partly statutory rules made under express provisions of the Indian Arms Act, 1878, and partly executive instructions issued under the authority of rule 43(2) of the Indian Arms Rules, 1924, but for convenience both rules and orders are referred to throughout as rules.

2. **Definitions**—In this Chapter, unless there be anything repugnant in the context, the following terms have the meanings ascribed to them in this rule:

- (i) "the Act" means the Indian Arms Act, 1878 (Act XI of 1878).
- (ii) "District Magistrate" includes for the purposes of rules 32 to 40, the Sub-Divisional Magistrate of any one of the Lalitpur, Roorkee, Deoria-Kasia, Karwi or Mahoba Sub-divisions.
- (iii) "exemption" and its cognates have reference to the exemption conferred in Schedule I of the Indian Arms Rules, 1924, upon certain persons and classes of persons from the operation of certain provisions contained in the Act.
- (iv) "exclusion" and its cognates refer to the exclusion effected by Schedules II and III of the Indian Arms Rules, 1924, of certain arms and ammunition from the operation of certain provisions of the Act.
- (v) "Form," when followed by a Roman numeral, means one of the Forms prescribed by Schedule VIII of the Indian Arms Rules, 1924.
- (vi) "Form," when followed by a capital letter, means one of the Forms prescribed in Appendix IX to this Chapter.
- (vii) "the Indian Arms Rules" mean the Indian Arms Rules, 1924.

(viii) "Part" means one of the Parts of this Chapter.

(ix) "prohibited bore," when used in respect of arms or ammunition, means arms or ammunition of the kinds described in rules 7 and 38 of the Indian Arms Rules.

(x) "rule" means one of the rules or orders contained in this Chapter.

(xi) "Schedule" means one of the Schedules appended to the Indian Arms Rules.

(xii) "Section" means a section of the Act.

(xiii) "Stores" means "military stores" as defined in section 4 of the Act.

(xiv) "Withdrawal" and its cognates refer to the withdrawal of a tract of country effected by Schedule IV of the Indian Arms Rules from the operation of certain provisions of the Act.

PART II—APPLICATION OF THE ACT TO SPECIFIED ARMS

3. Definition of arms, ammunition and military stores—The definition of military stores contained in section 4 of the Act is not exhaustive and may be extended by the Governor-General by notification (See rule 4 of the Indian Arms Rules). The question whether or not a particular implement or article is an arm or is ammunition for the purpose of that section is a question of fact. Sights for rifles and guns should be regarded as parts of arms within the meaning of the Act. Similarly, a gun barrel and nipple in serviceable condition would fall within the definition of "arms." The rules in this Part describe certain appliances or articles in respect of which orders have been passed to the effect that they are, or are not, arms or ammunition, as the case may be. Arms of which the import has been forbidden are described in Part V.

Note—(certain sights for rifles are excluded from the operation of the Act by entry No 2 (n) of Schedule II)

3A. Asphyxiating, Poisonous irritant or other gases—The Government of India have extended the definition of military stores contained in section 4 of the Act to asphyxiating, poisonous, irritant or other gases and analogous liquids, materials or devices. No licence for the possession, importation, manufacture, etc., of the gases and analogous liquids, materials or devices should be granted without the prior sanction of the Government of India obtained through the Provincial Government.

4. Firearms rifled in any way are rifles—(1) All firearms which are in any way rifled are to be treated as rifles and must not be possessed by or sold to any person who is not in possession of a licence expressly authorizing him to possess a rifle or rifles.—(2) Examples of firearms, which in accordance with the foregoing direction, fall in the category of rifles, are weapons like the "*Explora*," the "*Fauneta*" and the "*Paradox*" ball and shot guns, the barrels of which, although for the greater part of smooth bore, are rifled towards or at the muzzle.

5. Weapons classed as pistols—The firearms known by the names and of the descriptions specified below, and all similar weapons should be classed as pistols, and are subject to all the restrictions in force in regard to ordinary pistols and revolvers.—(i) "*Ithaca Auto and Burglar Gun*"—Made in

America, hammerless 20 bore, double barrel breech-loading, pistol grip, barrel ten inches, total length about eighteen inches, takes either shot or ball cartridges.—(ii) "**H and R Handy Gun**"—Made in America, single barrel, 410 ("12 m/m") bore, breech-loading, central fire, barrel eight inches, total length twelve and three-quarter inches, takes either shot or ball cartridges.

6. **Burglar alarms known as "Stop"**—The burglar alarm known as "Stop," by which an alarm is given by the explosion of a 12 bore cartridge loaded with gunpowder, is an arm within the meaning of section 4, and subject to all the prohibitions and directions contained in the Act and in the rules framed thereunder.

7. "**Life preservers**"—The weapon described as a "Life preserver" and weapons of a similar nature are arms for the purpose of section 4 inasmuch as they are effective weapons both for offence and defence and are neither intended nor adapted for use otherwise than as weapons.

8. **Stylograph (pistol) pencils, gas hand-grenades, etc.**—Appliances are manufactured in America, Hamburg and possibly elsewhere for discharging a gas which causes temporary blindness and suffocation. They take the form of pistols, revolvers, hand grenades, fountain pens or pencils and include the appliance known as a stylograph (pistol) pencil. Such appliances should be regarded as included in the definition of "arms" contained in section 4.

Note—The issue of licences for the import or possession of appliances designed for the discharge of gas is prohibited (See rule 15)

9. **Machinery for loading or reloading cartridge cases**—With the exception of the machines known as **recapper, decapper** and **turnover** machines which are excluded from the operation of the Act by entry No 2-A of Schedule II, machines for loading or reloading empty cartridge cases are "machinery for the manufacture of ammunition," and, under rule 30(1) (d) of the Indian Arms Rules, the possession of such machines, subject to rule 70 below, requires a licence in Form I issued by the Governor-General in Council.

Note—Decapper and recapper machines are machines for removing old cartridge caps and fixing new ones while the turnover is a machine for closing the mouth of the cartridge when loaded. The price of such machines ranges from about three rupees to about twenty rupees.

10. "**Humane cattle killers**" and their ammunition—(1) Humane cattle killers are not arms for the purposes of the Act—(2) Cartridges used with "humane cattle killers" are not ammunition for the purposes of the Act unless they can be used in fire-arms as well as in humane cattle killers.

11. **Determination of prohibited bores**—In the case of weapons of which the calibre is described by two figures such as "450/400," "577/450," "500/450," etc., the former of the two figures indicates the size of the chamber and the latter figure the size of the bore. Consequently, while a rifle described as of "450/400" calibre is not of a prohibited bore, weapons described as "577/450" or "500/450" and ammunition to fit them are subject to the restrictions imposed on weapons and ammunition of the prohibited bores.—(Vide note (5) to rule 7 of the Indian Arms Rules, 1924, on page 160, ante).

PART III—EXCLUSION AND WITHDRAWAL.

(See sections 1 and 27 of the Act and rule 3 read with Schedules II, III and IV of the Indian Arms Rules)

12. Introduction—(1) Subject to the savings in section 1 (b), the Act applies to all arms, ammunition and stores and extends to the whole of British India. Under section 27(a) of the Act, however, the Governor General in Council may exclude any description of arms or ammunition from, or withdraw any part of British India from, the operation of any prohibition or direction contained in the Act. Power has been taken under this section in rule 3 read with Schedules II, III and IV of the Indian Arms Rules.

(2) Schedules II and III deal with exclusion, but Schedule III which relates to articles consigned by sea has little practical importance so far as the United Provinces are concerned. In Schedule II entries Nos. 1, 2, 2-A and 4 to 7 affect the United Provinces. In all these entries, except No. 1, the articles which are excluded are expressly mentioned in the second column of the Schedule. Such articles are toy cannon, certain rifle-sights, certain air-guns and air-pistols and certain explosives and stores. In the case of entry No. 1, the exclusion applies to all arms other than those which are expressly excepted from this exclusion. In this way a licence is necessary for the possession of a firearm for the reason that firearms are excepted from the general exclusion given to all arms by entry No. 1 of Schedule II. In the case of arms which are excluded, however, the local Government have power, under the third column of Schedule II, to retain by notification in any specified area, or in respect of any class of persons, all or any of the prohibitions and directions contained in the Act.

(3) Schedule IV only affects the United Provinces in so far as that part of the Mirzapur District which is situated on the right bank of the river Sone is the only area in the United Provinces which has been withdrawn from the operation of the Act. The Schedule withdraws this area from the operation of sections 13 and 14 of the Act in respect of all arms, except cannon, and of all ammunition. Section 13 prohibits the going armed with any arm without a licence and section 14 the possession of any firearm without a licence. The position as regards the possession of other arms is as follows.

(4) Section 15 of the Act prohibits the possession of arms of any description without a licence in places to which section 32, clause 2 of Act XXXI of 1860 applied in 1878 or to which section 15 of the present Act has been applied subsequently to the passing of the Act. The section of the Act of 1860 to which reference is made gave power to Government to order the disarming of any district or tract. That part of the Mirzapur District which is situated on the right bank of the Sone was not disarmed under the Act of 1860 nor has section 15 of the Act of 1878 been applied to it. The possession of arms in this part of the Mirzapur District would not therefore be unlawful under section 15, but going armed and the possession of firearms would be unlawful under sections 13 and 14 had this tract not been withdrawn from the operation of those sections by Schedule IV. It should, however, be noted that even this tract is subject to the directions and prohibitions contained in all other sections of the Act. For instance, licences are necessary under section 5 for the manufacture and sale of arms.

13. Cancellation of exclusion of arms—Except in the case of air-pistols which are governed by rule 16, the exclusion from the prohibitions and directions contained in the Act effected by items 1 and 2 of Schedule II has not been limited generally in the United Provinces in respect of any arm excluded by that Schedule. From time to time, however, notifications have been, and, in future may be issued, retaining in specified areas all or any of the prohibitions and directions contained in the Act in respect of such arms as may be specified in each notification.

Note.—The effect of the foregoing is that licences are not required for the import, manufacture, sale or possession of **swords, spears, daggers, etc.**, except in districts in respect of which notifications under Schedule II are in force.

14. Action to be taken when the exclusion of any weapon is cancelled—

(1) When a notification is issued retaining all or any of the prohibitions and directions contained in the Act in respect of any arm which is ordinarily excluded from its operation by Schedule II, the Magistrate of any district specified in the notification will take immediate steps to have the order proclaimed throughout such part of his district as may be notified, warning all persons of the provisions of section 16 of the Act. If the cancellation of any exclusion so effected is complete, it will, subject to the provisions of rules 15 and 17, apply not only to persons (other than persons who are expressly exempted by the notifications) possessing weapons of the description, notified, but also to manufacturers and vendors of such weapons, since their manufacture and sale without licence will also be unlawful.

(2) No special form of register has been prescribed for the entry of licences granted for swords, spears, or similar weapons in districts in respect of which notifications of the kind referred to in rule 13 have been issued. District Magistrates should therefore prepare special suitable registers of such licences on the lines of the appropriate Form prescribed in Appendix IX.

15. Exempted persons not affected by the cancellation of any exclusion

—Persons who are exempted from the provisions of the Act under Schedule I, will, in the absence of any express provisions to the contrary, be exempt in respect of any weapon of which the exclusion from the operation of the prohibitions and directions contained in the Act has been cancelled or suspended by a notification under Schedule II.

16. Air-pistols, air-guns and air-rifles—(1) The exclusion of certain **air-pistols** effected by entry No. (2) (iii) of Schedule II, has been cancelled throughout the United Provinces. All **air-pistols** are therefore subject to all the restrictions which apply to **ordinary pistols and revolvers**.—(2) **Air-guns and air-rifles** which satisfy the test prescribed in entry No. (2) (iii) of Schedule II are excluded from the operation of the Act. When, by reason of its failure to satisfy the test for exclusion, an air-gun or air-rifle is required to be licensed in Form XVI, the licence, if granted, should be endorsed in the column for ammunition with the words "no limit prescribed." Licences in other Forms for air-pistols and for air-guns or air-rifles which require to be licensed are governed by all respects by the conditions attaching to licences issued in respect of fire-arms.—(3) Where difficulty is felt in determining whether or not an air-gun or an air-rifle satisfies the test prescribed in entry no. 2 (iii) of Schedule II, the weapon in question may be sent for testing to the Inspector of Guns and Rifles at Ishapore, and in such a case the following instruction should be followed:—(a) with the weapon or weapons so referred should be sent 25 slugs or darts per

weapon.—(b) The package containing the weapon (or weapons) and the slugs or darts should contain a packing note giving a full list of the contents.—(c) Each package should be sealed, seals countersunk and protected, and each package indelibly marked, in paint or otherwise, with the gross weight of the case the office of issue and the address of the consignee.—(d) The package should be consigned to the Superintendent Rifle Factory, Ishapore (Railway Station Ishapore)—(4) The postal address of the Inspector of Guns and Rifles is "The Inspector of Guns and Rifles, Ishapore, Nawabganj." His telegraphic address is "Inspector, Guns Ishapore, Nawabganj."—(5) Fees for licences in Form XVI for air-pistols, air-guns and air-rifles will be the same as the fees for licences for ordinary firearms of similar pattern (See rule 156).

17. Exclusion of kirpans and retired officers' swords—(1) No notification issued under the proviso to entry 1 of Schedule II will affect the exclusion from the provisions of the Act granted by that Schedule in respect of **kirpans** carried or possessed by Sikhs as religious emblems—(2) Similarly, no such notification as is mentioned in sub rule (1) will affect the exclusion of swords belonging to retired officers of the Indian Army which formed part of their equipment and which they are permitted to wear on ceremonial occasions when the wearing of uniform appears appropriate

18. Condition of exclusion of firearms kept as trophies—Firearms kept as trophies by a regiment or military mess which are excluded by the proviso in the second column of entry no 1 of Schedule II from the operation of the prohibitions and directions contained in the Act, should be rendered unfit to fire by having a slot cut in the barrel or otherwise

19. Exclusion of arms possessed by members of His Majesty's Forces, when serving beyond the limits of British India—The Governor-General in Council has been pleased to exclude from the operation of the prohibitions contained in sections 14 and 15 any arm belonging to a commissioned officer, warrant officer, non-commissioned officer or soldier of His Majesty's Forces for the time being serving beyond the limits of British India

Entry No	Ammunition or military stores excluded	Area within which excluded	Quantity excluded within the areas shown in column (3)
1	2	3	4
1	Sulphur	All districts of the United Provinces	Ten seers
2	Lead required for industrial purposes (other than for bullets and bird shot)	Ditto	Any quantity
3	Leadens bullets and bird shot	The districts of Gorakhpur, Basti, Gonda, Bahraich, Kheri, Pilibhit, Dehra Dun, Naini Tal, Almora and Garhwal	76 lb ($\frac{1}{2}$ cwt)
4	Ditto	All districts of the United Provinces other than those named in entry No 3 above	112 lb (1 cwt)

20. Exclusion of sulphur, lead, leaden bullets and bird shot—In exercise of the power conferred by entries nos. 4, 5 and 6 of Schedule II, the Government have imposed within certain areas of the United Provinces limits upon the quantities of sulphur, lead, leaden bullets and bird shot which are excluded from the operation of the Act. The quantities of stores of these descriptions which, in accordance with Schedule II as limited by the orders of the Government, may be possessed with a licence in different areas within the United Provinces are shown in the sub-joined table.

21. Exclusion of saltpetre—Under entries no. 5 and no. 7 of Schedule II, no licence is necessary for the sale, possession, etc. of saltpetre in the United Provinces except in the ten districts named in entry no. 3 of the table appended to rule 20. In those districts the exclusion from the prohibitions and directions contained in the Act is confined to saltpetre which is required for medicinal or goldsmith's purposes and is limited to ten pounds.

PART IV—EXEMPTION.

(See sections 1 and 27 of the Act and rule 3 read with Schedule I of the Indian Arms Rules)

22. Introduction—(1) The term "exemption" in its strict sense applies only to persons who are exempted from the operation of the Act by rules made under section 27. There are, however, the following other classes of persons whose position is more or less analogous to that of exemptees—
(a) Public servants in possession of arms carried as part of their prescribed equipment are, under section 1, not subject to the Act in respect of such arms.—(b) Certain other persons, mostly public servants, who under rule 46(8) of the Indian Arms Rules read with Schedule VII, are not required to pay fees for licences in Form XVI issued in respect of specified arms.—(c) Persons to whom licences in Form XVI have been granted free of fee and valid for life. The rules governing the first two of these three clauses are contained in Part VII-B of these rules and those governing the third class in Part VII-C. The rules in this Part relate only to exempted persons proper.

(2) In rule 3 of the Indian Arms Rules power has been taken under section 27(a) of the Act to exempt the persons named in the first column of Schedule I in respect of the arms and ammunition specified in the second column from the operation of such sections of the Act as are mentioned in the fourth column. It will be noticed that, under the second column of Schedule I, no exemption has been conferred in respect of certain arms and appliances which include cannon, machinery for the manufacture of arms or ammunition, and rifles, muskets, pistols and revolvers, of the prohibited bores not lawfully imported into British India. With the exception of persons named in entries nos. (7) and (9) of that Schedule, the exemption is from the operation of sections 13, 14 and 15 only, that is to say, that exempted persons generally are exempted from the necessity for taking out licences for possessing and carrying arms and from the observance of the conditions which attach to such licences. In the majority of cases, however, the exemption is subject to certain restrictions which are or may be imposed under the third column of Schedule I.—

(3) For the purposes of the practical administration of the Act in the United Provinces the most important classes of exempted

persons are those mentioned in entries Nos. (3) and Schedule I. In their case the extent of the exemption subject to such restrictions as the local Government on the number and description of arms and ammunition be carried or possessed, and, in the case of the Taluqdars and Zamindars of Agra, such restrictions as the local Government on the class and number of persons who may be exempted no. (6) (g) and the number of retainers who may be exempted in any case. It should be noted further that the third column of the Rules requires arms exempted for the use of retainers to be registered while rule 3 of the Indian Arms Rules requires most exemptions (including those exempted under entries nos (3) and (6) (g) to be subject to such restrictions as the local Government may prescribe. The exemption may be cancelled in respect of any person by the General in Council under proviso (d) to rule 3 (1) of the Indian Arms Rules.

23. Exemption of Ruling Chiefs and their retainers—E Entry (c) of Schedule I has been construed as applying to the Princes and Chiefs having a salute of guns in addition to the no such salute, and the Political Agents for the Rampur, and the Tehri States have been authorized to determine, in accordance with that entry, the number of armed retainers who may be exempted respectively, their Highnesses the Nawab of Rampur, the Benares and the Raja of Tehri when entering, passing through or residing in British India.

24. Exemption of notables and accredited agents of India Under entries nos. (2) (b) and (2) (c) of Schedule I, such members of families of Ruling Princes or Chiefs and such nobles, officials and Agents of a State in India as may be designated for exemption as retainers of any such Prince or Chief or of any such person as in entry no. (2) (b), are exempt from the directions and restrictions contained in sections 13 to 15 of the Act in respect of the arms and ammunition specified in the second column of Schedule I, subject to such restrictions as the local Government may impose. In pursuance of this power the local Government have passed the following order:

(1) The persons whose names are given in Appendix II in connection with their retainers to the number shown against their names are exempted under entries nos (2) (b) and (2) (c) of Schedule I. [Note—See rule 3 of the Indian Arms Rules.]

Note—A list of the classes of persons (licensed or exempt in British India under the Indian Arms Rules), who are exempt from the necessity of taking out licenses under the States' Rules when they enter either of the Indian States of Benares or Tehri (arrivals), is given in Appendix XI to these rules.

(2) Seventy-five sepoy employed by the Bharatpur State in the places shown in column I of the sub-joined table for the purpose of the immovable property belonging to that State are exempt in respect of arms specified in columns 3 to 6 thereof.

(3) The

Table.

Station	Number of sepiya	Number of arms	Description of arms		
			Guns	Swords	Spears
1	2	3	4	5	6
Agra	35 (inclusive of 5 sowars)	41	14	22	5
Muttra City	15	15	.	15	.
Panigaoon	4	4	.	4	.
Brindaban	5	5	...	5	.
Isapur	2	2	.	2	.
Gobardhan	11	15	1	14	...
Total	75	82	15	62	5

25. Exemption of State officials passing through the United Provinces on duty—(1) For the purpose of entry no (2) (d) of Schedule I, it is a question of fact for determination according to the circumstances of each case whether or not an official of a State is passing through British India on duty. An armed guard travelling as escort to a wedding party from a State would generally not be considered to be on duty and so would not be exempt under this entry: a similar guard travelling in British India in charge of treasure, however, would be exempt.—(2) In exercise of the power conferred by the proviso in the third column against entry no. (2) (d) of Schedule I to impose conditions on this exemption, the Government have directed that State officials travelling in the United Provinces on duty should be furnished with passes issued by the State and that a copy of every pass so issued should be sent to the Political Agent for information and transmission to the Magistrate or Magistrates of the district or districts through which it is contemplated that such officials will pass.

26. Exemption of servants of a Ruling Prince or Chief having a salute of guns—Under entry (1) (d) of Schedule I, servants of a Ruling Prince or Chief having a salute of guns when carrying arms for, but not accompanying, their masters are exempted from the operations of certain provisions of the Arms Act, subject to certain conditions, one of which is that their names be specified in a general authorization to be issued by the Political Officer concerned to the Prince or Chief. That authorization should be issued in Form W appended to these rules.

27. Taluqdars and zamindars exempted under entry no. (6) (g) of Schedule I—For the purposes of exemption under entry no. (6) (g) of Schedule I it has been decided—

(a) that the expression "Taluqdar of Oudh" shall mean every person whose name is included in the list of taluqdars maintained by the British Indian Association, Oudh; and

(b) that Zamindars (including, in the case of a joint family, the head of the family only) who—(i) pay land revenue of not less than Rs. 10,000, or would so pay if their estates were not wholly or in part revenue-free, and (ii) are borne on the Divisional Darbar List and whose fathers or immediate

predecessors in interest were also so borne shall be deemed to be included in entry no. (6) (g) of Schedule I.

Table.

Serial number	Entries in Schedule I to the Indian Arms Rules, 1924	Classes of persons exempted	Extent to which exemption is restricted
1	2	3	4
1	(3)	Every Maharaja, Raja or Nawab whose title has been conferred or recognized by Government, every Peer, Baronet, Knight Bachelor, and Knight* of any Order established by the Crown.	(i) Those who were exempt before 20th September, 1921. No restrictions. (ii) Those who have or may become entitled to exemption on or after 20th September, 1921: (a) If hereditary title-holders the number and description of arms and the amount of ammunition laid down in each case by special order. (b) Others—One revolver or pistol with 50 cartridges, three rifles with 100 cartridges each, and three shot guns with 1,000 cartridges each, or with 250 caps and 2 seers of black powder each, if muzzle-loading weapons.
2	(6) (g)	The Taluqdars of Oudh, Rao Krishna Pal Singh Ju Deo of Gopalpura, Jalaun, Raja Bahadur Bijai Bahadur Singh of Katehra and such other zamundars of the United Provinces as the local Government may designate in this behalf.*	(i) Those who are exempt before 20th September, 1921, and whose exemption has not been restricted by general or special order—No restriction as regards arms and ammunition for personal use or the number of retainers. (ii) Others (including all persons who have or may become entitled to exemption on or subsequently to 20th September, 1921): The number and description of arms, the amount of ammunition and the number of retainers laid down in each case by special order.* (iii) For each retainer, whether of a person exempted before or after 20th September, 1921: One smooth bore muzzle-loading gun with 50 caps, and $\frac{1}{2}$ seer of black powder.
3	9	Persons holding swords or other arms received by them as gifts from the Governor-General in Council or from the local Government or, after the 1st January, 1920, from the Commander-in-Chief.	The ammunition ordinarily allowed to a licensee under rule 94.

Notes—(1)—The special order will in each case specify the purposes for which retainers' arms may be used. Such purposes will in no case include sport.

(2)—See rule 27.

Note.—(1) Zamindars, other than Taluqdars, who claim exemption under entry No. (6) (g) of Schedule I must fulfil both the qualifications set forth at (b) above.

(2) The exemption conferred by entry No. (6) (g) of Schedule I is restricted in each individual case by the orders of the local Government as specified in rule 28.

28. Scale of arms, etc. permitted to exempted persons.—(1) In exercise of the powers conferred by entries nos. (3), (6) (g) and (9) of Schedule I, the Government have been pleased, with reference to the third column of that Schedule, to restrict, in the case of firearms, ammunition for firearms and retainers, the exemption conferred by the aforesaid Schedule on the classes of persons specified in column 3 of the table annexed, to the number and description of firearms, the amount of ammunition and the number of retainers described in column 4 thereof.

(2) Exempted persons possessing or intending to purchase fire-arms in excess of the scale prescribed above must take out licences on payment of the prescribed fees for such fire-arms.

29. Retainers' right to use arms.—The retainer of an exempted person is entitled to use the weapon or weapons specified for his use in rule 28 or in any order issued under proviso (a) in the third column of entry no. (6) (g) of Schedule I, whether he is in attendance on his master or not. He may, however, not use such weapon for any purpose other than the purpose, if any, which may be specified in the order sanctioning his exemption. (Note.—For retainers of licences see rules 120 to 122).

30. Persons holding arms presented by Government, etc.—Under entry no. (9) of Schedule I, persons holding swords or other arms received as gifts from the Governor-General in Council, or a local Government, or the Commander-in-Chief, are exempt from all the prohibitions and directions contained in the Act in respect of such swords or other arms and of such description and quantity of ammunition for use with such arms as the local Government may direct. The directions given in Schedule I have been amplified by the following orders:—(1) Arms presented by a Commissioner or a Head of a Department under the general or special orders of Government or by a member of the Royal Family are, for the purpose of Schedule I, arms received as gifts from the Government.—(2) While the Government of the United Provinces have issued no general orders authorizing the presentation of arms on behalf of the Government, they have directed that arms presented by Commissioners or other officers of Government on behalf of local associations such as Reform Leagues, Aman Sabhas, etc. shall not be regarded as having been presented by or under the orders of Government. Further, in view of the fact that entry no. (9) of Schedule I refers to "sword or other arms," presentations by or on behalf of local associations or leagues may properly take the form of swords. Revolvers or pistols should in any case not be presented.

(Note.—Under entry No. (6) of Schedule VII, the heirs or successors of persons holding arms presented as gifts from the Government are required to take out licences for such arms but are absolved from the payment of fees for such licences if they are in Form XVI).

31. Obligations of exempted persons.—(1) The attention of all exempted persons is drawn to rule 3(2) of the Indian Arms Rules in accordance with which failure to observe the provisions of rule 33 below or to report the loss or theft of any arm covered by an order of exemption constitutes a breach of the Indian Arms Rules, punishable under section

23 of the Act.—(2) Exemptees are further warned that nothing in rule 34(3) relieves an exempted person of the obligation imposed upon him by rule 33(4) to report any change in the number or description of firearms in his possession.—(3) The attention of exempted person is also drawn to rule 39.

32. Production by exemptees of pistols and revolvers—District Magistrates should require all exempted persons who possess revolvers and pistols to produce those weapons once a year before them. It is not, however, necessary that exempted persons should attend personally before the District Magistrate for this purpose. They may send their weapons by an agent, and District Magistrates should take every care to cause exempted persons as little inconvenience in this matter as possible. [Note—See rule 2(ii)].

33. Registration of firearms and ammunition by exempted persons—In exercise of the powers conferred by proviso (b) to rule 3(1) of the Indian Arms Rules, the Government of the United Provinces have ordered that every person resident in the United Provinces who is exempt under any entry in Schedule I, other than entries 1(b), 2 and 6(c), shall register, in addition to the annual registration of retainers' arms referred to in rule 35, the firearms and ammunition in respect of which he is exempt in the manner prescribed by the following directions.—(1) *Place of registration*—All firearms and ammunition shall, within one month of the date on which they come into the possession of an exempted person, be registered by such person in Form O appended to these rules. The registration of such arms and ammunition will be effected with the District Magistrate of the district in which the exemptee resides; provided that, in the case of persons resident within the sub-divisions of Lalitpur, Roorkee, Deoria-Kasia, Karwi and Mahoba, the registration shall be effected with the Sub-Divisional Magistrate.

(2) *Identification of firearms*—For the purpose of completing column (4) of Form O, exempted persons who possess firearms which have no identification mark, such as the maker's name and number, are required to have identification marks stamped on them by the District Magistrate in the manner prescribed by rule 161 of these Rules.

(3) *Registration of ammunition*—Ammunition will be registered once only at the time when registration in accordance with these rules is first effected, provided that the District Magistrate may at any time, if he thinks fit, require from an exempted person a statement of the quantity of ammunition in his possession.

(4) *Report of change in description of exempted weapons*—Every exempted person shall report to the officer with whom he is required to register his firearms under direction (1) above any change in the number or description of the firearms in his possession.

(5) *Change of residence to be reported*—Every exempted person shall notify to the officer with whom he has registered his firearms any permanent change in his residence, and shall, within one month of such change, report the number and description of the firearms and the amount and description of ammunition in his possession to the District Magistrate of the district in which his new place of residence is situated. [Note—See rule 2(ii)].

34. Maintenance of register of exempted arms, etc.—(1) *Form of Register*—The District Magistrate will maintain a register of all firearms

and ammunition registered under rule 33 in Form O prescribed in Appendix IX.

(2) *Register to be checked annually*—The District Magistrate will check annually the register of exempted firearms and for the purpose of rules 193 and 198 will extract a statement of the number and description of firearms entered in such register.

(3) *Annual enquiry from exemptees*—When the registration of firearms possessed by exempted persons has been effected, the District Magistrate shall, in January of each year, require every exempted person to report whether or not there has been any change in the number and description of the weapons registered by him, and if there has been any such change, shall require him to furnish full particulars of the said change.

(4) *Verification of exempted arms*—When, for the purpose of sub-rule (2) of this rule, it becomes necessary to verify the entries in the register by the inspection of the arms (other than pistols and revolvers which are governed by rule 32) in the possession of an exemptee, the District Magistrate will exercise his discretion as to the means and agency to be employed. Verification may be made by a subordinate magistrate when on tour but any inspection should be confined to seeing that the entries in the register are correct.

(5) *Transfer of registration*—A District Magistrate to whom a report of a permanent change of residence is made under rule 33(5) will, after verifying the correctness of the particulars of firearms and ammunition mentioned in such report by reference to the officer with whom such arms and ammunition are registered, enter the said particulars in his register in Form O. He will then intimate the fact of such entry to the officer with whom the arms were previously registered. On receipt of such intimation, the latter officer will cause the registration of the said arms to be removed from his register. [Note—See rule 2 (ii)].

35. Annual registration of retainers' arms—(1) The attention of persons exempted under entry no. 6(g) of Schedule I and of District Magistrates is drawn to the fact that, in accordance with the proviso in the third column of the said entry, retainers' weapons covered by an order of exemption are required to be registered annually—the number and description of such weapons only being specified.

(2) Except as provided by rule 34(4) the annual registration of retainers' weapons does not involve their inspection. District Magistrates may at their discretion maintain a suitable separate register in which to record the annual registration of retainers' arms or may record the facts of such registration in the register in the form prescribed by rule 34(1). [Note—See rule 2(ii)].

36. Lists of exempted persons—(1) In order to prevent needless annoyance to exempted persons, the District Magistrate will maintain a correct list of all such persons in his district, and will supply a copy of this list to the police.

(2) A copy of this list will be hung up in every police station in the district, and it is the duty of all police officers to make themselves acquainted with its contents.

(3) Police stations which lie on the borders of a district should be furnished, in addition to the copy of the list provided by sub-rule (2), with

a list of exempted persons residing within the limits of police stations which adjoin the district, and police officers should as far as possible make themselves acquainted with the exempted persons residing in the adjoining district. [Note—See rule 2 (ii)].

37. Certificates of exemption, etc.—(1) In order to obviate the difficulty which may be experienced by exemptees or by persons who are covered by section 1(b) of the Act when they wish to obtain arms or ammunition from dealers who do not know them, a certificate in Form P appended to these rules should be issued by the District Magistrate or the Political Agent to any such person who applies for such a certificate.

(2) In order to avoid the possibility of annoyance or delay if the possession of arms is challenged, a similar certificate may be given to an exempted person or to a person to whom, under section 1(b), the Act does not apply, who may wish to proceed with arms outside the area in which he is known.

(3) There is no obligation upon any person to obtain any such certificate as is mentioned in this rule.

Notes (i)—A retainer exempted under entry No. (6) (g) of Schedule I is an exempted person for the purpose of this rule. See rule 2 (ii).

38. Loss of title to exemption—The District Magistrate will report, through the Commissioner, for the orders of Government, any case in which an exempted person has ceased to possess the qualifications which entitled him to exemption. [Note—See rule 2 (ii)].

39. Breach of rules and improper use of weapons by exempted persons—(1) In the event of failure on the part of an exempted person to observe the provisions of rule 33, the District Magistrate may call upon him to show cause either why action should not be taken against him for a breach of the Indian Arms Rules, or, in the event of his persisting in such failure, why the local Government should not be moved to cancel his exemption. (2) District Magistrates should report, through the Commissioner for the orders of Government any case in which an exempted person either makes or permits improper use of his weapons, or persists in ignoring ordinary precautions for their safe custody, or, by his general behaviour, proves himself unworthy of the privilege of exemption. [Note—See rule 2 (ii)].

40. Reports of deaths of exempted persons—The District Magistrate will, as soon as possible after the death of any person exempted under entry no. (3) or entry no. (6) (g) of Schedule I, submit to Government, through the Commissioner, a report of the death of such person and of the name and circumstances of his successor. With such report the District Magistrate will make his recommendation—

(a) in all cases, as to the number and description of arms and the amount of ammunition which should be allowed to the successor,—and (b) in the case of a person exempted under entry no. (6) (g), as to the number of retainers which should be allowed to the successor, and the purposes for which the arms recommended under (a) above should be allowed to be carried.

When making such recommendations the District Magistrate should have regard to the number and description of arms and the number of retainers actually possessed and maintained by the deceased if he were an

unrestricted exemptee, and to the number of arms and retainers held by and allowed to the deceased under any order of exemption in other cases. [Note—See rule 2 (ii)].

PART V—TRANSPORT, IMPORT AND EXPORT.

(See Sections 6 to 12 and 17 of the Act and rules 5 to 27, 38, 39, 40 (2), and 42 (2), read with Schedules V, VI and Forms I to VIII of Schedule III of the Indian Arms Rules.

41. Introduction—(1) Transport—Section 10 of the Act gives the Governor-General in Council power to regulate or prohibit the transport of arms, ammunition or stores, while section 17 gives power to make rules governing the issue of licences. The power conferred by these sections has been taken in rules 21 to 27 read with rules 39 to 47 of the Indian Arms Rules.

(2) Although the word "transport" as used in the Act would in a certain sense include every movement of arms from place to place, the general objects of the Act and the practical difficulties to which such an interpretation would give rise, require that the word should be given a more restricted meaning. Accordingly rule 22(2) of the Indian Arms Rules except certain movements of arms, ammunition and stores from the necessity for being legalized by a licence. Rule 42 of these rules is an amplification of that rule.

(3) Licences for the transport of arms, etc., may be in either of Forms I, VII or VIII but District Magistrates may only issue licences in Form VII. Their attention is drawn to rule 24 of the Indian Arms Rules. It should be noted that transport across an Indian State may be covered under rule 27 of the Indian Arms Rules by a comprehensive export and re-import licence in Form VIII.

(4) To ensure that a licence is not used twice it is essential that the period of validity of any licence for transport should be carefully determined and entered in the licence, and rule 42(2) of the Indian Arms Rules lays down that, in the generality of cases, this period should not be more than twice the time likely to be occupied in the journey.

(5) Import—Import includes bringing into British India by sea or by land from an Indian State or elsewhere. Section 6 of the Act prohibits all unlicensed import of arms, ammunition or stores except the import of private arms or ammunition by a person entitled to possess them. Under sections 6 and 17 of the Act restrictions upon the import of arms, ammunition and stores have been imposed by rules 5 to 13 of the Indian Arms Rules, while the grant of import licences is governed by rules 20, 26, 27 and 38 read with Forms, I, II, III and VIII of Schedule VIII of those rules. For practical purposes the most important prohibition is that contained in rule 7 of the Indian Arms Rules against the import of certain arms and ammunition of military pattern. In addition to the prohibitions expressly mentioned in the Indian Arms Rules, the import of the articles described in rules 44 to 47 of these rules is also prohibited. Licences in Form I for the import of cannon and certain other articles may be granted only by the Government of India. Rules 8 and 9 of the Indian Arms Rules and Form II do not concern licensing authorities in the United Provinces, who, subject to the exception that Political Officers may issue

licences in Form VIII under rule 26 of those rules, may only issue licences in Form III in accordance with rule 10 of those rules. Every such licence must, in accordance with rule 13(b) of the Indian Arms Rules, be delivered to the District Magistrate within six days of the arrival of the consignment.

(6) As in the case of transport licences the period of validity to be given to an import licence should be carefully determined and the prohibitions contained in the Indian Arms Rules and in the following rules must be consulted before a licence to import arms, etc. is given.

(7) Export—Export is governed by sections 6 and 17 of the Act and by rules 14 to 20, 26, 27, 39 and 40 read with Schedules V and VI and Forms IV, V, VI and VIII of Schedule VIII of the Indian Arms Rules. Export by sea, which, under rules 14, 15 and 16 of those rules, may be licensed in Forms IV and V by certain officers, has little practical importance for licensing officers in the United Provinces. Export by land (e.g.) to an Indian State, is regulated by rules 17, 27 and 39 of the Indian Arms Rules read with the relevant entries in Schedule VI. The provisions of rule 17(1) and (5) should be strictly followed and no application from a dealer for a licence to export or transport arms on the authority of any "permit" or other document purporting to have been issued by a Political Agent or other authority should be granted. Certain restrictions additional to the provisions of rules 17 and 39 of the Indian Arms Rules are mentioned in rules 43 and 50 to 57 of this Part.

(8) General—Apart from the Political Agents for the Rampur, Benares and Tehri States and the District Magistrate of Meerut, licensing authorities in the United Provinces may licence export only to Berar. The previous sanction of the District Magistrate concerned is necessary under rule 39(1)(a) of the Indian Arms Rules and a copy of every licence issued must be sent to him under rule 17(4) of those rules. Except in the case of the arms mentioned in rules 5 to 7 of the Indian Arms Rules, District Magistrates may, under rule 10 of those rules, grant licences in Form III for the import of arms, ammunition or stores by land or river to their districts. District Magistrates are similarly empowered to grant transport licences subject to the conditions of rule 24 of the Indian Arms Rules, rule 25 of which attaches to transport licences conditions similar to those which, under rule 13, apply to import licences. No separate licence is necessary for the transport or import of privately owned arms or ammunition by a person authorized by a licence or by exemption to possess them (section 6 of the Act and rule 22 of the Indian Arms Rules). District Magistrates are thus in practice only concerned generally with import and transport by licensed dealers. The import of rifles other than sporting rifles requires the previous sanction of the Governor-General in Council (rule 7) of the Indian Arms Rules. The import of weapons of the prohibited bores, and, save as provided in rule 38 of the Indian Arms Rules, of ammunition for such weapons is prohibited.

42. Transport by dealers—(1) Rule 22(2)(b)(i) of the Indian Arms Rules makes it clear that, while in its widest sense the word "transport" would cover all movements of arms, ammunition or stores from one place to another, no licence is required for their transport in certain circumstances. On the analogy of the exceptions enumerated in that rule the removal by a dealer of arms, ammunition or stores from one shop, magazine or warehouse to another shop, magazine or warehouse in the same locality is not

"transport" for the purposes of the Act and does not therefore require a licence.—(2) The transport of arms for the purpose of having them tested at a shooting range is governed by rule 73.

43. General restrictions on import and export—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor-General in Council has prohibited—

(1) The bringing by sea or by land into British India through the medium of the port office of arms, ammunition or stores, as defined in the Act. Provided that this prohibition shall not apply to the bringing of arms, ammunition or stores into British India—
(a) from Berar, or (b) by or on behalf of Government;

(2) The bringing or taking by sea or by land into or out of British India of arms, ammunition or stores, as defined in the Act, save in accordance with the provisions of the Act and of the rules and orders for the time being in force thereunder.

44. Import of arms and ammunition of prohibited bore—The import of arms and ammunition of certain bores is prohibited under rule 7 of the Indian Arms Rules. (See also rules 51, 65, 95 and 96).

Note—Provision exists under rule 38 of the Indian Arms Rules, for selected dealers to import and sell ammunition of prohibited bores to qualified persons. No general relaxation of the rule against importation can be granted, but applications from Ruling Princes and Chiefs for the direct importation of prohibited bore ammunition in specified quantities will be granted as special cases by the Government of India.

45. Prohibition of import of appliances for discharging gas—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor-General in Council has prohibited the bringing by sea or by land into British India, except by or on behalf of Government, of appliances (including pistols, pistol-pens, pistol-pencils, hand-grenades, cartridges, etc.), for discharging gas.—(2) No licence for the import or the possession of any appliance of the nature mentioned in sub-rule (1) should be issued in any circumstances. (Note—(See also rule 8).

46. Sub-target rifle machines—The importation of rifles with machines known as "sub-target rifle machines" or similar machines attached to them is strictly prohibited by the Government of India.

47. Walking-stick guns—All applications to import walking stick guns should be refused. Dealers in arms, however, who have such stick-guns in stock may sell them to persons who have licences for them.

48. Import through an agent—For the purposes of the second clause of section 6, arms or ammunition are deemed to be imported by a person lawfully entitled to possess them when such arms or ammunition are imported through an agent and are either—(i) consigned to such person direct, or (ii) consigned to the said agent, if the agent possesses a certificate from the said person that the arms or ammunition are *bona fide* his property and the agent only clears them from the customs house and forwards them.

49. Import licence under Explosives Act required for ammunition—When arms and ammunition are simultaneously imported, a licence under the Arms Act is necessary for the import of arms and another, under the Explosives Act, for the import of ammunition, irrespective of the question whether a licence under the Arms Act has been obtained or not.

50. Export and re-import of, and transport of, privately owned arms—(1) In order to obviate possible inconvenience every person who desires to export by sea or air any arm or ammunition under the provisions of

the second clause of section 6 of the Act, with the intention of re-importing such arms or ammunition, is advised to obtain an export certificate from the Customs Authorities at the time of his departure from India, and to produce such certificate before the Customs authorities when the arms or ammunition are re-imported.—(2) The re-import of arms of the prohibited bores is governed by the conditions set forth in rule 51.—(3) Civil officers intending to visit Kashmir with licensed firearms in their possession should take with them their British Indian possession licence; otherwise their arms, other than arms which may form part of their equipment, will be detained at the frontier.—(4) The attention of tourists intending to visit the French Colony of Indo-China on shooting trips should be drawn to the facilities, for the importation of firearms and ammunition into that Colony, which have been granted by the Governor-General of the Colony and which were communicated in Government's endorsements no. 1459/VIII—32, dated the 19th June, 1935, and no. 16/VIII—32, dated the January, 1936.

51. Export and re-import of weapons of prohibited bore—The re-importation by sea or air of rifles, muskets, or of pistols or revolvers of the prohibited bores, is permitted subject to the following conditions, viz.—

(1) that the examination of the arms at the Customs House at the time of export shall be compulsory;—(2) that, as a general rule, export passes giving a full description of the weapons to be exported shall be obtained from the Collector of Customs by the persons exporting the weapons;—(3) that these passes shall be accepted by the Collector of Customs as the best proof of export on the weapons being satisfactorily identified at the time of re-importation; and—(4) that, in cases in which such export passes have not been obtained, it will rest with the Collector of Customs personally to accept such other proof of export as he may consider reasonable and proper

52. Export from arsenals to Indian States—(1) Under section 1(b) of the Act, no licence is necessary for the export of arms, ammunition or stores issued to Indian States from British arsenals under the orders of Government. Each consignment, however, should be covered by a certificate signed by the officer in charge of the arsenal, to the effect that it is exported by order of Government under section 1(b) of the Act. (2) All applications sent to arsenals for the supply of arms, ammunition or stores for the use of State military or police forces should state the degree of urgency, the address of the consignee, the route by which the consignment should be despatched and whether it should be despatched by goods or passenger train.

53. Licences for the export of cannon to Indian States—Notwithstanding anything contained in rule 17(2) of the Indian Arms Rules and in entry no. 11(c) of Schedule VI, every application for a licence in Form VI for the export of cannon to an Indian State in political relations with the local Government must be referred through the local Government to the Government of India before a licence is issued.

54. Restriction on export of firearms for sale in Indian States—It is a matter of the greatest importance that effective measures should be taken to prevent arms exported for retail sale in an Indian State from falling into the hands of persons unfit to possess such weapons. Political Agents are therefore required not to give certificates of their consent to the

import of arms for sale without first satisfying themselves that the arms are actually required for the personal use of some responsible and respectable person who would be allowed to possess them under the Arms Rules if he were in British India.

55. Previous sanction to the grant of licences for export to Indian States—(1) Under rule 39 of the Indian Arms Rules, no licence may be granted for the export of arms, ammunition or stores to a State in India without the previous sanction of the Political Agent (or to Berar without the sanction of the District Magistrate of the place to which such arms are consigned) unless the arms, ammunition or stores are consigned to, and for the personal use of, any of the persons enumerated in the proviso to rule 39(1) (a) of the Indian Arms Rules [vide sub-rule (2) below]. In such cases the previous sanction of the Political Officer is not necessary, but, under rules 17(3) and 17(4) of the Indian Arms Rules, a copy of every licence for export is required to be sent to the Political Officer and to the District Magistrate of the district out of which they cross the frontier.

Note—In the case of a licence for export to a State in the Punjab the copy of the licence should be sent to the appropriate Political Agent indicated in Appendix VI to these rules.

(2) For the purposes of proviso (in) to rule 39(1) (a) of the Indian Arms Rules, the persons whose names are given in Appendix II to these rules have been designated as persons to whom the despatch of arms, ammunition or stores may be authorized by a licence for export without the previous sanction of the Political Agent.

56. Export, import and transport on railways passing through Indian States—The export, import and transport of arms, ammunition and military stores on railways passing through Indian States are governed by the rules reproduced as Appendix III to these rules.

57. Conditions of issue of export licences by the District Magistrate of Meerut—(1) The exercise of the power conferred by entry no. (8) of Schedule VI upon the District Magistrate of Meerut, to issue a licence for the export of arms and ammunition to Waziristan is, notwithstanding anything contained in condition (b) in the third column of the said entry, conditional upon previous consultation with the Political Agent at Tochi or at Wana, as the case may be. (2) Conditions (a), (b), (c) and (d) in the third column of entry no. (8) of Schedule VI are not mutually exclusive but must all be satisfied before a licence is issued.

58. Annual return of imports and exports of revolvers and automatic pistols—An annual return showing—

(a) the number of revolvers and automatic pistols imported into the Rampur, Benares and Tehri States by exempted persons or under licences issued by the Political Agents for those States or by other authorities,—and
(b) the number of revolvers and automatic pistols exported from those States under licences issued by the Political Agents, should be submitted (in triplicate) by the Political Agents to the Secretary to Government in the Police Department as soon after the close of the calendar year as possible. The returns should give, where possible, particulars of the identity, namely, maker's name, bore and number, of the weapons in question.

59. Payment and refund of fees—The provisions of rules 158 and 159 apply also to the payment and refund of fees in respect of licences and of duplicates of licences in any of Forms III, VI, VII or VIII.

60. Remission of fees in respect of certain licences to export and to re-import. (1) *Licences in Form VI to export*—Under rule 46 of the Indian Arms Rules no fee shall be charged—(a) in respect of the renewal of a licence granted in Form VI under rule 17 of the Indian Arms Rules for the export to a State in India of arms, ammunition or stores, in cases where the application for renewal is made before the expiry of the period for which the licence was granted and cause is shown to the satisfaction of the licensing authority why the licence could not be utilized within that period,—or (b) in respect of the grant or renewal of a licence in Form VI for the export to a State in India of ammunition required for the use of a public railway or other public work.

(2) *Licences to re-import*—Where arms and ammunition, which have been sent out of British India on approval to persons lawfully entitled to possess them, are re-imported into British India within a period of two months from the date of export, no fee shall be charged in respect of a licence to re-import such arms and ammunition.

PART VI—MANUFACTURE, CONVERSION, REPAIR AND SALE BY DEALERS.

(See Sections 5, 17, 19 and 22 of the Act and rules 28, 38, 42, 43, 44 and 46 to 48, read with Forms IX to XII of Schedule VIII of the Indian Arms Rules).

61. Introduction—(1) Under Section 5 of the Act the manufacture, conversion and sale of arms, ammunition or stores require a licence. If breech-loading rifles, rifle ammunition or stores for rifles are to be licensed, the licence will be in either Form XI or Form XII according as it is intended to cover manufacture, conversion and sale or only sale. Such licences may be granted only by the local Government but may be renewed by Commissioners (See rule 62). A licence in Form IX for the manufacture, conversion and sale, or in Form X for the sale only, of arms, ammunition or stores, other than breech-loading rifles ammunition and stores, may be granted by the District Magistrate. (2) Dealers who possess licences in either of Forms IX, X, XI or XII may be granted a licence in Form XIII to possess private-owned fire-arms and ammunition deposited with them for safe custody. (3) The premises and stock registers of every licensed dealer are subject to inspection under rule 28(4) of the Indian Arms Rules, while in accordance with conditions nos. 2 and 7 of the conditions attaching to his licence in either of Forms IX, X, XI or XII, a dealer must maintain such registers, and must report all sales to such persons and in such manner, as the local Government may direct. The rules in this part are therefore chiefly rules of a statutory nature, failure to comply with which will amount to an offence under the Act. (4) The rules and directions in this Part have been arranged in two groups: (i) General provisions relating to the licensing of and the obligations of licensed dealers (rules 62—79). (ii) Executive instructions regulating the maintenance of registers of licences and of sales, the verification of sales and the inspection of shops (rules 80—91).

Instructions relating to the sale of arms and ammunition by persons other than licensed dealers will be found in rules 100, 163 and 164.

62. Renewal of licences in Forms XI and XII by Commissioners—Under proviso (a) to rule 42(3) of the Indian Arms Rules, the Government

have authorized Commissioners of Divisions to renew licences in Forms XI and XII.

63. Condition precedent to the grant or renewal of licences to dealers.—Officers empowered to issue licences to dealers in firearms should satisfy themselves before granting or renewing such licences that the arrangements for the safe custody of the arms, ammunition and stores sought to be kept for sale are satisfactory. For this purpose a District Magistrate who forwards an application for the issue by the Government of a licence in either Form XI or Form XII should report, when making his recommendation on the application, whether or not the arrangements for safe custody are satisfactory. Note—See also rule 87.

64. Number, description and quantity of arms and ammunition to be licensed.—(1) The number of arms and the quantity of ammunition which may be licensed in any of Forms IX to XII should, subject to the provisions of rule 65, be determined by the licensing authority in each case on its merits. Where a licence is required to be granted by the Government in either of Forms XI or XII, the District Magistrate, when forwarding the application for the licence, will report the number of arms and the quantity of ammunition which he recommends.—(2) In addition to the prohibition against keeping Government arms, ammunition or stores, contained in condition II attaching to every licence in either of Forms IX or X, and in condition 9 attaching to every licence in either of Forms XI or XII, no dealer licensed in either of Forms IX or X may be permitted to keep or sell revolvers manufactured out of India or magazine pistols (including magazine air-pistols) without the sanction of Government.

65. Sale of ammunition of prohibited bores and of repeating arms.—(1) The selected dealers who, under rule 28(3) of the Indian Arms Rules, may be authorized by Government to sell and keep for sale ammunition of the prohibited bores will be either European firms of standing or well-known Indian firms.—(2) No such selected dealer will be authorized or permitted to hold in stock at any one time a maximum quantity of more than 25,000 rounds of ammunition of the prohibited bores. This maximum quantity, which is not an annual quantity, is the "collective total" of all kinds of the ammunition in question.—(3) The registers of every such dealer will be open to inspection and all sales of ammunition of prohibited bores will be liable to comparison with the number of licences for possession of such ammunition issued to individual persons.—(4) Dealers are forbidden to sell to any licence-holder any automatic repeating gun or repeating rifle, such as the "Winchester," unless the terms of the licensee's licence expressly cover a repeating gun or rifle, as the case may be.

66. Validity of licences under the Explosives Act for the purposes of the Arms Act.—Inasmuch as the Arms Act is restrictive in its purpose while the Explosives Act is designed for the protection of the public, a licence under the Arms Act cannot be ordered to have the effect of a like licence under the Explosives Act, although, under section 15 of the Explosives Act, a licence granted under that Act may be ordered to have the effect of a like licence under the Arms Act.

67. Licences under the Explosives Act for licensed vendors.—For the reason given in rule 66 every vendor of ammunition is required to obtain

a licence under the Explosives Act in addition to any licence which, as a vendor of arms, ammunition or stores, he is required to obtain under the Arms Act. (Note—See Appendix V).

68. Licences for manufacturers of fireworks and gunpowder.—For the reason given in rule 66 any vendor or maker of fireworks who combines with such trade the manufacture and sale of gunpowder or of any of the articles enumerated in section 5 of the Act, is required to obtain either a licence under the Arms Act in one of Forms IX, X, XI or XII or a licence under the Explosives Act in Form A or in Form B endorsed in either case to have effect under the Arms Act. (Note—See U. P. Appendix V).

69. Licences under the Arms Act not necessary for fireworks vendors.—No licence under the Arms Act, nor any endorsement to have effect under the Act, is required by a person who only sells or keeps for sale fireworks. Such a person, however, is required by the rules framed under the Explosives Act to obtain a licence in Form A or B or D prescribed by those rules, and, under rule 137 of the aforesaid rules, all police officers are required, within the respective areas over which their authority extends, as laid down by that rule, to ensure, by inspection of the licensee's premises, that the conditions of the licence are not transgressed. For this purpose, if considered necessary, the licensee's accounts should also be inspected. (Note—See Appendix V).

70. Loading and re-loading machines possessed by licensed dealers.—A manufacturer of, or dealer in, firearms who holds a licence in either Form IX or Form XI is not required to obtain a separate licence in Form I to cover his possession of a machine or machines for loading or re-loading cartridges which he stocks for sale. If, however, a licensed dealer possesses such a machine for his private and personal use he is in the same position as any other person and, unless such machine is of the decapper, recapper or turnover type, is not absolved from the obligation to take out a separate licence in Form I to cover his possession of it. (Note—See also Rule 9).

71. Repair of arms.—(1) No licence need be obtained under the Arms Act to cover the temporary possession of arms for the purpose of repair by persons of the status of local smiths or iron-workers who do not stock or sell spare parts of arms.—(2) Notwithstanding the fact that he does not manufacture or convert arms or keep arms or ammunition for sale, every person who repairs arms and for this purpose holds spare parts of arms as his stock-in-trade, is required to obtain a licence or licences for the possession of such spare parts. Such licence or licences will be in either one or both of Forms X and XII or in either one or both of Forms IX and XI. District Magistrates will use their discretion whether, in view of the reasonableness or otherwise of a fee of Rs. 20, they will recommend a licence or licences in one or both of Forms IX and XI or will grant a licence or licences in one or both of Forms X and XII for which the fee will be Rs. 10.—(3) In column 4 of every licence issued under this rule the issuing authority will enter "spare parts for the repair of arms only." Conditions 2 and 7 attached to the licence or licences need not be enforced in any case in which the District Magistrate is of opinion that they need not be or cannot reasonably be, enforced. Ordinary inspection under the conditions of the licence will generally enable inspecting officers to detect weapons which are not delivered to their owners within a reasonable time

after their repair. In such cases, after making suitable enquiries about the owners of the weapons, the District Magistrate will pass orders for their disposal. If any such weapon is subsequently sold, any sum due on account of its repair will be paid to the repairer from the proceeds of the sale—(4) Every person who repairs arms and also makes arms is required to hold a licence to manufacture arms.

72. Repair of arms belonging to an Indian State—The authority for the supply of arms to a State should generally be held as sufficient authority for repairing the arms when and as necessary either—(a) by recall to the arsenal for repair and replacement of all unserviceable or lost components, or—(b) if the repair is undertaken by the State itself, by the issue of components as necessary to replace unserviceable or lost or damaged parts.

In the case of (b) the more important of the unserviceable components should be returned to the arsenal and the issue of components in replacement of unserviceable or lost or damaged ones should be made on indents submitted through the Political Agent. The repairs or the supply of the necessary components, as the case may be, will be on payment.

73. Testing of firearms by dealers and repairers of arms—(1) Any authorized dealer in, or repairer of, firearms who desires to test or to have tested a firearm at a recognized shooting range may do so only under a permit to be obtained from the District Magistrate of the district in which he has his place of business—(2) Every permit granted by a District Magistrate under this rule will be in writing and will specify—(i) the name of the dealer or of the repairer of arms,—(ii) the name of the range approved for the test and—(iii) the name of the person permitted to carry out the test—(3) In the event of any breach of the conditions of any permit issued under this rule the licence of the dealer in, or of the repairer, of arms is liable to cancellation or suspension under section 18 of the Act (Note—See Rule 42).

74. Payment and refund of fees for licences to manufacture and sell—(1) The provisions of Rules 158 and 159 apply also to the payment and refund of fees in respect of licences and duplicates of licences in any of Forms IX, X, XI or XII—(2) The Governor-General in Council has reduced to ten rupees the fee payable for the renewal of a licence granted in Form IX for the manufacture and possession of bullet casing perforators required for the perforation of casing in oil wells.

75. Dealer's stock and day-books—(1) For the purposes of condition 2 attaching to licences in Forms IX to XII the Government have directed that, when granting or delivering a licence under rule 28 of the Indian Arms Rules in either of Forms IX, X, XI, or XII, the District Magistrate will deliver to the licensee two books in Forms A and C or in Forms B and D, (appended to these rules) as may be applicable in each case. The book in Form A or in Form B will be maintained by the licensee to show his stock-in-trade, while in the book in Form C or in Form D will be entered the details of sales effected each day—(2) The pages of every book issued under sub-rule (1) will, before issue to the licensee, be numbered from beginning to end, and the first and last pages will be signed by the District Magistrate (or by a subordinate magistrate appointed by him for this purpose), and will be sealed with his official seal—(3) When delivering any

book in any one of the Forms, A, B, C or D to a licensee the District Magistrate, or other Magistrate appointed by him for this purpose, will explain to the licensee the necessity for its correct and regular maintenance and the penalties attaching to failure so to maintain it.—(4) The licensee will be required to pay the cost of the books issued to him under this rule.

76. Examination of consignments—(1) In order to ensure the correct maintenance of the stock books and day books prescribed by rule 75, every licensed dealer is required to make available for examination within six days of its arrival every consignment of arms, ammunition or stores received by him. The examination will be made by a police officer not lower in status than an officer in charge of a police station.—(2) It is the duty of the officer who examines a consignment on its arrival to see that a correct record of the contents of such consignment is entered in the licensee's stock book

77. Identification marks on arms—Except in the case of arms of European manufacture which are already numbered and marked, every licensed vendor before selling any weapon is required to stamp it in a permanent manner with a number and mark.

78. Reports of sales by dealers—(1) On the sale of any arms, ammunition or stores, every licensed dealer is required to enter in his day book in Form C or Form D the particulars of the sale. In the case of column 5 of each of these Forms, the particulars to be entered must include a full description of the articles sold, including, in the case of every arm, the number and mark borne by it or assigned to it under rule 77.—(2) Except as provided by sub-rule (3) below, every licensed vendor shall, within 48 hours of any sale of arms, ammunition or stores, report in Form T appended to these rules, the particulars of such sale to the District Magistrate of the district in which he has his place of business, factory or shop, provided that, if the District Magistrate so directs, he shall address such report to the Superintendent of Police of the district in which he has his place of business.—(3) Notwithstanding anything contained in sub-rule (2) above, every purchase of arms or ammunition by any Prince, Chief or resident of an independent or Indian State who takes delivery of his purchase in British India shall be immediately reported with full particulars of the purchase by the vendor direct to the Political Officer accredited to the State of which the purchaser is a resident. A list of independent and Indian States with the designations and addresses of the Political Officers to whom reports should be sent by dealers under this rule is given in Appendix X to these rules.—(4) Failure on the part of a dealer to observe the provisions of either of sub-rules (2) or (3) will amount to a breach of condition 7 attaching to his licence in any one of Forms IX to XII as the case may be.—(5) Copies of Form T will be supplied free of charge to dealers on indents submitted by them to District Magistrates. District Magistrates should carefully scrutinize indents.

79. Endorsement of purchasers' licences—Under condition 5 attaching to licences in each of Forms IX, X, XI and XII a licensed vendor is required to endorse on the licence of every purchaser of arms or of ammunition for revolvers, pistols and rifles (other than rifles of .22 bore) the particulars of the sale. This condition should be strictly enforced, by prosecution, if necessary.

80. Register of licences to manufacture, convert and sell arms, etc.—licences granted to dealers in his district, namely: (i) a register in Form E of all licences in Forms IX and XI to manufacture, convert, sell or keep for sale arms, ammunition and stores;—and (ii) a register in Form F of all licences in Forms X and XII to sell and keep for sale arms, ammunition and stores.—(2) A copy of each of the registers in Forms E and F shall be furnished by the District Magistrate to the Superintendent of Police.—(3) The Superintendent of Police will furnish each circle inspector with a complete extract from the registers in Form E and Form F relating to every person residing in his circle who holds a licence, and will also furnish to each officer in charge of a police station extracts of columns 1 to 7 of Form E and Form F in respect of every licensee residing within the jurisdiction of the police station.—(4) Instructions for the guidance of circle inspectors will be found in rule 90.

81. Register of sales made by licensed vendors—(1) A register in Form M of all sales of arms, ammunition or stores effected by licensed vendors in a district, whether such sales be to residents of the district or to residents of any other district, will be maintained in three volumes: A.—For the registration of reports of sales to residents of the district in which the sale is effected. B.—For the registration of reports of sales effected outside the district to residents of the district. C.—For the registration of reports of sales effected in the district to residents of any other district.—(2) In view of the fact that in the majority of the larger districts the register in Form M (formerly known as Form K) has for many years been maintained in the office of the Superintendent of Police, while in some districts it is maintained by both the District Magistrate and the Superintendent of Police, the register in Form M will with effect from June 1, 1936, be maintained by the Superintendent of Police in any district in which it was maintained by him prior to that date whether or not an additional copy was maintained by the District Magistrate. In any district in which the register was maintained only by the District Magistrate prior to June 1, 1936, local custom may be continued or the register may, by mutual arrangement, be transferred to the Superintendent of Police. In no case is it necessary that the register should be maintained by both the District Magistrate and the Superintendent of Police.—(3) Where the register in Form M is maintained by the Superintendent of Police, the District Magistrate will in accordance with rule 78(2) direct licensed vendors to address their reports of sales to the Superintendent of Police.—(4) On receipt of any report of sale prescribed by rule 78 the District Magistrate or the Superintendent of Police, as the case may be, will cause to be recorded in columns 1 to 6 of the appropriate volume of the register in Form M the particulars entered in such report.—(5) From volumes A and B of Form M the Superintendent of Police of every district in which Form M is maintained by him, will once in each year extract the total quantity of ammunition purchased by residents of the district and send such extract to the District Magistrate for the purpose of the return prescribed by rule 198.

82. Treatment of reports of sale to residents of other districts—When any such sale report as is required by rule 78 (2) relates to the sale of arms, ammunition or stores to a resident of a district other than the district in which the vendor has his place of business, the District Magistrate or Superintendent of Police, as the case may be, will after entering the facts

of the report in volume C of his register in Form M, send the report to the District Magistrate of the district in which the purchaser resides in the case of a sale to a resident of another district in the United Provinces. If the purchaser resides in a place outside the United Provinces, the sale report will be sent to the appropriate officer as specified in the second column of Appendix VII.

83. Treatment of reports of sale by dealers of other districts—(1) A report of a sale to a resident of one district by a vendor licensed in another district of the United Provinces will, under rule 82, be received by the District Magistrate of the purchaser's district.—(2) The person or authorities by whom and the authority to whom reports of sales to residents of the United Provinces by vendors having their places of business outside the United Provinces are made, are, except in the case of Bengal, indicated in the following table:—

Province	Person or authority responsible for report	Authority to whom report is made
Central Provinces	Dealer	Magistrate of district in which purchaser resides.
Bombay	Do.	
Delhi	Do.	
North-West Frontier Province	Do.	
Bihar and Orissa	Do.	
Madras	District Magistrate	
Punjab	Superintendent of Police	
Assam	Ditto.	

(3) In the case of Bengal, the Commissioner of Police, Calcutta, will send to the Inspector-General of Police, United Provinces, a consolidated statement of all purchases of arms and ammunition made by residents of the United Provinces in Calcutta, while in the case of purchases in Bengal outside Calcutta, the Superintendents of Police concerned will send similar reports to the Inspector-General of Police. The Inspector-General will send extracts of all such reports received by him to the District Magistrates concerned in this province.—(4) On receipt of a report of a sale effected to a resident of his district by a dealer in another district or province, the District Magistrate will enter the particulars of the reports in columns 1 to 6 of volume B of his register in Form M or if Form M is maintained by the Superintendent of Police, will forward the report to that officer for entry in his register in Form M. Thereafter the provisions of rules 84 and 85 will be followed.

84. Verification of sales—(1) On the completion of columns 1 to 6 of the register in Form M the District Magistrate or the Superintendent of Police, as the case may be, will take steps to verify all reports of sales to residents of his district in accordance with sub-rules (2) and (3) of this rule.—(2) The verification of sales is obligatory in the case of all arms, ammunition and stores purchased from vendors of another district and reported by the authorities of that district.—(3) In the case of sales to persons living in the vendor's district verification is obligatory in respect of—(a) rifles and their ammunition;—(b) pistols and revolvers and their ammunition;—

(c) air-pistols;—(d) walking-stick rifles; and—(e) all breech-loading guns. In the case of other weapons, and of other ammunition and stores sold to residents of the vendor's district, the verification of the sale is optional and the officer who maintains the district register in Form M will pass orders as to whether the sale will be verified or not.—(4) Where a sale is to be verified, the endorsement on Form T should be completed and the Forms despatched to the officer concerned without delay. In the case of a sale to a person who has claimed exemption, the Superintendent of Police should satisfy himself that the purchaser is in fact an exempted person.—(5) If, in the case of weapons (not ammunition) of the kind prescribed in sub-rule (3) above, the results of the verification prove satisfactory, the Superintendent of Police will complete the register in Form M and will then send the sale report to the Deputy Inspector-General of Police in the Criminal Investigation Department, United Provinces, for information and record, the date on which it is so sent being endorsed on the sale report. The results of a satisfactory verification of a report of a sale effected beyond the United Provinces need only be reported to the authority of that province in respect of such arms, ammunition or stores as the authorities of that province may specify for that purpose.—(6) If the results of the verification prove unsatisfactory, the Superintendent of Police will report the facts to the District Magistrate who will then institute an inquiry, and take such further action as may seem necessary on the completion of such inquiry.

85. Retention of reports of sales—In any district in which Form M is maintained by the District Magistrate, the Superintendent of Police will, after verifying any report of a sale in accordance with rule 84, send such report to the District Magistrate for the purpose of completing his register in Form M and will thereafter observe the provisions of rule 84(5). Except where the report is required to be sent to the Deputy Inspector-General of Police in the Criminal Investigation Department or to be returned to another province or administration, it will be retained by the authority of the purchaser's district by whom Form M is maintained, as its return to the authorities of the vendor's district in any such case as is mentioned in rule 84(2) would involve unnecessary labour.

86. Provincial list of arms purchased—From the information furnished in the reports of sales received from Superintendents of Police under rule 84(5) above, the Deputy Inspector General of Police, Criminal Investigation Department, United Provinces, will compile and maintain a provincial register which will contain a full alphabetical list of the names of persons certified to be in possession of weapons of the kinds described in rule 84(3) bought from dealers in the United Provinces together with a description of the weapons so possessed.

87. Safe custody of arms, ammunition and stores under the control of dealers, etc.—(1) It is the duty of every District Magistrate to satisfy himself that every receptacle of building constructed or provided for the storage of gunpowder is reasonably secured against all possibility of theft, and that proper precautions are taken for the safe custody of all firearms and ammunition which are kept for sale or repair.—(2) The District Magistrate may give such directions as he may consider necessary in furtherance of the duty which as specified above, is imposed upon him.—(3) When any such direction as is mentioned in sub-paragraph (2) is given,

the District Magistrate will warn the person to whom it is given that failure to comply with such direction will entail the refusal of the renewal of the licence held by such person. This penalty will be rigorously enforced.—(4) In extreme cases where immediate action is required to preserve the public peace it is open to the Magistrate to cancel any licence under section 18(a) of the Act. (Note—See also rule 63).

88. Periodical inspection of shops of vendors of arms and ammunition—Instructions for the guidance of inspecting officers will be found in rule 90. The following orders regulate the periods at which and the officers by whom inspections are to be made of the premises of licensed vendors other than those of vendors of fireworks only which are covered by rule 89:

A. Shops at Headquarters—The shop, premises, and stock of every licensed vendor whose place of business is at headquarters will, subject to part C of this rule, be inspected at least twice in every year as follows:—

(1) Once in every half year by a police officer not below the rank of Inspector; and—(2) once in every year in the month of March by the District Magistrate or other Magistrate; and—(3) once in every year in the month of October by the Superintendent of Police or an Assistant or Deputy Superintendent of Police

B. Outlying shops—The instructions given above apply in full to the inspection of outlying shops except that the annual inspections made by a Magistrate and by the Superintendent, Assistant Superintendent or Deputy Superintendent of Police may be made at any time during the year. It should, however, be arranged as far as possible that there should be an interval of at least two months between the two annual inspections

C. Large shops in towns—Notwithstanding the orders in parts A and B of this rule, inspections by Gazetted Officers should ordinarily be made more often than twice a year of the shops, premises and stock of the larger firms situated in towns.

89. Inspection of shops of fireworks-sellers—The orders which govern the inspection by police officers of the premises of persons holding licences to sell fireworks in Form D of the rules made under the Explosives Act (IV of 1884) are mentioned in rule 69

90. Instructions to officers inspecting shops—The following rules have been made for the guidance of officers making inspections under rule 88:

(1) The practice of sending for and examining the books and registers maintained by licensed vendors cannot be regarded as an inspection and is prohibited.—(2) Every officer making an inspection will initial the stock and sale books of the licensee and will immediately report to the District Magistrate any irregularity or breach of the rules which he may detect.

(3) Inspecting officers should satisfy themselves—(a) that the precautions taken by the dealer for the safe custody of arms and ammunition covered by his licence are adequate,—(b) that reports of all sales entered in the day book have been promptly and regularly sent to the District Magistrate or to the Superintendent of Police as required by rule 78;—(c) that the dealer has duly entered in column 8 of the day book in Form C or Form D, the date on which the report of every sale was sent to the District Magistrate or to the Superintendent of Police;—(d) that the persons whose names are entered in column 2 of Form C or Form D as purchasers are

persons entitled to possess the arms or ammunition which they are shown as having purchased ;—(e) that the licensee does not keep Government arms, ammunition or military stores. (Revised statements showing the marks on Government ammunition and the method of marking Government arms were circulated with G. O. No. 1011/VI—856-1908, dated March 30, 1909).

(4) The instructions contained in sub-rules (3) (c) and (d) above apply with particular force to inspections of the premises of larger firms situated in towns.—(5) Every subordinate Magistrate, Superintendent of Police, Assistant Superintendent and Deputy Superintendent of Police making an inspection, as directed in rule 88, shall send to the District Magistrate a report of the result of his inspection for incorporation in the register in Form E or Form F as the case may be.—(6) When making the inspection prescribed by rule 88, every Inspector of Police will enter in column 8 of the copy of the register in Form E or Form F supplied to him under rule 80, the date on which he made the inspection. If the inspection disclose no irregularity or breach of the rules, no report will be made, but, if any fact comes to light which it is advisable that the District Magistrate should know, the Inspector shall send a special report to him, through the Superintendent of Police, noting in the column of remarks in his copy of the register the date on which the report was sent.—(7) At the close of the calendar year every Circle Inspector will send his copies of the registers in Form E and Form F to the Superintendent of Police for transmission to the District Magistrate, who will enter in his register opposite to the name of each licensee the facts recorded by the Inspector.

91. Index of inspection of shops—(1) The District Magistrate will maintain an index in English of his registers in Forms E and F. The index will show separately—

(a) the names of licensees whose shops or places of business are at headquarters, and (b) the names of licensees whose shops and places of business are not at headquarters.

In this index will be recorded the date of inspection in each year by—

(i) the District Magistrate or other Magistrate, and (ii) the Superintendent of Police, the Assistant Superintendent of Police, and the Deputy Superintendent of Police.

(2) On his visit to a district the Commissioner will examine and initial the index and will satisfy himself that the standing orders regarding the inspection of shops and maintenance of the registers in Forms E and F are observed.

PART VII—POSSESSION, CARRYING AND TRANSFER OF ARMS, ETC.

(See Sections 5, 13, 14, 15, 17 and Part VI of the Act and Rules 29 to 37 and 41 to 45 of the Indian Arms Rules).

92. Introduction—(1) The rules in this Part deal with the grant and renewal of licences in any of Forms XIII to XX and with the transfer by sale or otherwise of privately owned arms by persons other than licensed

vendors. For convenience, the directions have been divided into eight sections:

A. Directions of general application, including conditions attaching to the private sale of arms.—B. The possession of arms by certain government servants.—C. Life licences.—D. Retainers of licensees.—E. Applications for and the grant and delivery of licences.—F. The renewal of licences.—G. Fees.—H. The control, inspection and registration of licensed arms.

(2) In dealing with the grant and renewal of licences, directions which apply to all licences are given first and then those which apply to licences in a particular Form. Both classes of directions should be read together.

(3) Difficulty has been felt in some quarters about the interpretation of Section 15 of the Act. This is referred to in rules 12(4) and indirectly in rule 182.

(4) It will be seen that, subject to one appeal and to such executive directions as the Government may issue under rule 43(2) of the Indian Arms Rules, licensing authorities are given a wide discretion in the matter of the grant and renewal of licences. This discretion should be exercised in accordance with the general principles enunciated in the resolution of the Government of India of November, 1923, which is reproduced in the preface to these rules.

*PART VII-A—RULES OF GENERAL APPLICATION AND PRIVATE SALES OF ARMS.

93. **Number of arms which may be covered by a licence**—While the Indian Arms Rules impose no definite limit upon the number of arms which may be possessed under a single licence or by a single person, the licensing authority is nevertheless authorized to determine and, at his own discretion, to restrict in each case the number of arms which may be possessed by a licence-holder, whether under one or under more than one licence. This general direction is of universal application and the mere fact that certain persons may be given licences free of fee does not in itself entitle them to possess more fire-arms than would be permitted them if they were not entitled to the privilege of remission of fees.

94. **Scale of ammunition to be allowed to licensees**—(1) The licensing authority is vested with full discretion to determine the quantity of ammunition to be allowed to a licensee in respect of any weapon, provided that, except in special cases, the quantity shall not exceed—(i) 200 cartridges for each sporting rifle; (ii) 50 cartridges for each revolver or pistol; and (iii) 250 percussion caps where one of the weapons is a muzzle-loader.

These limits are the maxima to be held at any one time by a licensee, and will not always be allowed as a matter of course.—(2) The licensing authority may at his discretion reduce the quantity of ammunition allowed in the case of any particular licensee, and in doing so should have regard, among other things, to the purpose for which a licence is required. It is clear that in the case of a licence issued for protection whether of the person or of crops, the amount of ammunition required will bear no relation to the quantity required for sport, and that in the case of a licence for the protection of the person very little ammunition could, in point of fact, be required.

95. Possession of Government arms and of fire-arms of the prohibited bores—(1) It is a condition of every licence to possess arms that the licensee shall not possess or go armed with Government arms or ammunition. Revised statements showing the marks used on Government ammunition and the method of marking Government arms were circulated with G. O. No. 1011/VI—856-1908, dated March 30, 1909.—(2) Although the importation of firearms of the prohibited bores became unlawful on September 11, 1906, in the case of rifles of .303-bore, and, subject to certain special exceptions on May 1, 1907, in the case of rifles of .450-bore, it may generally be presumed that the import of any rifle of one of these bores was lawful in any case in which the present owner can show that it has been, since January 1, 1920, in his possession or in the possession of some person from or through whom he has acquired his title. A declaration to this effect from an applicant for a licence for such a weapon should generally be accepted for the purpose of this rule. The importation of muskets of 410 bore became unlawful on 23rd April, 1936.—(3) The prohibition against the import of revolvers and pistols of any bore from .441 to .455, both bores inclusive, became absolute in the case of the .450 bore on January 1, 1924, and in the case of the other bores on August 1, 1924. Lawful possession for a period beginning before the year 1924, may therefore be presumed to prove lawful import of any pistol or revolver of one of the prohibited bores.—(4) In cases other than such as are described in sub-rules (2) and (3) above, no licensing authority is competent to grant a licence for the possession of a firearm of a prohibited bore before its import, or, unless he is satisfied that its import has been sanctioned by the Government of India, for its possession after import.

96. Possession of Government ammunition and of ammunition of the prohibited bores—(1) It is a condition of every licence to possess arms or ammunition that the licensee shall not possess Government ammunition. Revised statements showing the marks used on Government small arms and machine-gun ammunition were circulated in G. O. No. 1011/VI—856-1908, dated March 30, 1909.—(2) Persons who are already in lawful possession of rifles, muskets, revolvers or pistols of the prohibited bores and require ammunition for their own use for such rifles, muskets, pistols, or revolvers, are allowed to possess such ammunition subject to the condition that they obtain, under rule 33 of the Indian Arms Rules, a licence in Form XVI to possess such ammunition. Every such licence which must specify the amount of ammunition which may be possessed under it during the year commencing from the date of its issue, must, at the time of any purchase, be made over for endorsement to a dealer of the class specified in rule 28(3) of the Indian Arms Rules.—(3) The provisions of sub-rule (2) apply to all persons whether exempted persons or licence-holders, but, where the licence is required for ammunition only, it will, if granted, be free of fee in accordance with rule I at the commencement of Form XVI.

97. Change of residence of licence-holders—Every holder of a licence in Form XVI or Form XVI-A is bound by condition 11 attaching to each of these Forms to report any change in his permanent residence to the authority who granted the licence or to the authority, if any, by whom his licence has, in consequence of a previous change in his permanent residence, been renewed; and every licence-holder is warned that a breach of this condition is an offence under section 23 of the Act, and that under

section 18(b) of the Act any Judge or Magistrate by whom a licence-holder is convicted of an offence under section 23 may cancel or suspend such person's licence.

98. Unauthorized use of licensed arms by unlicensed persons—Every licence-holder is warned that he is not authorized to allow any person, whether he be a relative or not, to use any weapon covered by his licence unless the name of such person or relative has previously been entered in the licence. In the case of a licence in Form XVI such person or relative must be entered either as a joint licensee in column 2 or, under the provisions of rule 121 as a retainer in column 5 of the licence.

99. Deposit of arms with licensed dealers for safe custody—(1) Arms, ammunition and stores may be deposited with any dealer who holds a licence in Form XIII either by a licence-holder for safe custody or, under section 16(1) of the Act, by a person whose possession of them has become unlawful. In the latter case rule 183 applies. The following directions apply only to arms deposited for safe custody.—(2) When arms have been deposited in accordance with sub-rule (1) the licensee is not guilty of any offence if he fails to renew his licence while the arms covered by it are so deposited, as their possession is legally covered by the dealer's licence in Form XIII.—(3) It is the duty of every dealer with whom arms are deposited for safe custody to satisfy himself on receipt of such arms that they are held under a valid licence, and, before delivering them up again, that the owner's licence has not expired. Where arms are deposited with a dealer and the owner is unable to produce a valid licence, the dealer is required to hold that they are deposited under section 16(1) of the Act and in such case he shall observe the provisions of rule 183. (Note—See rule 168).

100. Private sale of weapons to be reported—Every licensee is warned that, in case he sells any arms or ammunition covered by his licence to any person (other than a person exempted under section 27 of the Act), he is required under section 5 to give notice forthwith of the sale, together with particulars as to the name and address of the purchaser, to the magistrate of the district or to the officer in charge of the nearest police station. Failure to give notice as required above is punishable with imprisonment for a term which may extend to three years or with fine or with both.

PART VII-B—POSSESSION AND CARRYING OF ARMS BY PUBLIC SERVANTS.

101. Introduction—In accordance with saving (b) to section 1 of the Act, the provisions of the Act do not apply to arms which form part of the equipment of certain public servants, and, under rule 46(8) of the Indian Arms Rules read with Schedule VII thereof, no fee is chargeable in respect of licences in Form XVI granted to certain other public servants. With the exception of persons who hold life licences then, the provisions of the Act and of the rules made thereunder in respect of the issue of licences and the payment of fees therefor apply to all Government servants who do not belong to either of the two classes mentioned above. Further,

although certain public servants have the privilege of not paying fees for such licences in Form XVI as may be issued to them, they are nevertheless subject to all the directions which govern the grant and renewal of licences. For convenience all decisions governing the possession, transfer and custody of arms by public servants have been grouped together in Part VII-B of these rules.

102. Equipment of public servants.—In accordance with saving (b) of section 1, the Act does not apply to a public servant bearing or possessing arms or ammunition in the course of his duty as such public servant. A public servant is entitled to the benefit of this section only in respect of such arms as he is required to bear in the course of his public duty. These include only arms supplied by Government and arms which, though the private property of an officer, form part of his sanctioned equipment. A list of Government servants and of the arms which may be in their personal possession as part of their equipment will be found in Appendix I to these rules.

103. Payment of fees by members of the Auxiliary Force, India.—Officers of the Auxiliary Force are not commissioned officers in His Majesty's Indian Forces and so, like commissioned officers of the British Army, are required to take out licences for weapons which do not form part of their prescribed equipment, and, except where the conditions of entry (1)(d) of Schedule VII are satisfied, are required to pay the ordinary fees for such licences. Members of the Auxiliary Force other than commissioned officers, however, are, if granted licences in Form XVI, entitled to such licences free of fee under entry (1) (e) of Schedule VII. The exemption from payment of licence fees does not, however, entitle any person to the grant of a licence except in accordance with the orders in force from time to time regarding the issue and renewal of licences. The restrictions on the issue of licences for revolvers and pistols in rule 129 and the provisions of rule 148 are therefore applicable to such persons. (Note—See Appendix I).

104. Payment of fees by members of the Indian Territorial Force.—Under entries (1) (a) and (e) of Schedule VII, members of the Indian Territorial Force other than officers who hold commissions from His Majesty the King* are, if granted licences in Form XVI, entitled to receive them free of fee. Their exemption from the payment of licence fees does not, however, entitle them to the grant of licences except in accordance with the orders in force from time to time regarding the issue and renewal of licences. The restrictions on the grant of licences for revolvers and pistols in rule 129 and the provisions of rule 148 are therefore applicable to such persons. Except where the conditions of entry (1) (d) of Schedule VII are fulfilled, when a licence, if granted, would be issued free of fee, an officer who holds a commission from His Majesty the King is required to obtain a licence on payment of fees for fire-arms in his personal possession. [*Note—See Appendix I].

105. Payment of fees by members of the Army in India Reserve of Officers and by Reservists.—(1) Members of the Army in India Reserve of Officers must, except when embodied, pay the fees prescribed for licences for any arms which they may possess. [Note—See note (1) to Appendix I].

(2) Under entry No. (2) (a) of Schedule VII, however, any person below the rank of warrant officer who has been discharged from His

Majesty's Naval, Military or Air Forces and is in receipt as such of a pension, or has been transferred to the Army, Naval or Air Force Reserve, is, if he is designated in this behalf by the officer commanding his unit or department, exempted from the payment of fees for a licence in respect of the arms which were actually in his possession at the time of his discharge or transfer to the Reserve. It has been decided that this privilege, in so far as it is confined to arms held at the time of discharge or transfer to the Reserve, is independent of the rank attained by such person after his transfer to the Reserve and that it will therefore continue.

106. Exemption from fees of officers of the Indian Army Reserve on release from Army service.—An officer of the former Indian Army Reserve who has become a member of the Army in India Reserve will continue to enjoy the privilege of a free licence in respect of the arms which formed part of his equipment. The concession applies only to arms actually held when in the Army and does not extend to arms subsequently purchased, whether in replacement of, or in addition to, those originally held as part of any such officer's equipment.

107. Remission of fees in the case of retired officers.—For the purposes of entries Nos. (3) and (4) of Schedule VII of the Indian Arms Rules, the description of the equipment in entry No (2) of Appendix I to these rules will apply to officers who retire after March 15, 1924. Such an officer is, therefore, entitled to a free licence for two revolvers or two pistols or for one revolver and one pistol which formed part of his equipment, provided that one of the two weapons takes Government ammunition of .455-bore. Military officers who retired before March 15, 1924, are entitled to free licences for revolvers or automatic pistols which are proved to have formed part of their equipment when in the Service, irrespective of their bore. For ex-officers of the Auxiliary Force, who retired before November 2, 1932, equipment has not been defined; and licensing officers, before issuing free licences, need only satisfy themselves that the weapons in respect of which exemption from the payment of fees is claimed actually formed part of the officers' equipment.

108. Remission of fees in respect of certain licences granted to public servants.—(1) Under entry No. (7) of Schedule VII read with rule 46(8) of the Indian Arms Rules, Government servants who are not required to carry arms as part of their equipment but whose possession of arms is declared by the local Government to be in the public interest, may be granted licences in Form XVI free of fee in respect of such arms and ammunition as may be specified in the declaration referred to in this rule.—(2) A list of Government servants in respect of whom, and of the arms in respect of which, declarations have been made under entry No. (7) of Schedule VII will be found in the table appended to this rule.—(3) The attention of Government servants who are granted licences free of fee is drawn to the fact that under the provisions of rule 46(8) of the Indian Arms Rules, they are liable to pay fees for the renewal of such licences if renewal is delayed.

TABLE.

The possession of the arms shown in the third column of the subjoined table by officers of the classes enumerated in column (2) thereof has

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been declared to be in the public interest. Licences in Form XVI will therefore be issued free of fee in respect of the arms mentioned in column 3.

Entry No.	Designation of officers	Arms in respect of which free licences may be issued	Number and date of the declaration
1	2	3	4
1	*Justice of the Peace	All arms	Resolution No 1719/VIII—225, dated May 3, 1924
2	Stipendiary magistrates ..	Ditto ..	Ditto
3	All gazetted police officers .	Ditto	G O No 1319/VIII—188, dated March 20, 1925
4	Every Inspector and Sub Inspector of Police ..	One shot gun with 200 rounds of ammunition	G O. No 24/VIII—43 dated, April 2, 1926
5	Every Sub Inspector of Police, who is certified by the Deputy Inspector General of Police under whom he is serving, to require an automatic pistol owing to the nature of his duties ..	One automatic pistol	G O No 2215/VIII—19, dated, April 30, 1931
6	All gazetted forest officers ..	All arms	G O. No 6507/VIII—211 dated * November 1, 1925
7	All forest rangers ..	One 12 bore gun .	Ditto
8	All gazetted officers of the Indian Service of Engineers and the United Provinces Engineering Service in the Irrigation Branch, and all Deputy Revenue Officers of the Irrigation Branch.	All firearms	G O No 1149/VIII—218, dated February 18, 1927
9	The Hydro-Electric Engineer	Ditto ..	G O No 1292/VIII—7, dated July 28, 1924.
10	The Assistant Mechanical Engineer, Head Works Division, Bara Canal.	Ditto .	Ditto
11	The Assistant Hydro Electric Engineer, in charge of the North Hydro Electric Division.	Ditto	Ditto.

*Note 1—For Justice of the Peace see sections 22 and 25 of the Code of Criminal Procedure. All Sessions Judges and District Magistrates are, among others, ex-officio Justice of the Peace.

• Entry No.	Designation of officers	Arms in respect of which free licences may be issued	Number and date of the declaration
1	2	3	4
12	The Assistant Hydro Electric Engineer in charge of the South Hydro Electric Division.	Ditto	Ditto
13	The Assistant Engineer in charge of the 1st Sub Division, North Hydro-Electric Division, in charge of the Bahadurabad Power Station	Ditto	G O No 1282 6/VIII—7, dated November 26, 1934
14	The Assistant Engineer in charge of the second Sub Division, North Hydro Electric Division, in charge of the Moradabad Power Station	Ditto	Ditto
15	The Assistant Engineer in charge of the 1st Sub Division, South Hydro Electric Division, in charge of the Bholu Power Station	Ditto	Ditto
16	The temporary Electrical and Mechanical Engineer in charge of the 2nd Sub Division, South Hydro Electric Division, in charge of the Palra and Sumeia Power Stations	Ditto	Ditto
17	All excise inspectors*	One revolver or pistol other than an automatic pistol *	G O No 3488/VIII—183, dated July 4, 1925—G O No 304/VIII—8, dated March 10, 1933
18	All patwaris employed in the hill portion of the Kumaun Division.	One shot gun	G O No 545/VIII—282, dated September 15, 1930.

*Note 2—Every Excise Inspector who was in possession of an automatic pistol on February 14, 1934, may continue to possess that pistol under a licence in Form XVI free of fee. Automatic pistols in the possession of other Excise Inspectors are not covered by entry No 17 in the foregoing table

109. Remission of Court Fees—Notwithstanding anything contained in rule 160, no court fee under Schedule II of the Court Fees Act, 1870 (VII of 1870) is chargeable in respect of applications made by Government

servants of the classes mentioned in the sub-joined table in respect of the arms specified opposite their respective designations.

Table.

1. Excise Inspectors	...	...	...	One revolver or pistol.
2. Patwaris employed in the hill portion of the Kumaun Division	...	...	...	One shot gun.
3. Forest rangers	...	...	...	One 12 bore gun.
4. Every Sub-Inspector of Police who is certified by the Deputy Inspector General of Police under whom he is serving to require an automatic pistol owing to the nature of his duties	...	...	...	One automatic pistol.
5. Inspector and Sub Inspector of Police	...	...	...	One shot gun.

110. Grant of licences to subordinate Government servants.—(1) Applications for licences from Government servants who do not satisfy the conditions of rules 108, 109 or 132 should be decided strictly in accordance with the instructions which govern the grant of licences to other persons. Ordinarily no such Government servant should receive a licence unless his application is supported by the Head of his department and shows sufficient reasons for possessing a licence.—(2) Subordinate Government servants who would not ordinarily require firearms or be considered proper persons to carry them sometimes apply for licences in Form XVI for protection on the ground that they are posted in dangerous places or are placed in charge of valuables.—If in such a case a licence were granted, it would be granted to the Government servant by reason of his official capacity for the time being and should therefore on his transfer from his particular post be available to his successor. In such cases then a reasonable solution would be to issue a licence on payment of the prescribed fee in the name of the Head of the Department concerned who might provide the weapon, the Government servant himself being entered as a retainer. While the Government have not directed that this procedure must invariably be followed they have strongly commended it and have instructed licensing officers to sanction applications made by Heads of Departments in accordance with this rule.

111. Grant of licences to soldiers.—(1) The attention of all licensing authorities is drawn to Appendix III to the Regulations for the Army in India,* which govern the possession and carrying of private arms by persons in military employ. [Note—See Appendix IV].—(2) While, under rule 46(8) of the Indian Arms Rules, 1924, and Schedule VII thereof, Viceroy's Commissioned officers and Indian soldiers may be granted licences for their private arms without payment of fees, this privilege is subject to the conditions of paragraphs 3, 7 and 12 of Appendix III to the Regulations for the Army in India which reserve to the District Magistrate full discretion to grant or refuse licences. It is nevertheless desirable that licences should not be refused to Viceroy's commissioned officers on the active list or to serving Indian soldiers recommended by their Commanding Officers except for strong reasons. Commanding Officers have been instructed in Indian Army Order No. 303 of 22nd May, 1928, to exercise the greatest care when making recommendations in favour of serving soldiers and to certify that they are satisfied that the arms for which licences are recommended are genuinely required for sport or for crop protection.

(3) The authority empowered to issue a licence to a serving Indian soldier is the licensing authority of the district or sub-division, as the case may be, in which the soldier has his permanent home and not the licensing authority of the place where he is serving.—(4) A licence granted to a serving Indian soldier is valid only during the time he is serving with the colours. On retirement he is required under paragraph 12 of Appendix III to the Regulations for the Army in India to obtain a fresh licence. For this reason licences granted to serving Indian soldiers should be transferred by the issuing authority to the district in which the officer or soldier is for the time being employed and the renewal of such licences will be governed by the provisions of rule 147.—(5) Commissioners are required to make a special mention of the working of the orders described in sub-rule (2) of this rule in their annual reports prescribed by rule 194. [Note—Appendix IV].

112. Issue of passes to Indian soldiers proceeding on leave.—(1) Under rules 7 of Appendix III to the Regulations for the Army in India all private arms possessed under licences by Indian soldiers are ordinarily retained in the armouries of the units to which such soldiers belong. An Indian soldier may, however, be given a pass by his Unit Commander to take his weapon or weapons with him on furlough or leave. A copy of every such pass will be furnished to the District Magistrate of the district or to the Political Agent for the State in which the soldier intends to reside when on leave. When a pass is cancelled or withdrawn the Unit Commander will inform the licensing authority.—(2) All District Magistrate and Political Agents are required to complete and maintain a list of all passes of which they receive copies, showing the name of the soldier, the number and date of the pass and the weapon or weapons for which the pass was issued. (Note—See Appendix IV to these Rules).

113. Custody and registration of arms held by military personnel.—(1) The Indian Army Orders No. 520 of 1931 and No. 47 of 1934 draw the attention of all ranks to the necessity for special care in the custody of arms and ammunition, whether the arms and ammunition are of Government pattern or not. This care is particularly necessary on the part of officers and other ranks who keep arms and ammunition—more especially revolvers—in their private quarters.—(2) All arms of every description are to be registered in the office of the unit or department in which each individual owner is serving, and the maker's name and its number correctly recorded, while the arms of all military personnel who are not on the strength of a unit will be properly registered under the directions of the officer commanding the station. Officers commanding stations are further required to arrange for an annual check of copies of all registers of private arms held by military personnel. They will send these copies, together with a certificate that licences for all arms shown on the registers are up to date, to the District Magistrate annually, on a date to be arranged mutually.—(3) The loss of any weapon or of ammunition, whether due to accident or theft, will be reported to the police without delay.

114. Sale of arms by Government servants and ex-officers.—(1) The attention of all persons employed by Government is drawn to sections 5 and 22 of the Act. Every officer employed by Government is required to exercise the utmost caution to ensure that arms being disposed of by him do not fall into the hands of persons not authorized to possess them. Officers wishing to dispose of arms by private sale or public auction must

ascertain that the would-be purchaser is lawfully entitled to possess them. (a) The sale of all arms which bear the Government mark is prohibited. Ex-officers who desire to sell revolvers or other arms bearing such mark should apply for sanction to the Government of India in the Army Department stating in their applications—(i) the source from which the weapon was obtained and the date of its purchase, and (ii) the name, profession and address of the intending purchaser with full particulars of his rank, service, etc., if such intending purchaser is a pensioner. [Note—See Rule 96 (1)].

PART VII-C—LIFE LICENCES.

115. Persons entitled to licences for life—(1) Persons holding licences valid for life are of two classes according as they received their licences as individuals or as members of a class.

Under the Indian Arms Rules of 1909 such landholders and members of municipal boards or committees as the local Government might designate in this behalf were exempted from the prohibitions and directions contained in sections 13 to 16 of the Act. Under the Indian Arms Rules of 1920 only such persons as had already been exempted under this provision were exempted for life in respect of the weapons then held under exemption, but no more persons could be added to the list of exemptees of this class. When the Indian Arms Rules of 1924 came into force the exemptions conferred under the Rules of 1909 and continued under the Rules of 1920 were withdrawn and replaced by licences issued free of charge, and valid for life, in respect of the particular arms then held under exemption. A list of such of those persons as survive will be maintained and kept up to date in the District Magistrate's office.—(2) The other class of persons holding life licences consists of certain title holders and others who were exempt under items II, II-A and II-B of the Indian Arms Rules, 1920. Such persons were granted licences for life, free of charge, in respect of the arms held under exemption prior to 1924, provided that they applied for such licences within a certain specified time which was in general, on or before 30th June, 1924, or in the case of persons who were out of India on that day, within six months of their return to India.

116. Conditions attaching to life licences—From rule 115 it will be seen that, although life licences originated in exemption, all holders of such licences are required to observe all the conditions attaching to a licence in Form XVI except such conditions as relate to renewal. In particular, they are warned that they are required to report—(i) the loss or theft of any arms covered by their licences (condition 7 of Form XVI),—(ii) any change of their permanent address (condition 11 of Form XVI), and—(iii) notwithstanding anything contained in rule 118(1), any change in the number or description of firearms in their possession. (Note—See rules 97, 117, 119 and 161).

117. Registration of life licences—(1) *Life licences not to be transferred generally*—A special register of life licences will be maintained in a form similar to Form G prescribed by rule 169, and all life licences will, so long as they are held by persons residing within the United Provinces, continue to be registered in the district in which they were issued or first registered or to which they may have been transferred before 1st June, 1936. When the holder of a life licence changes his permanent place of residence to a place outside the United Provinces, his licence will be

removed from the special register of life licences, provided that where the licensee is residing in British India the District Magistrate will satisfy himself that the licence has been registered in the licensee's new district of residence before removing the licence from his register. Where intimation is received that the holder of a life licence issued in another province has changed his residence to the United Provinces, the District Magistrate will enter the particulars of the licence in his register and will send intimation of such entry to the licensing authority of the district in which the licence was previously registered.—(2) *Report of change of residence*—Every life licensee will report any change in his permanent residence to the Magistrate of the district in which his licence was issued or to the Magistrate of the district in which it is registered under sub-rule (1) of this rule.—(3) *Report of change in the number of arms*—If the holder of a life licence makes any change in the number or description of the weapons covered by such licence, he must, on pain of cancellation of his licence, send his licence, together with a report of the particulars of the change made, to the Magistrate of the district in which his licence was issued or of the district in which it is registered.—(4) *Action by District Magistrate on a change of residence*—When a change of residence to a district other than the district in which the licence was issued or is registered has been reported under sub-rule (2), the District Magistrate to whom it is made will send a copy of such report to the Magistrate of the district to which the licensee has changed his place of residence. If the report is made in the district of issue and the licence has been registered under sub-rule (1) in a second district, the District Magistrate will send the report to the Magistrate of the District in which the licence is registered, and on receipt of the report the Magistrate of the district in which the licence is registered will proceed as if the report has been made to him.—(5) *Action on report of change in description of arms*—When a change in the number or description of arms has been reported under sub-rule (3) by a licensee who resides in a district other than that in which his licence is registered, a copy of such report will be sent by the Magistrate to whom it is made to the Magistrate of the district in which the licensee has his place of residence. Note—See rule 118(3).

118. Annual check of licences and inspection of revolvers and pistols

—(1) The District Magistrate will at least once in each year check his register of firearms held under life licences and in January of each year will call upon every holder of a licence to report whether or not there has been any change in the number or description of the arms covered by his licence.—(2) Subject to the condition that the provisions of rule 150(2) shall apply to life licences as well as to ordinary licences in Form XVI, when making the inquiry prescribed by sub-rule (1), the District Magistrate will, by order in writing, require the holder of every life licence to produce for inspection every pistol or revolver held under such licence. If the licensee resides in a district other than the district in which the arms covered by his licence are registered he should be required to produce any such pistol or revolver before the Magistrate of the district in which he resides. Note—It is not necessary that holders of life licences should personally produce their pistols or revolvers and the provisions of rule 32 should be understood to govern life licensees as well as exemptees.—(3) For the purpose of rule 198 all arms held under life licences will be shown as in the possession of residents of the district in which the life licence is registered, unless in accordance with rule 117(4) a report of a change of residence has been sent to the Magistrate of another district when

the arms held by the life licensee will be shown in the return pertaining to the district in which the licensee resides

119. Replacement of arms held under life licences—Although life licences were issued to cover only such weapons as were possessed at the time of their issue, they have been held to authorize replacements of such weapons. Such replacements, however, does not, in the absence of special orders to the contrary, cover any increase in the number of weapons held under the licence, nor the substitution of a weapon of one class or kind for a weapon of another class, but is limited, for example, to the substitution of a revolver for a revolver or of a gun for a gun

PART VII-D—RETAINERS OF LICENSES

120. Retainers' right to use the licensees' weapons—(1) The terms of a licence in Form XVI or in Form XX, mean that unless there are clear orders to the contrary, a retainer is allowed to carry and use the arms and ammunition entered in columns 6 and 7 of Form XVI or in columns 7 and 8 of Form XX for all or any of the purposes for which the licence is issued whether he is in attendance on his master or not—(2) On the death or the dismissal or resignation from service of any retainer entered in a licence, no other person is entitled to carry any of the weapons entered in the licence unless his name and other particulars have been entered in the licence by a licensing authority empowered to grant a licence. Note—For retainers of exempted persons see rule 29.

121. Conditions governing the licensing of retainers—The following instructions are issued for the guidance of licensing officers.—(1) From rule 120 it follows that whenever an application for the entry in a licence of the name of a retainer is received, the licensing authority should fully consider and determine what weapons covered by the licence should be allowed to be used by the retainer. In so determining he should be guided by the considerations set forth in this rule

(2) Retainers should be permitted only to persons whose standing or circumstances are such that they either—(i) require retainers or servants to carry weapons in the ordinary course of their duty or (ii) require retainers to carry weapons for the protection of themselves on the ground that they themselves are either unable to use firearms or belong to a class which does not use firearms

(3) In cases which fall under the former of the two kinds specified in sub-rule (2), the circumstances of the licensee will generally be such that the weapon will either be used in practice only by the retainer or will be used by both the licensee and the retainer at different times. Where the weapon will be used only by the retainer, it would be reasonable to allow the entry of a retainer in the licence, no fee being payable for such entry but the licence should be restricted to protection. Where, however, the weapon is to be used by both the retainer and the licensee but on different occasions, the retainer's use should logically be restricted to protection while the licensee could reasonably ask for the licence to be valid for sport also. Two persons would then use the weapon for two different purposes and at two different times, and, as the object of the licensee can be fully met by the entry of an agent on payment of a fee in column 2 of the licence, an application for the entry of a retainer in such a case should generally be refused—(4) Where the circumstances of the applicant for the entry

in a licence of a retainer are such that they would fall under the latter of the two classes mentioned in sub-rule (2), it is clear that the licence would be essentially a licence to carry an arm for protection and that only one person would normally use the weapon. In such a case then the retainer may be properly entered as such in the licence, but the licence should be restricted to 'protection.'—(5) Every application for the entry on a licence of the name of a retainer or for a change in the name of a retainer entered in a licence will be decided personally by a licensing authority empowered to grant a licence in Form XVI, that is to say, by a Political Agent, a District Magistrate or by one of the Sub-Divisional Magistrates mentioned in rule 124. No person whose character or antecedents are such that, in the opinion of the licensing authority, he is unfit to carry and use firearms will be licensed as a retainer—(6) When no retainer is licensed the word "Nil" will be clearly entered in column 5 of Form XVI or in column 4 of Form XX as the case may be—(7) A retainer should only be allowed in respect of a pistol or a revolver in a case of the kind specified in sub-rule (2) (u) above and then too only in an exceptional case of proved necessity.—(8) No fee is chargeable for the entry in a licence of the name of a retainer.

122. Entry of relations as retainers.—While there is no objection to the entry of the name of a relative of a licensee as a retainer where the conditions of rule 121 are satisfied, any application for the entry of a relative which is in effect intended to give the relative a co-extensive and independent right to use the licensee's arms should generally be refused. Such a relative should apply either for a separate licence in his own name or for the entry of his name as a joint licensee on the payment of the ordinary fee. Note—See also rule 98.

123. Retainers' licences in Form XVIA.—(1) The object of a licence in Form XVIA is to grant facilities to persons exempted under entry No. 1(a) of Schedule I for leaving their arms in the possession of retainers.—(2) Licensing authorities are empowered, in their discretion, to grant or refuse applications for the issue of licences in Form XVIA, but such licences should be issued only in cases in which the standing or circumstances of the exemptee are such as to make it reasonable for him to employ a retainer or retainers to carry his arms, and the antecedents and character of any person for whom a licence in this form is desired should be scrutinized with the same care as those of a retainer whose name it is proposed to enter in a licence in Form XVI. Note—See rule 121(5)

PART VII-E—APPLICATIONS FOR, AND THE GRANT AND DELIVERY OF, LICENCES FOR POSSESSION, ETC.

124. Sub-Divisional Magistrates who may grant licences.—In exercise of the powers conferred by rules 29, 31, 32, 33, 35, 36 and 37 of the Indian Arms Rules the Government have empowered the Sub-Divisional Magistrates of Deori-Kasia, Lalitpur, Karwi, Mahoba and Roorkee, to issue to persons who reside within their sub-divisions licences in Forms XIII, XIV, XV, XVI, XVIA, XVIII, XIX and XX.

125. Issue of permits in lieu of licences prohibited.—The grant of permits purporting to authorize the purchase of arms or ammunition before the issue of the prescribed licence is irregular and is forbidden except where a provisional licence or permit is necessary on account of the depletion

of the stock of the prescribed licence forms. Column 10 of Form XVI, column 8 of Form XVIII, and column 7 of Forms XV and XIX make provision for a direction to the licensee to produce the arms purchased on the authority of a regular licence in order that the details of the weapon purchased may be entered in the licence and in the appropriate register. •

126. Issue of licences to subjects of Indian States—(1) Under rule 33(1)(c) of the Indian Arms Rules, the Political Officer is the only authority empowered to grant licences in Form XVI or Form XVIA to persons residing in an Indian State—(2) No licensing authority should grant a licence in either of Forms XVI or XVIA to any subject or employee of an Indian State who is not residing in the State without the previous concurrence of the Political Officer attached to that State.

127. Grant of licences to residents of other districts—When an application for a licence is made to a licensing authority of a district other than that in which the applicant is domiciled or has his principal place of residence, the licensing authority should consult the Magistrate of the other district before passing orders on the application.

128. Issue of licences to foreign traders—Whenever a licence to carry arms is given to any person who appears to be travelling *bona fide* for the purpose of trade, a note should be made on the licence of the number of persons accompanying such person, and he should be given distinctly to understand that should his followers be augmented at any time, or should he join any other company, his licence will be at once liable to cancellation.

129. Issue of licences for pistols and revolvers—No person other than a person of good character who can satisfy the licensing authority as to his personal need for such a weapon may possess a revolver or a pistol; and no licence to possess a pistol or a revolver should be granted until the licensing authority has both satisfied himself that a weapon of this kind is really necessary and has also obtained the previous sanction of the Commissioner to the grant of such a licence.

130. Persons to whom licences may be granted—In determining whether or not to grant a licence to possess and carry firearms, the licensing authority should have regard to the character, status and personal needs of the applicant and should not grant a licence to any person who cannot be confidently relied upon to use firearms properly and not to use them or permit their use for improper purposes. A licence for protection should not be granted to a person who is incapable of using a firearm unless a reliable and fit person is suggested as a retainer.

131. Grant of licences to village headmen—A village headman of good position or meritorious service should be regarded as having a claim to be granted a licence for carrying a gun, superior to the claims of other residents of the village.

132. Persons entitled *prima facie* to licences for rifles and guns—(1) Persons of approved character and status are *prima facie* entitled to licences for the possession of guns and rifles, other than rifles of prohibited bores. This applies particularly to guns—(2) Such licences may ordinarily be granted to persons who satisfy any of the following qualifications:

(a) Membership of any Order established by the Crown, or the possession of a title conferred or recognized by the Government of India or of the Kaiser-i-Hind medal or of a certificate of honour signed either by the Viceroy, or by the Head of a local Government or Administration—(b) Membership past or present, of the Indian or a Provincial Legislative Council or inclusion in the list of Provincial Darbaris—(c) Payment of not

less than Rs. 1,000 per annum in land revenue.—(d) Payment of income-tax on an income of not less than Rs. 3,000 a year for the three years preceding the issue of the licence.—(e) Being a Government officer in receipt of not less than Rs. 250 per mensem.—(f) Being a commissioned or gazetted officer of His Majesty's Naval, Military or Air Forces or His Majesty's Indian Marine Service or a commissioned Indian Officer of the Imperial Service Troops in active service.—(g) Being a pensioned officer who before retirement was by virtue of his official position included in any of the classes described in (e) or (f) above.—(h) Being an honorary magistrate, honorary munsif or honorary assistant collector.

(3) Although inquiry should not ordinarily be necessary before granting a licence to any person who fulfils one of the qualifications prescribed above, it is within the discretion of the licensing authority to direct such inquiry when he is of opinion that he cannot properly exercise his responsibility under the Act without further information as to the character or status of an applicant for a licence.

133. Form of application for licences—Every application for the grant of a licence in any of Forms XIV, XVI, XVII, XVIII or XIX will be made in Form R appended to these rules. Copies of Form R may be obtained free of charge from the District Magistrate.

134. Presentation of applications for licences—(1) Applications in Form R may either be presented by the applicant in person or sent by registered post to the licensing authority, but the licensing authority may, if necessary, require the personal attendance of the applicant.—(2) Licence fees will be paid in the manner prescribed by rule 158.

135. Inquiry before grant of licence—(1) In any case such as is mentioned in rule 132(3) and in all cases of applications for licences from persons who do not possess the qualifications specified in rule 132, the licensing authority will cause such inquiries as he may consider necessary to be made as to the character and status of the applicant and as to his fitness to receive a licence, and should satisfy himself that the arms for which a licence is asked are reasonably required for the purpose or purposes stated in the application.—(2) Where any such inquiry as is mentioned above is found to be necessary, it may be made through other agencies in addition to or in substitution for the police and should not involve annoyance to the applicant. The application in Form R should in each case be sent with suitable endorsements to the officers who are required to enquire into the circumstances of the applicant.

136. Extent and period of validity of licences in Form XVI—A licence in Form XVI should, except as provided by rule 137, ordinarily be made valid by the licensing officer throughout British India, and should be granted for a period expiring on the 31st December. Where special reasons exist and are recorded licensing officers may restrict the extent of the validity of licences.

137. Licences in Form XVI valid for Malabar—Except in the case of licences granted to gazetted officers of Government or private persons of a status similar to such officers, the district of Malabar should be excluded from the scope of every licence issued under the Act. If any other class of licence-holder wishes to visit Malabar, he should be instructed to have his licence endorsed as valid for that district by the District Magistrate of Malabar.

138. Extent of validity of licences in Form XVI issued for and in the Benares State—(1) Subject to the provisions of sub-rule (3) of this rule, the District Magistrates of Allahabad, Ballia, Benares, Ghazipur, Jaunpur and Mirzapur are empowered, with reference to condition No. 3 of Form XVI, to extend the validity of licences in that form to the

territory of the Benares State.—(2) Subject to the condition of sub-rule (3) of this rule, licences corresponding to licences in Form XVI issued in the Benares State may similarly be endorsed as valid throughout all or any of the districts of Allahabad, Ballia, Benares, Ghazipur, Jaunpur and Mirzapur.—(3) The validity of any licence endorsed as valid in the State of Benares under sub-rule (1), or of any licence endorsed as valid under sub-rule (2) in respect of any of the districts mentioned therein, is conditional upon the despatch by the issuing officer of a copy of such licence to the Darbar or to the Magistrate or Magistrates of the district or districts mentioned in the endorsement as the case may be.

139. Extension of area of validity—An application for the extension of the area of validity specified in a licence should only be granted when the applicant can show clear necessity for such extension. This provision is particularly applicable to licences in Form XIX.

140. Issue of licences to agriculturists—(1) While all reasonable facilities should be afforded to agriculturists to obtain licences in Form XIX for the protection of crops and cattle, and licences in that Form should not be withheld without good cause, rule 36 of the Indian Arms Rules requires licensing officers—(i) to ensure that applicants for licences in Form XIX are *bona fide* cultivators, and (ii) to determine in each case the area within which such licences shall be valid.—(2) The attention of all licensing authorities and licensees is drawn to the fact that condition 2 of Form XIX expressly prohibits the use of arms held under a licence in that Form for sport or for the systematic and wanton destruction of wild animals in areas other than those in which cattle or crops are situated.—(3) Licences in Form XIX in respect of rifles should be granted very sparingly and with great caution, and, in general, single barrel guns, muzzle-loading where available, should suffice for the purpose of crop-protection.—(4) Licences in Form XIX will be issued and renewed valid for the period expiring on the thirty-first day of December next following the date of issue or renewal, as the case may be.

141. Journey licences in Form XX—Under present conditions arms are rarely required by travellers for their protection, and licences in Form XX should therefore be sparingly granted and only in cases of proved necessity to persons to whom a licence in Form XVI would be issued.

In every case the provisions of rule 37(2) of the Indian Arms Rules should be strictly followed. Licences in Form XX in respect of rifles should be granted only in exceptional cases and then too with great caution.

142. Entries to be made in licences—(1) In every licence granted in any one of Forms XVI to XX a full and detailed description of each weapon and the amount of ammunition which the licence-holder may possess must be entered in the column provided for the purpose.—(2) In the case of every licence in Form XVIII or XIX the entries referred to in sub-rule (1) should accurately describe in both English and Urdu or Hindi the weapon or weapons covered by the licence. (Note—See rule 41 of the Indian Arms Rules).

143. Book form for licences issued in Form XVI—(1) All licences in Form XVI will be issued in the prescribed book form, copies of which will be supplied to District Magistrates on indent by the Superintendent, Printing and Stationery, United Provinces, Allahabad.—(2) A charge of two annas to be paid in cash will be made for every licence issued in book form. The charge will be paid, at the option of the applicant for a

licence, either when he tenders the licence fee under rule 158(1) or, in the event of his electing to take delivery of the licence in person under rule 145 (1), at the time of taking delivery of the licence.—(3) Where a licensee elects to take delivery of his licence in person and to pay the charge of two annas at the time of delivery, it is a question for decision by each licensing authority whether the licence should be delivered by and the charge of two annas received by the arms clerk or by the nazir or by the form-keeper. In every case, however, the official who receives the payment should, at the earliest opportunity, deposit all sums recovered in the Government Treasury by means of a treasury chalan. He will also keep an account of the forms obtained by him from the form-keeper and of the amount deposited in the Treasury, so as to enable the officer in charge to verify that the price of all the forms has been accounted for. It is not necessary that the official entrusted with this duty should furnish security.—(4) The provisions of rule 159 apply to prepayments of charges for licences in book form as well as to prepaid licence fees.

144. Licences for sport—(1) Licences in Forms XVI and XVI-A alone authorize the shooting of game for sport, and conditions 4 and 10 attaching to licences in Form XVI and conditions 6 and 10 attaching to licences in Form XVI-A restrict the shooting of game (i) to shooting for *bona fide* sport and (ii) to such periods as are not prescribed by Government as close seasons.—(2) The attention of all licensing authorities and holders of licences in Forms XVI and XVI-A is drawn to the provisions (particularly section 3) of the Wild Birds and Animals Protection Act (Act VIII of 1912) and to the notifications issued under that Act. The Act (as amended in its application to the United Provinces by the United Provinces Amendment Act of 1934) and the notifications made thereunder which are in force are reproduced as Appendix VIII to these rules.—(3) District Magistrates are expected to make widely known the provisions of section 3 of Act VIII of 1912, and, in order that condition 10 of every licence in Form XVI or XVI-A may be completed and its implications made fully known, every licensing authority is required to take the following action on the issue of any licence for sport in either of these Forms:—(a) In addition to the entries prescribed by the headings of the columns prescribed in Forms XVI and XVI-A there will be endorsed on every licence for sport the words "Liable to be cancelled in case of a deliberate breach of the Game Rules." (b) To every licence for sport either in Form XVI or Form XVI-A there will be attached a list of the birds and animals which are protected in the district under Act VIII of 1912, showing the periods during which such animals and birds may not be killed or captured, and setting out the penalty for a breach of the notification in accordance with which they are so protected.

[Note—The shooting of game for sport with a weapon licensed in Form XIX is strictly prohibited, vide rule 140(2).]

145. Delivery of licences—(1) A person to whom a licence to possess or carry arms has been issued may, at his option, either appear in person to take delivery of the licence or may require it to be sent for delivery to him through the village chaukidar or by registered post.—(2) Licences to be delivered through village chaukidars should be sent accompanied by a list of them and a separate invoice of each licence through the office of the Superintendent of Police, to the officers in charge of the police stations within the jurisdiction of which the licensees reside. When the chaukidar of any village, in which a holder of any of the licences so received for delivery resides, next visits the police station after the receipt of such

licence, the officer in charge of the police station should cause the licence together with its invoice to be made over to him for delivery to the licensee. The date on which the licence is so made over to the chaukidar should be endorsed on the invoice. On the occasion of his next visit to the police station the chaukidar should return the invoice signed and dated by the recipient, and should report the date of actual delivery.—(3) The list and invoices should be returned to the licensing authority through the Superintendent of Police, who should scrutinize them, and bring any case to the notice of the licensing authority in which more than one month's delay may have taken place in the delivery of a licence.

PART VII-F—RENEWAL OF LICENCES.

146. Renewal of licences by Sub-Divisional Magistrates—(1) In exercise of the powers conferred by rule 43(2) of the Indian Arms Rules, the Government have directed that the power to renew licences in any of Forms XVI, XVI-A, XVIII or XIX conferred by rule 42(3) of the Indian Arms Rules upon Sub-Divisional Magistrates may only be exercised by them subject to the following conditions:—(a) power to renew licences in any of Forms XVI, XVI-A, XVIII or XIX is subject to any restrictions which the District Magistrate may from time to time impose; and—(b) no licence in either of Forms XVIII or XIX may be renewed until the weapon covered by it has been inspected by the District Magistrate, a Sub-Divisional Magistrate or a Tahsildar under rule 165 of these rules. (2) In the case of the renewal of licences in Form XVI the provisions of rule 147 will apply.

147. Renewal by an authority other than the issuing authority—(1) When an application for the renewal of a licence in Form XVI is made to an authority other than the authority by which such licence was granted or was last renewed, the licence may be renewed either on its production or after such enquiry as the authority renewing the licence may consider necessary.—(2) In every case in which a licence is renewed in the circumstances described above, the authority by which it is renewed must under rule 42(3)(c) of the Indian Arms Rules report the renewal to the authority by which the licence was issued or was last renewed.—(3) The report prescribed above will be in Form S appended to these rules.

148. Renewal of licences for pistols and revolvers—(1) Notwithstanding anything contained in rule 129 existing licences for pistols and revolvers should, subject to the provisions of sub-rule (2) of this rule and of rule 150, ordinarily be renewed.—(2) The sanction of the Commissioner must be obtained to the renewal of any licence for a pistol or revolver unless the licence was either originally granted with his concurrence under rule 129, or has at some time been renewed with his concurrence.

149. Applications for the renewal of licences—(1) An application for the renewal of a licence in Form XVI may either be presented to the licensing authority by the applicant in person or sent to him by registered post, but the licensing authority may, if necessary, and subject to the provisions of rule 150, require the personal attendance of the applicant.—(2) Every application for the renewal of a licence in either of Forms XVIII or XIX must be presented by the applicant in person, unless the licence has been attested by the tahsildar after examination of the arm or arms covered by it.—(3) While no special form of application for the renewal of a licence is prescribed, holders of licences in Forms XVI, XVIII

and XIX are advised to enter in every application for renewal, the particulars of the number and date of issue of the licence and of the description of the arms and ammunition covered by it. If this be done and the licensee applies in person and produces his arms for inspection at the time of applying for renewal, then the licensing authority should, subject to sub-rule (1), renew the licence forthwith and endorse on the application the fact and the period of such renewal. The application so endorsed will give all the particulars required for the completion of the register prescribed by rule 169.—(4) Applications for the renewal of licences, whether presented personally or sent by post, should reach the licensing authority by 15th December next preceding the date of expiry of the licences.—(5) In cases not covered by sub-rule (3) the provisions of rule 151 will apply.

150. Production of pistols and revolvers on application for renewal of licences.—(1) Applicants for the renewal of licences for revolvers and pistols should, except as provided by sub-rule (2) and (3), be required to produce those weapons for inspection when they apply for renewal.—(2) Sub-rule (1) does not apply to firearms in the possession of military personnel, as a complete check over these arms is exercised by the military authorities in accordance with India Army Orders No. 520 of 1931 and No. 47 of 1934. Gazetted civil officers likewise should not be required to produce their pistols and revolvers for inspection at the time of the renewal of their licences, unless the District Magistrate for any special reason considers this necessary.—(3) A licensee, who produces a certificate signed by a stipendiary Magistrate to the effect that he has personally inspected the revolver or pistol and that it agrees with the description thereof entered in the licence, will, provided that it was issued not more than 14 days previous to the presentation of the application for renewal of the licence be deemed to have produced the said revolver or pistol for the purpose of sub-rule (1) of this rule.

151. Renewal and delivery after renewal of licences in Form XVI.—(1) On receipt of an application for the renewal of a licence in Form XVI. no enquiry should ordinarily be necessary beyond a reference to the register in Form G, prescribed by rule 169.—(2) It is not necessary to issue fresh licence forms on every renewal of a licence. A space is provided in the licence form for renewals and should be utilized for the purpose. It is essential that every order of renewal be legibly signed and sealed.—(3) Licences should ordinarily be ready for delivery by the 15th January at the latest, and a licensee may, at his option, either appear in person to take delivery of his licence on that day or on a date to be fixed by the licensing authority, or may require it to be sent to him through the village chaukidar or by registered post.—(4) The provisions of rule 145 apply in full to the delivery of licences after renewal.

152. Non-renewal of licences.—Where, after the annual verification prescribed by rule 170, a licence has not been renewed, the licensing authority will, if the licensee's whereabouts are known, require him to renew his licence and to explain his failure to renew it within the prescribed time. Where the whereabouts of the licensee are not known, the licensing authority will cause such enquiries to be made, either by the police or other agencies, as may be necessary to trace the licensee.

153. Late renewal.—Provided that an application for the renewal of a licence for a breech-loading weapon is made not later than one month after the date of its expiry, the fee chargeable for such renewal is one half of the initial fee prescribed in Form XVI. This provision, however, in no

way affects the competence of the licensing authority to order the prosecution under section 19(f) of the Act of a licensee who, while retaining possession of the arms covered by the licence, does not apply for the renewal of his licence until after, although less than one month after, the date of its expiry. Prosecutions should nevertheless be instituted only in cases of deliberate and persistent default.

PART VII-G—FEE FOR LICENCES FOR POSSESSION, ETC.

154. Fees payable by joint licensees—(1) When a licence is issued or renewed jointly in the names of two or more persons, the full initial or renewal fees, as the case may be, payable in respect of every weapon entered in the licence, are payable by each joint licensee.—(2) Nothing in this rule applies to a retainer in respect of whom, under rule 121(8), no fee is chargeable, or to a case where a weapon is licensed for the sole use of an agent of its owner when the fee has been paid by the owner.

155. Fees for licences in Form XVI issued valid for more than one year—On the issue or renewal of a licence in Form XVI valid for three years the fee payable is the sum of the fees which would be payable if the licence were issued valid for one year only and were then renewed yearly.

156. Fees for licences for air-guns and air-pistols—Where in the circumstances described in rule 16 a licence is required in Form XV or Form XVI for an air-pistol, air-gun or air-rifle, the fee chargeable will, if the weapon is breech-loading, be Rs. 10 in the case of an air-pistol and Rs. 5 in the case of an air-gun or air-rifle. Where the weapon is other than breech loading, the fee will be eight annas.

157. Licence fee for muzzle-loading pistols—The prescribed fee of Rs. 10 for a licence for a revolver or pistol is leviable in the case of breech-loading revolvers and pistols only. Muzzle-loading pistols fall under the category of "other weapons" mentioned in clause (c) (iii) of the rules prescribing fees at the commencement of Form XVI.

158. Time of payment of fees on the issue and renewal of licences and for duplicate licences—(1) Every applicant for a licence in any of Forms XV, XVI or XX shall, at his option, tender the prescribed fee in cash or in non-judicial stamps either at the time of making his application for a licence or on receipt of orders to the effect that his application has been granted.—(2) Every application for the renewal of a licence in Form XVI should, at the option of the applicant, either be written on non-judicial stamp paper of the value of the prescribed fee or be accompanied by a cash payment of the said fee.—(3) The provisions of sub-rule (1) apply also to the issue of a duplicate licence granted in accordance with rule 47 of the Indian Arms Rules. (Note—See also rules 59 and 74).

159. Refund of fees on refusal of licences or duplicate licences—In every case in which an application for the grant or the renewal of a licence or for the grant of duplicate licence has been rejected and the prescribed fee has been pre-paid, the applicant shall be entitled, where the said fee has been tendered in cash, to a refund of the full amount so tendered, and, where the fee has been paid by means of non-judicial stamps, to a refund of the sum paid subject to a deduction of one anna for each rupee or fraction of a rupee, representing the value of the spoiled stamp. (Note—See also rules 59 and 74).

160. Liability to court fees—Except as provided in rule 109, a court fee of eight annas is payable under Schedule II of the Court Fees Act, 1870 (Act VII of 1870) on all applications relating to licences for arms.

PART VII-H—CONTROL, INSPECTION AND REGISTRATION.

161. Marking of arms for identification—(1) To facilitate the description of an arm and its identification, the system of stamping the arm with a number and a distinguishing letter or letters for each district has been generally adopted. With reference to this system the following instructions have been issued:

(a) It is unnecessary to mark weapons which already bear a distinguishing mark of some kind, e.g., the number and stamp of the vendor.—(b) In other cases both a number and a letter should be used. Unless a letter be added it would be impossible to trace arms found in a district other than that in which they were stamped.—(c) The letter used must be distinctive. It is not sufficient, for example, to use F for Fatehpur; in this case the letters F. P. should be used.—(d) No number must be repeated, and unless the number of the Form (i.e. XVI or XVIII or XIX) is also stamped on the arms, one series should be used for all arms licensed in any of Forms XVI, XVIII or XIX.—(e) It is not necessary that the serial number of the licence should correspond with that of the weapon.—(f) Arms should not be branded, a process which unnecessarily disfigures them, but should be stamped with steel punches which together with cast steel figures and letters or pairs of letters, can be obtained from the Government Metal Working School, Aligarh.—(g) The stamping should be done as follows:—(1) In the case of rifles, on the barrel and breech.—(2) In the case of guns, on the barrel.—(3) In the case of revolvers, on the barrel and cylinder.—(4) In the case of pistols, whether automatic or not, on the barrel.

(2) If the number and distinguishing letters relative to an arm are entered in the licence, it is not necessary to enter in addition a detailed description of the arm. (Note—See also rules 33 (2) and 77).

162. Action to be taken when arms or ammunition are stolen—In every case in which any arm or ammunition is stolen the question of the desirability of withdrawing any licence or exemption enjoyed by the person from whom it is stolen should be taken into consideration.

163. Sale of arms under the orders of a Civil Court.—(1) The High Court at Allahabad and the Chief Court of Oudh have prescribed the following rule to regulate the sale by public auction of guns or other arms in execution of decrees:

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

(2) On receipt of any such intimation from a Civil Court as is ordered in the foregoing rule, the District Magistrate should take action to ensure that the requirements of the Act and of the Rules made thereunder are not contravened.

164. Verification of private sales—(1) Every District Magistrate or police officer who receives a report under section 5 of a private sale of

arms or ammunition must at once verify the purchaser's name and address as given by the seller. The result of any such verification by a police officer will be reported to the District Magistrate through the Superintendent of Police.—(2) If the purchaser lives beyond the jurisdiction of the police officer to whom a notice of a sale of arms is given, the officer will send a report to the Superintendent of Police who will order the verification to be made by a police officer having jurisdiction over the purchaser's place of residence. If the purchaser lives in a district other than that in which the notice of a sale of arms is given, the District Magistrate, on receipt of a report from Superintendent of Police in any case in which the notice is not given to the Magistrate himself, will send a report to the District Magistrate of the district in which the purchaser lives, and the latter will then verify, through the police if necessary, the facts of the sale and report the result of such verification to the District Magistrate of the district in which the notice was given.

165. Inspection of arms covered by licences—(1) The authorities empowered to grant or renew licences are required to take regular action under rule 45 of the Indian Arms Rules and under the relevant conditions attached to licences in Forms XIV, XV, XVI, XVI-A, XVIII and XIX to verify the arms in the possession of licensees.—(2) The inspection of arms licensed in Form XVI should be made by the District Magistrate or the Sub-Divisional Magistrate when on tour. When inspecting such arms, however, Magistrates should take care to cause as little inconvenience as possible to persons of recognized status and should exercise their discretion as to whether the arms should be produced by the licensee in person or by his agent.—(3) Arms covered by licences in Forms XVIII and XIX will be inspected at least once in every year and ordinarily by a Magistrate when on tour or by the Tahsildar. The fact that the inspection has been made will be endorsed on the licence and a report that it has been made will be sent to the District Magistrate for entry in one of columns 14 to 18 of the register in Form J.—(4) At every inspection of arms under this rule the arm or arms produced must be compared with the description of the arm or arms entered in the licence.

166. Failure to produce arms described in licences—(1) Should a licensee be unable to produce any arm held under a licence when required to do so, he should be called upon to give an account of the circumstances in which he has disposed of it. If the failure is due to an exchange of the arm originally licensed for another arm he should further be required to give a full account of the exchange.—(2) Every case of failure to produce an arm in the circumstances described above will be inquired into by the District Magistrate in person. Should the account given by the licensee be not satisfactory, the District Magistrate should, whether or not the circumstances are such that he considers it desirable to prosecute the licensee, refuse to renew the licence either in respect of some or of all the arms covered by it.

167. Register of applications—In order to facilitate the tracing of applications for the grant or renewal of licences or for alterations in licences, licensing authorities should maintain a register of applications in which should be entered by *thanas*, the date of every application, the name and residence of the applicant, the substance of the application, and the substance and date of the order passed.

168. Register of arms held under licences in Form XIII—In exercise of the power conferred by condition 3 attached to Form XIII, the Govern-

ment have prescribed Form N appended to these rules as the form in which every holder of a licence in Form XIII shall maintain a register of all arms and ammunition held under his licence in Form XIII. (Note—See rule 99).

169. Registers of licences—(1) Every licensing authority will maintain in the manner prescribed by sub-rule (2) below the following registers:—(i) A register in Form H of all licences granted in Form XIV under rule 31 of the Indian Arms Rules.—(ii) A register in Form G of all licences granted in Forms XVI and XVI-A under rule 33 of the Indian Arms Rules. [See also rule 117(1)].—(iii) A register in Form J of all licences granted in Forms XVIII and XIX under rules 35 and 36 of the Indian Arms Rules.

In each register a full description of every licensed weapon, showing the details of its make and bore, must be entered in the appropriate column.—(2) The register in Form G will be prepared in two parts which will be referred to as Part I and Part II. In Part I which will comprise the whole district will be entered the particulars of all licences granted to officials who have received them on the strength of their official position. For this purpose officials include soldiers of all ranks who receive licences in their capacity as members of military units. The particulars of all other licences will be entered in Part II in which they will be arranged in groups, each group consisting of all licences issued to persons residing in one police station circle.—(3) To prevent the possibility of two licences being given the same serial number, separate sets of serial numbers should be reserved for each part of the register in Form G. For example, Part I might be allotted serial Nos. 1 to 2000, while in Part II Nos. 2001 to 2250 could be allotted to one police circle, Nos. 2251 to 2500 to the next, and so on.—(4) In the case of muzzle-loading rifles, only one column is provided in Form G. The fact whether the weapon is single-barrelled or double-barrelled can be noted in the body of the register.—(5) While Form J will not be maintained in two parts, all licences entered in it will be arranged in groups, each group containing the licences granted to residents of one police station circle.

170. Annual check of registers—The District Magistrate will once in each year check or cause to be checked the registers of licensed fire-arms prescribed by rule 169 and will extract therefrom for the purpose of rule 198 a record of the number and description of fire-arms of each category in the possession of the public.

171. Supply of copies of registers to the police—(1) In accordance with long-standing orders reproduced in rule 66 of the United Provinces Arms Rules and Orders, 1924, District Magistrates have hitherto furnished Superintendents of Police with complete copies of their registers in Forms G, H and J, ordinarily before 1st February in every year. In modification of this practice which involves an unnecessary expense of time and labour it has been decided that on or before 1st February in each year, the District Magistrate should furnish the Superintendent of Police with a list of all changes which have been made in each of these three registers during the preceding year. The Superintendent of Police will correct the copies of the registers already supplied to him and will then supply to each officer in charge of a police station an extract of such changes as appertain to residents within the limits of such police station. Officers in charge of police stations will then correct the extracts of the registers which have been supplied to them.—(2) If at any time it becomes necessary to re-write any of the registers in Forms G, H and J, the District Magistrate will furnish the Superintendent of Police with a copy of the register as so re-

written and the Superintendent of Police will supply the relevant extracts from it to each officer in charge of a police station.—(3) In some districts monthly extracts of changes in the registers in Forms G, H and J are supplied by the District Magistrate to the Superintendent of Police. This practice which assists in keeping records in the possession of the police up-to-date may be adopted at the discretion of the Magistrate.

172. Transfer of licences on change of residence—(1) The attention of all licensing authorities is drawn to rule to clause (c) of the proviso 42 (3) of the Indian Arms Rules.—(2) When a licence is renewed on a permanent change of residence of the licensee, it should be brought on to the register of the renewing authority and an endorsement to that effect made in the licence. Such an endorsement is necessitated by the fact that a licence must indicate clearly the authority who is for the time being responsible for watching its future renewals, i.e. the authority with whom it is registered. When a licence is renewed by a third authority following a second permanent change of residence, the third authority should communicate with the second authority who renewed the licence after the first change of residence and took over the licence on to his register, and not with the original issuing authority. On receiving intimation that a licence entered in his register has in consequence of a change in the permanent residence of its holder been brought on to the register of another authority, the previous renewing authority should enter in the last column of the appropriate register prescribed by rule 169, the name of the district to which the licence has been transferred.—(3) When a change of the permanent residence of a licensee is reported otherwise than at the time when application for the renewal of the licence is made, the licensing authority to whom such report is made will correct his register and will be responsible for watching the future renewal of the licence until he is informed under clause (c) of the proviso to rule 42(3) of the Indian Arms Rules that it has been renewed by another authority, when the provisions of sub-rule (2) above will apply.

173. Duty of police officers to report contravention of the rules.—(1) Officers in charge of police stations should bring to the notice of the Superintendent of Police all cases in which licences to carry arms are granted to men of bad character. Superintendents of Police should, after careful personal inquiry in each case and after satisfying themselves that the information on which the licence-holder is classed as a bad character is correct, bring any such case to the notice of the District Magistrate and apply for the withdrawal of the licence.—(2) Superintendents of Police are required to report any irregularity or breach of the rules or of the conditions of his licence committed by the holder of a licence to possess arms or carry arms. When any such report is received, the District Magistrate will cause to be entered in the "Remarks" column of the relevant register an abstract of the report and of any order which may have been passed thereon.

PART VIII.—APPEAL, CONFISCATION AND DEPOSIT, SEARCHES, PENALTIES AND REWARD.

(See Sections 16 to 30 of the Act and rule 43 of the Indian Arms Rules.)

174. Introduction.—(1) Rule 43(1) of the Indian Arms Rules made under section 17 of the Act provides for an appeal from any order of refusal to grant or renew a licence.—(2) Section 16 of the Act gives the local

Government power to make rules to govern the deposit of arms, ammunition or stores of which the possession by any person has become unlawful, and for the treatment of articles so deposited—(3) Section 6 of the Act gives the local Government power to appoint officers who may detain any arms and ammunition imported without a licence for their import.

—(4) Section 13 authorizes the local Government to empower officers, other than Magistrates and police officers who are empowered by the Act, to disarm persons going armed without a licence, while sections 25 and 30 empower the local Government to appoint officers by whom or in the presence of whom searches may be conducted. It should be noted that search and seizure under section 25 may be made where arms, whether lawfully possessed or not, are believed to be possessed for an unlawful purpose or are possessed in circumstances which may endanger the public peace, while section 30 applies to searches for the unlawful possession of firearms (section 14) or of other arms for the possession of which a licence may be necessary. (See rules 13 and 16)—(5) The penalties for offences against the Act and for breaches of rules and conditions of licences are set out in sections 19 to 24 of the Act.—(6) From the foregoing it will be seen that the rules in this Part are partly statutory rules made under the express power given by the Act to the local Government and partly executive instructions, (e.g., those relating to rewards) issued by Government in exercise of the general powers of Government to direct the actions of their officers.

175. Appeals against orders of licensing authorities.—(1) In any case in which a District Magistrate or a Sub-Divisional Magistrate either cancels or suspends a licence under section 18(a) or refuses to grant or renew a licence under rule 43(1) of the Indian Arms Rules, he shall state in writing the reasons for his order of suspension, cancellation or refusal as the case may be.—(2) Any person who is aggrieved by any such order as is mentioned in sub-rule (1) above may, within 30 days of the date of the passing of the order by which he is aggrieved, prefer an appeal against the said order.—(3) If the licensing authority is subordinate to the District Magistrate, the appeal lies to the District Magistrate, in other cases the appeal lies to the Commissioner.

176. Detention of arms and ammunition imported without an import licence.—The Government of the United Provinces have empowered all Magistrates, all Justices of the Peace, and all police officers of or above the rank of an officer in charge of a police station to detain, under the second clause of section 6, arms and ammunition in the United Provinces.

177. Powers of Forest Officers and Patwaris to disarm under section 13.—(1) In exercise of the power conferred by section 13 of the Act the Government of the United Provinces have invested all Conservators, Deputy Conservators, Assistant Conservators and Extra Assistant Conservators (including probationers) of Forests with power to disarm any person going armed without a licence or in contravention of the conditions of a licence within the local limits of their jurisdiction.—(2) In exercise of the powers conferred by section 13 of the Act, the Government of the United Provinces have invested all patwaris in the Jaunsar-Bawar tract with power to disarm any person going armed within the said tract without a licence or in contravention of the conditions of a licence.

178. Officers empowered to search under sections 25 and 30 of the Act.—(1) In exercise of the powers conferred by section 25 of the Act, the Government of the United Provinces have invested, in virtue of their office,

all Justices of the Peace and all police officers of or above the rank of Inspector with power to conduct searches under that section.—(2) In exercise of the power conferred by section 30 of the Act, the Government of the United Provinces have appointed, in virtue of their office, all Magistrates, all Justices of the Peace and all police officers of or above the rank of an officer in charge of a police station as officers in whose presence searches under that section shall be made.

(Note—All Magistrates are empowered by section 25 of the Act to cause searches to be made, to conduct searches and to make seizures under that section.)

179. Procedure governing searches under section 25.—In ordinary cases relating to searches for unlicensed weapons possessed in contravention of the provisions of section 14 or 15, section 25 of the Act will not apply. Section 25 would cover the case of a person who, even if he were lawfully entitled to possess arms, is believed to be about to use them for an unlawful purpose, or who cannot be left in possession of them without danger to the public peace. It appears to "refer to cases in which the Magistrate considers that arms, whether under a licence or not, are possessed for an illegal purpose or under circumstances such as to endanger the public peace" (vide the ruling in the case of *Queen-Empress vs. Tegha Singh*, Indian Law Reports, Calcutta Series, Volume VIII, page 473—(abstract on page 110, ante). If a Magistrate finds it necessary to take action under section 25, the grounds of his belief that the person whose house is to be searched possessed arms, ammunition or stores for an unlawful purpose or cannot be left in possession of them without danger should be carefully recorded as prescribed by the provisions of that section.

180. Procedure governing searches under section 30.—Offences under sections 19 (e) and (f) are punishable with imprisonment for a term which may extend to three years, or with fine, or with both, and are, therefore, cognizable by the police. An officer in charge of a police station, having reason, from information received or otherwise, to suspect that any such offence has been committed, is accordingly empowered to investigate the case, and, in certain circumstances, to search for the article the unlawful possession of which he has reason to suspect. Similarly, a Magistrate taking cognizance of such an offence might issue a search warrant. In both cases, if the offence which is being inquired into is an offence under section 19(f), the provisions of section 30, and the orders issued under it, would govern the procedure of the person conducting the search. The search must be made in the presence of one of the persons specially appointed by virtue of his office for the purpose (vide rule 178).

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

182. Prosecutions.—(1) The offences detailed in sections 19 and 20 are cognizable.—(2) Under section 28 all persons are bound to give information of offences under the Act which come to their knowledge.—(3) In the case of prosecutions for offences under section 19(f) the following instructions should be observed. Section 29 requires the previous sanction of the District Magistrate to any prosecution for unlawful possession of arms under sections 14 and 15 in districts to which section 32(2) of Act XXXI of 1860 did not apply on the date when the Act came into force. Although a notification of 1879 applying that section to Kumaun and Garhwal indicates that

the section was generally in force on 1st October, 1878, in most districts of the United Provinces, the notifications themselves cannot now be traced and in any case it appears that they did not apply anywhere to certain persons and classes of persons. In these circumstances, and in view of the practical difficulties to which the production of proof that the Act of 1860 applied to a particular district would give rise, if demanded by a court, the sanction of the District Magistrate should invariably be obtained to any prosecution for an offence under section 19(f) of the Act.—(4) In pursuance of section 5, clause (b) of the Whipping Act, 1909 (IV of 1909), the Governor-General in Council has specified offences under sections 19, 20, 22 and 23 of the Arms Act as offences for the abetment or commission of or attempt to commit which juvenile offenders may be punished with whipping in accordance with the provisions of the said section.

183. Deposit of arms, etc., under section 16.—The following rules have been made in exercise of the power conferred by sub-section (4) of section 16 of the Act for carrying out the provisions of that section in respect of arms, ammunition or stores deposited in consequence of their possession having become unlawful.—(1) *Receipt for deposit*.—Every licensed dealer with whom, and every officer in charge of a police station at which, any arms, ammunition or stores have been deposited shall affix to each weapon or article a ticket in the form appended to sub-rule (11) of this rule and shall give to the depositor a receipt in the same form signed by himself, informing the depositor at the same time that, except as prescribed by sub-rule (40), the Government will be responsible for the safe custody only of the articles and not for their preservation from rust and decay.—(2) *Register of arms deposited*.—Licensed dealers and officers in charge of police stations with whom any arms, ammunition or stores are deposited shall maintain a register in the form appended to sub-rule (11)—(3) *Quarterly report*.—A copy of the register, certified as a true copy under the signature of the licensed dealer or of the officer in charge of the police station, as the case may be, shall be forwarded on the last day of March, June, September and December in each year to the District Magistrate.—(4) *Conditions of return of arms by licensed dealers*.—Licensed dealers shall not return arms, ammunition or stores deposited with them to depositors except in the manner and to the extent permitted them for the sale of such arms, ammunition or stores to such depositors.—(5) *Transfer from police stations to malkhana*.—(a) Except in the Almora District, arms, ammunition or stores deposited at police stations shall, if not returned or disposed of within one month from the date of their deposit, be forwarded to the headquarters of the district. They shall then, except in the case of pistols and revolvers which after being registered in accordance with the following rule, shall in all cases be transferred to the police armoury, be kept in the *malkhana* of the District Magistrate or the Superintendent of Police, at the discretion of the Magistrate. If deposited in the Magistrate's *malkhana*, the Nazir shall be responsible for their custody, and if deposited in the Superintendent's *malkhana*, the Prosecuting Inspector shall be so responsible.—(b) In the Almora District, arms other than pistols and revolvers, deposited under the Act may be retained in the tahsil *malkhana* instead of being sent to the headquarter's *malkhana*, and the statement prescribed by rule (9) below should be submitted by the naib-nazir of each tahsil to the Deputy Commissioner of Almora through the tahsildar or peshkar. Pistols and revolvers will be sent to the police armoury as directed in rule (5)(a) above.—(6) *Register of arms in malkhanas*.—The Prosecuting Inspector (or the nazir, as the case may be) shall maintain a register in Form U appended to

these rules in which the arms and other articles sent to him for deposit shall be described and entered under serial numbers. Fresh tickets in the form prescribed by sub-rule (1) shall be affixed to them showing the owner's name, and other particulars corresponding with the entries in the register in Form U. Pistols and revolvers will then be transferred to the police armoury as directed by sub-rule (5).—(7) *Six-monthly inspection of arms in malkhanas.*—The District Magistrate shall cause all arms in his *malkhana* to be carefully checked by a Magistrate of the first class in April and in October in each year. At this six-monthly check all forfeited arms of little value will be removed for disposal under rule 188.—(8) *Period of retention in deposit.*—The following periods have been prescribed under section 16(4)(b)(ii) as the periods after the expiry of which arms, ammunition and stores, which are not disposed of under section 16(2), shall be forfeited under sub-section (3) of section 16.—(a) Any firearm deposited on or after 1st January, 1932, otherwise than in consequence of a contravention by its owner of the provisions of the Act or of any rule made thereunder shall, subject to part (c) of this sub-rule, be retained for a period of three years from the date of its deposit, except that, if any such firearm be of an inferior type, it may, with the owner's consent, be forfeited on the expiry of one year from the date of its deposit.—(b) Subject to the conditions of part (c) of this sub-rule, every arm other than one which is covered by part (a) of this sub-rule, and all ammunition and stores shall be retained in deposit for one year from the date of deposit.—(c) Subject to the conditions of part (a) of this sub-rule, all arms, ammunition or stores deposited by a guardian on behalf of a minor may be left in deposit until the expiry of one year from the date of such minor's attaining majority when, if the person entitled to receive them back or dispose of them as prescribed by section 16(2) of the Act has not taken the requisite action, they shall be forfeited to His Majesty.—(9) *Annual statement of forfeited arms, etc.*—Licensed dealers and officers in charge of *malkhanas* in which arms, ammunition and stores are lodged under sub-rule (5) shall submit on the 31st day of December of each year to the District Magistrate, a statement showing the arms, ammunition and stores which have become liable to forfeiture under sub-rule (8).—(10) *Cleaning of deposited arms.*—The District Magistrate shall have all valuable weapons deposited in his *malkhana* or in that of the Superintendent of Police cleaned at the expense of Government, and may prescribe fees on payment of which other arms and ammunition and stores shall be periodically oiled and cleaned at the police station or *malkhana* where they are deposited or lodged.—(11) *Debit and credit of charges and receipts.*—(a) All charges incurred under the provisions of sub-rule (10) will be debited to the District Magistrate's grant under "Contingencies."—(b) All fees received under sub-rule (10) will be credited to the head "XIX—Police—Cash receipts under the Arms Act."

FORM

Date of deposit	Description (No., etc.) of arms, ammunition or military stores.	Name & address of depositor	Date when due for forfeiture.	Date and method of disposal.	Remarks and signature of dealer or officer in charge of police station.
1	2	3	4	5	6

184. Precautions when gunpowder is deposited or forfeited.—When ever gunpowder or any other explosive material is deposited or forfeited under section 16 of the Act or is confiscated under section 24, the District Magistrate shall make suitable arrangements for its safe custody in such a way as to guard against danger to life and property. As a general rule such materials should be deposited in the police magazine.

185. Confiscation of arms, etc., under section 24.—The discretionary power of confiscating arms, ammunition, stores and certain other articles conferred by section 24 should be used with discrimination. A mere breach of a condition of a licence would not ordinarily be an adequate reason for confiscation; and junior magistrates should usually refer the question of the necessity for confiscation to the District Magistrate for decision.

186. Custody of confiscated arms, etc.—When any arms, ammunition, stores or other articles are confiscated under section 24 of the Act, the court by whom the order of confiscation is passed will cause the arms or other article to be sent to the District Magistrate, and the provisions of sub-rules (5), (6), (7) and (9) of rule 183 will then apply, in so far as may be possible and subject to the provisions of rule 188, to the custody of such confiscated arms or other article.

187. Cleaning of confiscated and forfeited firearms.—Firearms in district *malkhanas* which have been forfeited under section 16(3) or confiscated under section 24 should be periodically cleaned and oiled, and the charge debited to the District Magistrates' grant under 'Contingencies.'

188. Disposal of forfeited and confiscated arms.—Arms, ammunition and stores which have become forfeited to His Majesty under section 16 or have been confiscated under section 24 shall be disposed of by the Magistrate in accordance with the following directions:—

(1) Arms, ammunition and stores which can be utilized by the police or any other Government Department may be retained and brought into use with the sanction of the 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, muskets and ammunition of prohibited bores, shall be sent to the nearest arsenal for disposal.—(b) Arms, ammunition and stores other than those described in part (a) of this sub-rule may, subject to the provisions of sub-rule (5) below, be sold to licensed dealers or other persons entitled to possess them.—(c) Arms, ammunition and stores not disposed of under the provisions of parts (a) and (b) of this sub-rule shall be disposed of in the following manner:—(i) all rifled firearms or rifle barrels will be sent to the nearest arsenal to be destroyed;—(ii) other arms will be broken up locally or sent to nearest arsenal for disposal at the discretion of the Magistrate;—(iii) ammunition and stores will either be destroyed by the Magistrate or sent to the nearest arsenal for disposal.

(3) Arms, ammunition or stores which are sent to arsenals for disposal should be forwarded with voucher form I. A. F. Z-2096 of which copies may be obtained on application to the nearest Indian Army Ordnance Corps establishment.—(4) An acknowledgment should be obtained from the officer in charge of the arsenal of the receipt of arms, ammunition and stores sent to him under sub-rule (2) above, and in due course, a certificate that the said arms, ammunition and stores have been either destroyed or taken into Ordnance stock.—(5) The disposal of arms, ammunition and stores under sub-rule (2) (b) above is subject to the following condition;

(a) No weapon shall be sold except under the order of the District Magistrate himself and, before sanctioning the sale of any weapon to any

Government servant or other person, the District Magistrate must satisfy himself that, having regard to the condition of the weapon and market prices, the price offered is reasonable.—(b) District Magistrates may sell serviceable confiscated weapons in *nazarat malkhanas* on commission through reliable firms of gunsmiths or commission agents, provided that the firm or agent possesses a licence to sell arms and that the sale of such weapons to them will not bring their stocks above the quantities permitted by their licences.

189. Conditions governing the sanctioning of rewards.—(1) The attention of District Magistrates is drawn to the necessity for ensuring that adequate rewards are paid to persons who render valuable assistance in the administration of the Act.—(2) Rewards may be sanctioned to police officers and to other persons in the following circumstances:—(a) Any Magistrate convicting a person of an offence under the Act may sanction a reward not exceeding the amount of fine imposed, in such proportion as he may think fit, to any person or persons who have contributed to the arrest of the offender or the seizure of the arms or other articles.—(b) Where any arms or other articles are confiscated under section 24 the convicting Magistrate shall, immediately on conviction, sanction a reward of not less than half the estimated value of the confiscated articles to the person or persons, who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offender and the seizure of the arms or other articles.—(c) (i) In any case in which no fine is imposed or where a larger reward than is permissible under either clause (a) or clause (b)* of this rule is required, and—(ii) In all cases in which persons are apprehended or arms or other contraband articles seized and either no prosecution is launched or the trying Magistrate has not sanctioned a reward, the District Magistrate may at his discretion sanction a reward to the persons who have contributed to the arrest of the offenders or to the seizure of the arms or other contraband articles, up to a limit of Rs. 100 in any one case and, subject to the sanction of the Commissioner of the Division, up to Rs. 250 in any one case.—(d) (i) If any such case as is mentioned in clause (c)(i) of this sub-rule occurs before a subordinate Magistrate, he should at once forward the papers connected with the case, together with his recommendation as to the amount of the reward and the persons to whom it should be paid to the District Magistrate, who will without delay pass such orders thereon as seem to be required.—(ii) If any such case as is mentioned in clause (c) (ii) of this sub-rule the Superintendent of Police is of opinion that rewards should be granted to the persons who have contributed to the apprehension of the offender or the seizure of the arms or other articles, he should at once make his recommendation to the District Magistrate, who will without delay pass such orders thereon as seem to be required.

190. Procedure for payment of rewards.—The following procedure for the payment of all rewards under rule 189 whether to the police or to other persons, will be observed. The sanctioning court will prepare a bill for the amount required, present it to the treasury, and receive payment by transfer credit to "Police receipts," that is, by debit to the head "24—Administration of Justice—Criminal Courts—Rewards under the Arms Act," and corresponding credit to the head "XIX—Police—Miscellaneous—Other Miscellaneous receipts." The Superintendent of Police will subsequently obtain a refund voucher from the court which will be accepted and honoured by the treasury after verification of the credit. The amount so drawn from the treasury for disbursement to the persons rewarded will be charged to

"XIX—Police—Refunds." The Superintendent of Police will disburse such rewards within one month of the date of receipt, and see that, in the case of rewards to the police, the reward is entered in the character roll of the recipient.

Note—For the purpose of this rule, the expression 'Superintendent of Police' shall, in respect of rewards payable to the revenue police in the Kumaun Division include the Deputy Commissioners of Naini Tal, Garhwal and Almora.

191. Debit of, and accounting for, rewards—(1) Rewards will in all cases be debited to the budget head "24—Administration of Justice—Criminal Courts—Rewards under the Arms Act." The grant under this detailed head will be controlled by the Secretary to Government in the Police Department, through the Accounting Officer in the Secretariat (Assistant Secretary, Finance Department).—(2) Every order sanctioning the payment of a reward or rewards under rule 189 shall, as soon as it is passed, be communicated by the sanctioning authority to the Accountant-General, United Provinces, and the rule and the clause or clauses under which a reward is sanctioned should be specified. In case a reward is sanctioned under rule 189(2)(a) or (b) the amount of the fine imposed or the estimated value of the confiscated articles should be stated in the order by the sanctioning authority.—(3) The District Magistrate will send by the third day of each month to the Accounting Officer in the Secretariat, a statement of expenditure showing the number of cases in which rewards have been paid during the preceding month and the total amount so paid. If there be no such case in any month, a "nil" statement must invariably be sent. On receipt of the monthly statements from all District Magistrates, the Accounting Officer will consolidate them and, after comparing and verifying the figures contained in them with the figures booked in the office of the Accountant-General, will forward a copy of the statement of each month's expenditure to the Secretary to Government in the Police Department.

PART IX.—RECORDS, REPORTS AND RETURNS

192. Retention of Records—(1) Subject to the provisions of sub-rule (2) of this rule, the following rules will govern the treatment of records relating to arms licences:—(i) All applications for the grant of licences will be arranged in bundles in chronological order and will be retained for a period of five years commencing, where the application has been refused, from the date of such refusal, and, where it has been granted, from the date of the expiry of the licence, irrespective of the period for which the licence has been granted.—(ii) Applications for the renewal of licences will be retained, where renewal is effected for one year from the date of the next renewal, and where renewal is refused, for five years from the date of such refusal.—(iii) Papers relating to the deposit of arms in police stations under the provisions of section 16 will be retained for five years from the date of the order of deposit, except in a case in which the deposit has been made by a guardian on behalf of a minor, when the papers will be retained for a period of five years from the date of the minor's attaining majority.—(iv) Papers relating to the cancellation or suspension of licences under section 18 will be kept for five years, unless there be any special reason for their retention for a longer period.

(2) It should be understood that the rules in sub-rule (1) do not affect any papers which may form part of a record in a criminal or a police case,

and which are, as such, governed by the rules of the High Court, or of the Chief Court of Oudh, or of the Police Department, as the case may be.

193. Annual Report by District Magistrates—(1) The District Magistrate will prepare at the close of each calendar year, and submit to the Commissioner, a report on the working of the Act during the year. In addition* to any matters of general interest, the report will contain particular information upon the following points and should discuss these points in the order in which they appear in this rule :—(a) The number of each of the kinds of firearms prescribed in headings of column 7 of Form K which are held by exempted persons together with explanations for variations.—(b) Increases or decreases in the number of licences in each form in force at the end of the year, together with explanations for variations.—(c) The result of the various inspections prescribed by these rules.—(d) A statement in Form L of prosecutions instituted and of convictions and punishments obtained and inflicted under the Act, together with a brief notice of the adequacy or otherwise of the sentences inflicted.—(e) A separate statement showing how many of the prosecutions and convictions tabulated in Form L were in respect of—(a) firearms,—(b) ammunition,—(c) other arms, parts of arms and stores.—

(f) The numbers and classes of fire-arms lost or stolen during the year and the numbers and classes of weapons so lost which were recovered.

(g) A statement of the action taken against licensees or exemptees in respect of every weapon so lost.

(h) The number of crimes of violence in which fire-arms were used, as opposed to those in which, though carried, they were not used.* Separate figures should be given in respect of—(a) crimes directed against the person only, and (b) crimes directed against property or both property and the person.—Brief details of important cases should be reported.

(i) The extent to which fire-arms have been used by exemptees and licensees against dacoits—(a) in self-defence, and (b) in the defence of their neighbours.

(j) The action taken where persons possessing firearms have failed to use them against dacoits.—(k) The extent to which firearms have been used in exercise of the right of private defence otherwise than in cases covered by item (i) above.—(l) The number of new cases in which barrels of guns covered by licences in Form XIX have been shortened.—(m) A brief survey* of the position which the statistics reported under the several heads above reveal.—(n) The number of applications recommended by Commanding Officer for the issue of licences to serving soldiers and the number of licences issued on such applications.—(o) Any matters of general interest not covered by the foregoing.

(2) Every statement appended to the report should be submitted to the Commissioner in duplicate, and the report should be accompanied by the returns prescribed by rules 197 and 198.

194. Commissioner's review and report—(1) The Commissioner will review the annual reports submitted by the District Magistrates of his division and will pass suitable orders on such matters falling within his province as require them. He will then prepare a divisional report, touching upon the points enumerated in rule 193(1) and in that order, and submit it with one copy of each of the statements prescribed by rules 193(1) and 197 to the Government by 1st March. As indicated in the statement attached to G. O. No. 1579-2/VIII-15, dated the 7th November, 1933, such comments as may be necessary upon the position with regard to

licences in Forms XVI and XIX should be made in the light of the physical characteristics and the density of population of the district concerned.—

(2) The Commissioner will further scrutinize the return prescribed by rule 198 and will forward one copy of each district return to Government when sending his divisional report, together with his opinion regarding—(a) the number of arms believed to be held illicitly in each district, and—(b) the extent to which this number is a source of menace to the peace and security of the district. [Note—See also rule III(5)].

195. Monthly return of punishments.—With a view to enable the District Magistrate to scrutinize the working of the Act in his district, the following form showing the penalties imposed for breaches of the provisions of the Act should be prepared by District Magistrates at the close of every month and submitted to him. The Commissioner may call for this monthly statement from any district ;

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

Name of court	Name of persons punished	Section and clause of the Act under which punished	Punishment awarded including confiscations	Remarks by Magistrate including a brief report of the circumstances in which any arm was confiscated
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196. Six-monthly return of licences for pistols and revolvers.—Commissioners of divisions are required to submit to the Government on 15th April and 15th October in each year a return showing separately the numbers of—(i) licences newly granted during the preceding six months, and (ii) licences which have been renewed during the same period, for—

(a) automatic pistols,—(b) ordinary pistols, and—(c) revolvers.

The return should also specify the number of each class of these weapons covered by such licences.

(Note—Licences which are transferred to a district under rule 172 and are not in point of fact newly granted licences, should not, for the purpose of this return, be included as new licences).

197. Annual return of licences.—In addition to the statement in Form L, prescribed by item (d) of rule 193, the District Magistrate will append to his annual report submitted under that rule a statement in duplicate in Form K in two parts—Part I in respect of Government servants, both civil and military, and Part II in respect of other licensees.

198. Annual return of firearms and ammunition.—(1) When submitting the report prescribed by rule 193, the District Magistrate will also submit, in duplicate, an annual return, in the form prescribed in Form Q, of the number of licensed and exempted firearms in the possession of, and the amount of ammunition purchased by, residents of his district during the previous calendar year, together with a brief report on the quantity of arms and ammunition believed to be held illicitly in his district.

(2) In the compilation of this return particular attention should be paid to the following instructions:—(i) the figures of licensed and exempted firearms in the possession of the public should be combined ;—(ii) in the

case of muzzle-loading rifles and pistols, if the bore cannot be given, only the number of weapons need be shown ;—(iii) ammunition for muzzle-loading guns should not be shown ;—(iv) in compiling the statement of ammunition purchased by residents of the district, care should be taken to include purchases of ammunition made by residents of the district, from vendors outside the district, and to exclude ammunition purchased in the district by residents of other districts. [See rule 81 (5)].—(v) Weapons covered by life licences will be included in the returns of the districts in which such licences are registered unless intimation of a change of address has been sent to another district, in which case the weapons will be shown only in the return of the district to which such intimation has been sent.

199. Credit of fines, licence fees and other receipts.—(1) Where licence fees are paid in cash, such receipts should be credited to the head "XIX—Police—Cash receipts under the Arms Act."—(2) All sums recovered as fines and penalties imposed under the Act, and all proceeds from the sale of confiscated weapons will be credited to the head "XVII—Administration of Justice—General fees, fines and forfeitures."

200. Supply of forms.—Copies of all forms except Form U which will be prepared in manuscript, prescribed by these rules may be obtained by District Magistrates on requisition from the Superintendent, Printing and Stationery, United Provinces, Allahabad.

APPENDIX I.—ARMS COMPRISING THE EQUIPMENT OF GOVERNMENT SERVANTS FOR THE PURPOSES OF SECTION I (b) OF THE INDIAN ARMS ACT, 1878.

As shown below the equipment of commissioned officers varies according as they hold commissions from His Majesty the King or from His Excellency the Viceroy.

The classes of officers who hold commissions from His Majesty the King are as follows:—

(1) Officers of His Majesty's Regular Military Forces (including Indian Commissioned Officers), the Army in India Reserve of Officers and the Auxiliary Force, India, holding the rank of 2nd Lieutenant or any higher rank.—(2) Commissioned officers of the Royal Navy, Royal Air Force, and Royal Indian Marine.—(3) Senior grade officers of the Indian Territorial Force, i.e. officers holding commissions carrying British designations of rank, i.e. 2nd Lieutenant, Lieutenant, Captain, etc.—(4) Dual commissioned officers of the Indian Army and Indian Territorial Force, i.e. those holding commissions carrying Indian designations of rank and honorary King's commissions carrying British designations of rank, namely, Jemadar and Honorary 2nd Lieutenant, Subedar and Honorary Lieutenant, etc.

The classes of officers who hold commissions from His Excellency the Viceroy are as follows:

(1) Indian officers holding rank as Jemadar, Subedar, Subedar-Major, Ressaidar, Risaldar, Risaldar-Major of—(i) British Infantry Battalions.—(ii) Indian cavalry, artillery, sappers and miners, pioneers, infantry and signal units.—(iii) The Indian Army Service Corps, Indian Army Ordnance Corps, Indian Army Veterinary Corps, Indian Medical Department, Indian Hospital Corps and Army Remount Department.—(2) Indian Officers granted honorary commissions in the rank of Jemadar or higher rank on retirement.—(3) Junior grade officers of the Indian Territorial Force, i.e. those holding commissions carrying Indian designations of rank, viz. Jemadar, Subedar, Subedar-Major.

The above classification should be strictly observed for the purposes of the Arms Act.

Entry No	Name of service	Rank	Arms to which the Act does not apply.
1	(i) Royal Navy (ii) Royal Indian Marine	Officers	One sword One rifle of 303 SMLE (mark III or III*) One pistol of no special pattern (Government of India, Home Department letter No F 21/XXX—23 Police, dated the 20th October, 1924)
2	(i) Army (ii) Royal Air Force	(a) Officers holding commissions from His Majesty the King (b) Officers* holding commissions from His Excellency the Viceroy (c) Officers holding commissions from both His Majesty the King and His Excellency the Viceroy	(i) One sword (ii) Two revolvers or two pistols, or one revolver and one pistol of no special pattern provided that one of them must take Government ammunition of 455 bore (iii) for Highland Regiments only one dirk and one Skeen Dhu (i) One sword (ii) One revolver (Webley 455 bore) (iii) for Gurkha and Garhwali Regiments only—One kukri The equipment prescribed for an officer holding a commission from His Majesty the King with the exception that when so required by the Dress Regulations for the Army two swords, one Full Dress Pattern and the other Field Service Pattern may be provided as part of their equipment (Govt of India, H Dept letter No F 21 XXX—23 dated the 15th March, 1924 and No F 21/XXX—23, dated the 15th Oct., 1925—and No F 21/XLVI—25, dated the 23rd October, 1925)
3	Army in India Reserve Officers of	Officers and officers designate	Officers of this class have no status as Army Officers except when mobilized or under training and do not therefore retain any arms as part of their equipment in their possession except when mobilized or under training Paragraph 2 of Appendix B to the Regulations for the Army in India provides for the issue of revolvers on loan to officers when they are called to Army Service* (Army Headquarters, India, letter No 34445/I/M O 1, dated the 2nd November, 1932)
4	Auxiliary Force (India)	Officers	One sword—One service revolver, of which the safe custody is governed by paragraph 172 of the Regulations for the Auxiliary Force, India* (Army Headquarters, India, letter No 34445/I/M O 1, dated the 2nd November, 1932).

Entry No.	Name of service.	Rank.	Arms to which the Act does not apply.
5	Indian Territorial Force.	Officers (senior and junior grades).	One sword.—One service revolver which is held in unit charge and not in the possession of the officer (Army Headquarters, India, letter No* 34445/1/M. O.-1, dated the 2nd November, 1932).
6	Police	(a) (i) Officers of the Indian Police, and (ii) Officers of the United Provinces Police Service. (b) Inspectors (c) Sergeants (d) Sub-Inspectors other than prosecuting sub-inspectors. (e) Prosecuting Sub-inspectors.	(i) One sword. (ii) Two revolvers or two pistols or one revolver and one pistol. (i) One sword.—(ii) One service revolver.—(iii) One revolver or one pistol. (i) One sword.—(ii) One revolver. (i) One sword.—One revolver of the pattern prescribed by Government. (i) One sword.—(ii) One revolver supplied when necessary from the armoury. (Paragraphs 52, 55, 104, 107, 135, 141, 154 and 166 of the United Provinces Police Dress Regulation, 1925).
7	Salvation Army	Managers of Settlements and Schools.	One revolver if such revolver is supplied to them for protection in the execution of their duty.

*Note—(1) No officer of the Army in India Reserve of Officers or of the Indian Territorial Force can be in the personal possession of a revolver as part of his equipment except when he is under training or has been mobilized. Any revolver in the private possession of such an officer is therefore not part of his equipment and must be covered by a licence.

(2) An officer of the Auxiliary Force is governed by paragraph 172 of the Regulations for the Auxiliary Force India, in accordance with which, in the absence of a special pass issued by the Commanding Officer and authorizing their retention in the personal possession of a member of the Force, arms are retained in the armoury. In general then an officer of the Auxiliary Force is required to possess a licence for a revolver in his personal possession.

(3) In every case any pistol or revolver or other firearms held as private property by any officer of the Army in India Reserve of Officers, the Auxiliary Force, India or the Indian Territorial Force must be held under a licence. The rules governing the payment of fees for licences in Form XVI which may be issued to such officers are reproduced as rules 103 to 106 of these rules.

APPENDIX II—See Rules 24(1) and 25(2).

List of persons of the Benares, Rampur and Tehri States and their retainers, who have been designated for exemption under clause 2(b) and (c) of Schedule I to the Indian rules 103 to 106 of these rules.

BENARES.

1. The Maharani	...	...	50 retainers each.
2. The Hon'ble the Maharaj Kumar and his wife	...	...	50 "
3. Babu Maheshwari Prasad Narain Singh	...	...	10 "
4. Babu Shatrughna Prasad Sahi	...	...	8 "
5. Hazari Krishna Chandra Shukul	...	...	10 "
6. Chaudhri Durga Prasad Singh	...	...	10 "
7. Hazari Suraj Prasad Shukul	...	...	10 "

8.	Kunwar Biswanath Prasad Singh	...	...	10 retainers each.
9.	Babu Ran Bahadur Singh	...	...	3 "
10.	Lieut. Hasan Muhammad Khan	...	...	3 "
11.	Khan Bahadur Sayid Ahmad Hasan, C.I.E., First Class	...	...	3 "
	Sardar	...	...	3 "
12.	The Chief Judge	...	...	3 "
13.	The Chief Secretary	...	...	3 "
14.	The District and Sessions Judge, Bhadohi	...	...	3 "
15.	The Collector, Bhadohi	...	...	3 "
16.	The Collector, Chakia	...	...	3 "
17.	The District Magistrate, Ramnagar	...	...	3 "
18.	The Private Secretary	...	...	3 "
19.	The Deputy Collector, Bhadohi	...	...	3 "
20.	Captain Murl Singh	...	...	3 "
21.	The Aides-de-Camp to His Highness the Maharaja	...	...	3 "
22.	The Superintendent of Police, Benares State	...	...	3 "
23.	The Chief Medical Officer	...	...	2 "

RAMPUR.

1.	Her Highness the Begum Sahiba	...	...	50 retainers each.
2.	The Heir Apparent	...	...	50 "
3.	Sahibzada Sayed Jafar Ali Khan	...	...	25 "
4.	Sahibzada Sayed Abdul Karim Khan	...	...	25 "
5.	Sahibzada Sir Abdussamad Khan, Kt.	...	...	10 "
6.	Sahibzadh Abdul Majid Khan	...	...	10 "
7.	Sahibzada Sayed Shabbar Ali Khan (<i>alias Doolah Sahib</i>)	...	...	10 "
8.	Sahibzada Sayed Ashfaq Ali Khan (<i>alias Jani Sahib</i>)	...	...	10 "
9.	Sahibzada Sayed Altaf Ali Khan (<i>alias Allan Sahib</i>)	...	...	10 "
10.	Chief Minister	...	...	10 "
11.	Finance and Revenue Minister	...	...	10 "
12.	Army Minister	...	...	10 "
13.	Political Minister	...	...	10 "
14.	Household Minister	...	...	10 "
15.	Chief Justice	...	...	10 "
16.	Inspector-General of Police	...	...	10 "
17.	Revenue Secretary	...	...	5 "
18.	Finance Secretary	...	...	5 "
19.	Household Secretary	...	...	5 "
20.	Comptroller of the Household	...	...	5 "
21.	Chief Medical Officer	...	...	5 "
22.	Chief Engineer	...	...	5 "
23.	Council Secretary	...	...	5 "
24.	Judges of the High Court	...	...	5 "
25.	Civil Judge	...	...	3 "
26.	Chief Magistrate	...	...	3 "
27.	Superintendent of Police	...	...	3 "
28.	Deputy Superintendent of Police	...	...	3 "
29.	Deputy Secretary, Dar-ul Insha	...	...	3 "
30.	Deputy Secretary, Iyas-e Hamayun	...	...	3 "
31.	Deputy Secretary, Sadr	...	...	3 "
32.	Executive Engineer, P. W. D.	...	...	3 "
33.	Executive Engineer, Canals	...	...	3 "
34.	Electrical Engineer	...	...	3 "
35.	Water Works Engineer	...	...	3 "
36.	Executive Officer, Municipality	...	...	3 "
37.	Munsif Magistrates, North and South	...	...	3 "
38.	Tahsildars of Hazpur, Shahabad, Milak, Bidaspur and Tanda Tahsils	...	...	3 "
39.	Commanding Officers of the Rampur Rohilla Lancers, 1st Rampur Raza Mustaza Infantry, 3rd Rampur Rafat Infantry and Gurkha Company	...	...	3 "
40.	Comptroller to Her Highness	...	...	3 retainers
41.	Staff Officer	...	...	3 "
42.	Assistant Commandant, Fort	...	...	3 "
43.	Commandant, Kas Bagh	...	...	3 "
44.	Aides-de-Camp to His Highness and Her Highness	...	...	3 "
45.	All Commissioned Officers of the Rampur Forces when passing through British India on duty	...	...	3 "

TEHRI.

1. Her Highness the Rani Sahiba	...	...	25 retainers
2. Shri Teeka Sahib	...	...	25 "
3. Rai Bahadur Pandit Chakradhar, Dewan of the State	...	...	4 "
4. Rana Jagat Prakash Beer Jung Bahadur, General Minister	...	...	4 "
5. Babu Ganga Prasad, Judicial Minister	...	...	4 "
6. Pandit Devendra Datt, Honorary Member of the State Council	...	...	4 "
7. Pandit Maheshi Sharan Raturi, Divisional Forest Officer, Ganga Bhilanga Division	...	...	4 "
8. Pandit Mahima Nand Bahuguna, Divisional Forest Officer, Jumna-Tons Forest Division	...	...	4 "
9. The Treasury Officer, ex officio	...	...	4 "
10. Rana Hari Prakash Beer Jung Bahadur, Controller of the Household	...	...	4 "

APPENDIX III—(See Rule 56).

Rules for the export, import and transport of arms, ammunition and military stores on railways passing through Indian States.

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

In exercise of the powers conferred by the Indian (Foreign-Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf and in supersession of so much of the notification of the Government of India in the Foreign Department, No. 3573-I, dated the 29th October, 1895, as subsequently amended, as applied to lands occupied by railways in Rajputana and Central India, the Governor-General in Council is pleased to make the sub-joined rules relating to arms, ammunition and military stores within the said lands, provided that the said rules shall not apply to lands situate within the Cantonment of Mhow:

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

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

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

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

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

2. Export.—(1) The export, without the special permission of the Political Agent, of arms, ammunition, or military stores is forbidden.—(2) Station Masters to whom arms, ammunition or military stores unaccompanied by evidence of such special permission are tendered for despatch, shall detain them and report the matter through the Superintendent of Railway Police for the orders of the Political Agent.

3. Import.—(1) When any arms, ammunition or military stores are im-

ported they shall not be delivered to the importer or consignee unless—(i) the importer or consignee produces the original licence issued by the Secretary to the Government of India in the Foreign Department or other competent authority, authorizing the export of such arms, ammunition, or military stores from British India and their import to some station within the lands above referred to, and—(ii) the senior police officer at the station at which the arms, ammunition or military stores have been received has compared the consignment with the licence and authorized the Station Master to make delivery.

For the purpose of making the comparison required by clause (ii), the police officer shall have power to open any package which he thinks suspicious—(2) If the importer or consignee fails to produce the original licence, or if the consignment does not correspond therewith, the senior police officer at the station shall report the matter forthwith to the Political Agent.

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

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

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

7. Carrying of arms by passengers.—Arms shall not in ordinary cases be taken from passengers. But if a Station Master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he delivers up his arms: if the passenger gives up his arms, they shall be labelled with his name and description, entered in the railway bill, and delivered free of charge to him at his journey's end.—Provided that no person who has been duly exempted from the operation of sections 13 to 16 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 required to give up his personal arms under this rule.

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

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

(a) exports any arms, ammunition or military stores without obtaining the special permission of the Political Agent as required by rule 2,—(b) imports any arms, ammunition or military stores without a licence of the nature referred to in rule 3,—

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

(2) Whoever commits any of the following offences, namely:—(a) imports any arms, ammunition, or military stores in excess of the quantities entered in the licence referred to in rule 3,—(b) imports after the expiration of the period for which such licence has been granted,—(c) omits to give information as required by rule 8,—

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

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

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

(2) In such cases notice calling upon the importer or consignee to appear and to produce the licence referred in rule 3 shall be published for three months at the railway station at which the arms, ammunition or military stores have been seized, and at such other places as the Magistrate may think necessary.—(3) If the importer or consignee does not appear and produce such licence within three years from the date of such notice, such arms, ammunition or military stores shall be confiscated.

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

13. Rewards.—(1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one-half the sale price of any confiscated articles sold in pursuance of orders issued under these rules to any person, whether in the employ of a Railway Company or not, who has given information leading to a conviction.—(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent.*

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

Schedule.

	Railway	State.
Bombay, Baroda and Central India Railway System.	1. The Godhra Ratlam Nagda Railway	Jhabua. Indore. Sailana. Ratlam. Gwalior.
	2. The Nagda-Ujjain Railway	Gwalior.

	Railway.	State.
Bombay, Baroda and Central India Railway System.	3. The Nagda-Muttra Railway— Main Line	Gwalior. Dewas (Senior). Dewas (Junior). Indore. Jhalawar. Kota. Bundi. Tonk. Jaipur. Karauli. Bharatpur.
	Bayana-Agra Branch	Bharatpur.
	4. The Rajputana-Malwa Railway— Main Line	Alwar. Jaipur. Jodhpur. Kishanganj. Sirohi.
	Sambhar (Kuchaman) Branch	Jaipur. Jodhpur.
	Agra (Bandikuri) Branch	Alwar. Bharatpur. Jaipur.
	Rewari-Phulera Chord	Alwar. Jodhpur. Jaipur.
	Malwa Section (including the Holkar State Railway north of the River Narbada)	Mewar. Tonk. Gwalior. Indore. Sailana. Jaora. Ratlam. Dhar.
	Ujjain (Fatehabad) Branch	Gwalior.
	5. The Baran-Kotah Railway	Kotah.
	6. The Bhopal-Itarsi Railway	Bhopal.
Great Indian Peninsula Railway System.	7. The Bhopal-Ujjain Railway	Bhopal. Gwalior. Indore. Dewas (Senior). Dewas (Junior).
	8. The Bina-Guna-Baran Railway	Tonk.
	9. The Great Indian Peninsula Railway Midland Section.	Kotah.
	Main line, including the Scindia (State) Railway but excluding the portion between the river Chambal and the Gwalior-Bhopal frontier south of Bhilsa	Dholpur. Bhopal.