

BIHAR AND ORISSA, NOTN. NO. 636 P. R., DATED THE 17TH MAY 1920 AND NO. 870 P. R., DATED THE 31ST MAY 1920.

1. Every licensed dealer with whom any arms, ammunition or military stores have been deposited shall give to the depositor a receipt and shall maintain a register in the appended form (identical with Bombay Form on page 179). He shall forward on the last day of each quarter to the District Magistrate a copy of the register certified as a true copy under his own signature.

2. Arms, ammunition or military stores deposited at police station shall, if not returned or disposed of within one month from the date of their deposit, be lodged at the head-quarters Court Police Office.

3. Subject to the provisions of rule 7 any arms, ammunition or military stores which are not returned or disposed of under section 16 (2) of the Act shall, after the expiration of three years from the date of their deposit, be forfeited to His Majesty.

4. The District Magistrate may prescribe fees on payment of which arms, ammunition or military stores shall be periodically oiled, cleaned, etc., at the police station or head quarters Court Police Office where they are deposited or lodged.

5. Licensed dealers shall not return arms, ammunition or military stores deposited with them to depositors or persons on whose behalf the deposits have been made except in the manner and to the extent permitted them for the sale of such arms, ammunition or military stores to such depositors or such persons aforesaid as the case may be.

6. Licensed dealers shall submit on the 31st December of each year to the District Magistrate, a statement showing the arms, ammunition and military stores that have become liable to forfeiture under rule 3.

7. Arms, ammunition or military stores deposited by a guardian on behalf of a minor may be left in deposit until the expiration of one year from the date on which such minor attains his 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.

N. W. F. PROVINCE, NOTN. NO. 7103 G, DATED THE 2ND MAY 1922.

When any arms, ammunition or military stores have been deposited at a police station under section 14 or 16 of the Act, the officer in-charge of the station shall affix to each weapon or article a ticket in form* R. showing the name of the depositor and the date of the deposit, and shall give the depositor a duplicate or copy of the same. After seven days if the owner has not obtained a licence authorising him to possess them, the arms, ammunition or military stores shall be forwarded to the head quarters of the district and kept in the *Malkhana* of the Magistrate of the district or in the police Magazine. The ministerial officer to whom they are entrusted shall keep a register in form S* in which the articles so deposited shall be described and entered under serial nos., and fresh tickets shall be affixed showing the owner's name and the corresponding nos. of the register.

2. Under the provisions of sec. 16 (2) of the Act, the depositor shall at any time before the expiry of three years from the date of deposit, be entitled,—

(a) to receive back any thing so deposited the possession of which by him has become lawful, and

(b) to dispose, or authorise the disposal, of any thing so deposited by sale or otherwise to any person whose possession of the same would be lawful; and to receive the proceeds of any such sale. (Para. 2 added by notn. no. 11909-G.-14-62, dated the 18th Oct., 1929.

* For forms R. and S., see at the end of N. W. F. P. local R. and O.

RULES BY LOCAL GOVERNMENT UNDER SEC. 24 OF THE ARMS ACT
FOR DISPOSAL OF CONFISCATED ARMS, AMMUNITION AND
MILITARY STORES.

MADRAS.

All arms, ammunition or military stores which may be forfeited under the Sea Customs Act or under other legal enactments, should be forwarded in the Presidency town to the Commissioner of Police, and in the mufassil to the Magistrate of the district, for disposal in accordance with the rules published on page 22 of Part I of the Madras Police Gazette, dated 13th February 1909. Such of these arms as are intended for destruction locally will be forwarded to the District Police Head Quarter Office for destruction by the Police Armourer in the presence of the Reserve Inspector who should certify to the Magistrate that the arms have been properly broken up (Madras L. R. and O.)

BOMBAY.

Arms etc., deposited at a Police station under section 14 [or sec. 16] of the Act should, in the Presidency town be kept in such place as may be appointed by the Commissioner of Police, and elsewhere should, without delay be sent with a report by the officer in charge of the Police station to the nearest Mamlatdar's or Mahalkari's Kacheri. On the expiry of the period specified in these sections the arms etc., should be sold under the orders of the District Magistrates to a licensed vendor or person licensed to possess arms or to go armed, and may for that purpose be sent from one Mamlatdar's or Mahalkari's Kacheri to another or to the headquarters of the district. Such arms as cannot be sold should, if valuable, be sent to the nearest arsenal, and if not valuable, should be destroyed. Confiscated arms and other articles should be dealt with in the same manner as provided for arms etc., deposited under sec. 14 [or sec. 16] of the Act, and not restored within the period specified in these sections [Bombay L. R. and O.]

BENGAL.

The court sub-Inspector shall follow the procedure indicated below in the case of all confiscated and forfeited weapons, but before doing so, he shall take the order of the Magistrate in charge of the working of the Arms Act, who shall, before a weapon is despatched to the Ordnance Office or is destroyed or is sold by auction or is transferred for the use of the police, or of any other department of Government, satisfy himself that its number and description agree with those given in the malkhana register. All arms, ammunition or military stores the possession of which has become unlawful, are to be deposited, under section 16 of the Arms Act and the rules made thereunder, either at a police station or with a dealer. The arms deposited at a police station shall be kept in the malkhana for one calendar year from the 1st January of the year following that in which they were deposited at a police station. Those deposited with a dealer shall be kept in the malkhana till January of the year following that in which they were received in the malkhana. Weapons on which an order of confiscation has been passed shall be kept in the malkhana till January of the year following that in which they were confiscated. Arms, ammunition and military stores as defined in section 4 of the Indian Arms Act, 1878, which are confiscated or forfeited under any provision of that Act or of any other enactment for the time being in force, may, if they can be utilised by the police or by any department under the Government, however be retained and brought into use at any time with the sanction of the local Government. If any such arms, ammunition or military stores are not so retained, they, with the exception of revolvers and pistols and of rifles of prohibited bores, should be sold by auction to licensed vendors, or to persons who by exemption or licence are entitled to possess them, the police being informed of the names and addresses of the purchasers in order to enable them to verify the sales. The sale in the mufassil should be conducted in January every year by a gazetted officer who should be selected for the purpose by the District Magistrate. In Calcutta, the Commissioner of Police will arrange for the auction to be held by Messrs Mackenzie, Lyall & Co. The unsold arms, ammunition or military stores should be destroyed locally in the presence of the District Magistrate or of a gazetted officer whom the District Magistrate (or the Commissioner of Police in the case of Calcutta) may select for the purpose; but all rifles of prohibited bores, revolvers and pistols shall invariably be sent to the Ordnance Officer, Fort William, Calcutta, between 1st February and 15th March every year to be broken up or otherwise destroyed. 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 destruction.

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.—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. Letter nos. 1585-1591-Pl., dated respectively the 17th May 1923 and 26th November 1929 and para. 97 of Bengal Rule 97.

UNITED PROVINCES.

The discretionary power of confiscating arms conferred by section 24 of the Arms Act should be very considerably used. A mere breach of licence is not ordinarily an adequate reason for confiscation; and junior Magistrate should usually refer the question of the necessity for confiscation to the Magistrate of the district for decision (U. P. G. O. No. 454-VI-989 dated the 14th March, 1887).—Arms, and other articles to which these rules under Section 16 apply which become forfeited to His Majesty, shall be disposed of by the Magistrate as follows:—

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

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

(3) Any ammunitions or stores not disposed of under the provisions of clause (1) shall be destroyed. [In case of gunpowder and other explosive materials Magistrates must make suitable arrangements for their safe custody, so as to guard against life and property. As a rule the police magazine should be the place of deposit for such materials] These orders will apply also to arms, ammunition and military stores confiscated under section 24 of the Act (U. P. No 1841-VI: 856-D., dated the 29th June, 1907 and para. 86 of U. P. Rules.)

PUNJAB

Arms, ammunition or military stores that have become forfeited to His Majesty under rule XII or that have been confiscated under section 24, shall be disposed of as follows:—

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

(2) Any rifled firearms or rifle barrels not so disposed of shall be sent to the nearest ordnance officer to be broken up. Other arms shall be broken up locally and the materials sold.

(3) Any ammunition or stores not disposed of under the provisions of sub-rule (1) shall be destroyed. (Notn. no. 8103, dated the 5th March 1929, para. XIV).

NORTH WEST FRONTIER PROVINCES.

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

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

(2) Any rifled firearms or rifled barrels not so disposed of shall be sent to the Ordnance Officer to be broken up. Other arms shall be broken up locally and the materials sold. (3) Any ammunition or military stores not so disposed of under the provisions of clause (1) shall be destroyed. (Notn. no. 7103 G., dated the 2nd May 1922, para. IX of Rules).

RULES FOR THE GRANT OF REWARDS UNDER SEC. 28 OF ARMS ACT.

BOMBAY.

The Commissioner of Police, Bombay, and the District Magistrates, including the Agent to the Governor in Panch Mahals, the Political Superintendent, Thar and Parkar, and the Superintendent Upper Sind Frontier, have been authorised to pay a reward of not less than half the value of articles confiscated under Section 24 of the Arms Act to the Customs Officers, Railway servants, Public Carriers, Police officers, Steam-boat officers or other persons who may have given information which led to the detection of the offence, or who may have arrested the offenders or seized their arms under section 12 of the Arms Act.

It should be notified in the Bombay Government Gazette that rewards may be so paid and all heads of departments and agents of all Railways should be requested to explain to their subordinates and make as widely known as possible the provisions of the Act and particularly the responsibilities created by section 28 (Arms Act) and the rewards which may be earned (Notn. No 5920, dated the 12th Oct. 1878.)

BENGAL.

If a person is convicted of an offence punishable under the Indian Arms Act, 1878, reward may be granted to those officers or other persons who gave the original information which led to the conviction of the offenders, and also, if there be sufficient reason, to those who actually arrested the offender or seized the property in respect of which the offence was committed,

District Magistrates are empowered to pay such rewards at their discretion upto a limit of Rs. 100/- in each case, and upto Rs. 500/- with the previous sanction of the Commissioners of Divisions. Proposal for the payment of rewards exceeding Rs. 500/- shall be submitted through Commissioners of Divisions for the sanction of Government. In the town of Calcutta the Commissioner of Police is empowered to pay such rewards at his discretion upto a limit of Rs 500/- in each case. Proposals for the payment of rewards exceeding this amount shall be submitted for the sanction of Government. Rewards may not be granted by Magistrates subordinate to District Magistrates. When a subordinate Magistrate convicts an offender under the Indian Arms Act, he shall submit the records of the case to the District Magistrate, together with his recommendation as to the grant of a reward and the persons to whom it should be paid and the District Magistrate shall pass such orders thereon as he may think fit. In fixing the amount of the reward the fact of the arms and ammunition being new or old, serviceable or unserviceable should be taken into consideration. Rewards should be paid as soon as possible after the order of the Court of first instance is confirmed, or, if no appeal has been preferred, after the period allowed for appeal has expired.

Payments for rewards will be drawn up by District Magistrates in their contingent bills and charged against 'Criminal Court—rewards under the Arms Act—Contingencies' under the Major head '24 Administration of Justice'. In Calcutta rewards granted by Presidency Magistrates, or competent police authorities, should be met from the budget head '26 Police—Presidency Police' from the provision (a) under the primary unit 'Allowances honoraria, etc.,' if the reward is granted to a police officer or (b) under the primary, unit 'Supply and Services' in the case of rewards to a private person. Provision for rewards under these heads should be made by District Magistrates and the Commissioner of Police, Calcutta. (Bengal letter No. 5246 Pl. dated the 13th November 1928.)

• Exceptional cases may occur in which it is desirable to grant rewards to officers or informers in cases which do not end in conviction, or in which judicial proceedings are not instituted. Rewards in such cases will be paid by the Police Department under departmental rules. The same procedure shall be followed in successful prosecution with regard to informers whose names it is not desirable to divulge. (Bengal Resn. No. 655 P. D, dated the 27th May 1914, letter, 1524 P. D., dated the 25th July 1914 and para. 86 of Bengal Rules).

Rewards in cases under the Indian Arms Act, 1878, should always be upon a liberal scale, but this is particularly necessary in the case of weapons which are habitually used for the purpose of murder and assassination. Large rewards should therefore, be given for information leading to the recovery of revolver, automatic pistol or magazine pistol or similar weapon possessed without lawful authority. (Bengal No. 8996-77 P., dated the 8th October 1914 and para. 87, Bengal Rules).

By section 28 of the Act every person employed upon any railway or any public carrier is bound, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, to give information to the nearest Police officer regarding any box, package, or bale in transit which he may have reason to suspect contains arms, ammunition, or military stores in respect of which an offence against this Act has been or is being committed. Such persons although legally bound to furnish the information required, are eligible for the rewards mentioned in the proceeding rules. (Para. 88, Bengal Rules).

UNITED PROVINCES.

(a) When any arms or other articles, are confiscated under s. 24, the convicting Magistrate shall, immediately on conviction, pay a reward of not less than half the estimated value on 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 seizure of the arms or other articles. Such payments will be charged against Law and Justice, and be drawn by Magistrates in their contingent bills.

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

(c) If no fine is inflicted, or if a larger reward than the fine imposed seems needed, and in all cases in which persons apprehended or arms or other contraband articles seized the Magistrate of the district is hereby authorised to pay rewards, at his discretion, to the persons who have contributed to the arrest of the offenders, or the seizure of the arms or other contraband articles, up to the limit of Rs. 100 in each case, and up to Rs. 500 with the sanction of the Commissioner of the Division. Rewards exceeding Rs. 500 shall not be paid without the sanction of Government.

(d) If such cases occur 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 person to whom it should be paid, to the Magistrate of the district, who will at once pass such orders thereon as shall seem required.

(e) Provisions for rewards under this rule should be made by Magistrates in their district budgets; but informers who bring to light breaches of the Arms Act should be rewarded under the rules relating to rewards of class (b) in paragraph 367 of the Police Regulations.

(f) Rewards payable to police officers shall be credited to the head "General Police Fund"—sub-head "one-half share of recoveries on account of police supplied for private entertainment creditable to Government, payable to the force as rewards" and drawn by the superintendents of police concerned when required for payment to the force. If the money has not been so deposited by the convicting magistrate the superintendent of police is not empowered to pay the reward. The balances under the sub-head mentioned above are carried forward from year to year and do not lapse to Government. (U. P. No. 982 IV-66-D-2 dated the 8th April 1907 and para 87 of U. P. Rules.)

PUNJAB.

(1) When any arms or other articles are confiscated under section 24, the convicting Magistrate shall, immediately upon conviction, pay a reward of not less than half the value of the confiscated articles to the person or persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offenders and seizure of the arms or other articles. Magistrates should arrange for such payments by recommendation to the Police Department, at whose disposal there is a provision for such rewards under head 26-B-Police.

(2) Any Magistrate convicting an offender of any offence under the Act may, at his discretion, grant a reward not exceeding the amount of fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the arrest of the offenders or the seizure of the arms or other articles. Arrangements for payment should be made as in the above rule. (Punjab notn. no. 8408 dated the 5th March 1929, paras. XV-XVI).

NORTH WEST FRONTIER PROVINCE.

(1) When any arms or other articles are confiscated under section 24, the convicting Magistrate shall immediately upon conviction, pay a reward of not more than half the value of the confiscated articles, and in such proportion as he may deem advisable after due consideration of all the facts of the case, to the person or persons (Police Officers are included) who may have given information which led to the detection of the offence or who may have assisted in the arrest of the offenders and seizure of the arms or articles. Such payment will be chargeable to Law and Justice, and be drawn by Magistrates in their contingent bills.

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

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

Local Rules and Orders.--[Madras.]

1. With reference to note (4) to section 15 of the Act on page 5, all arms, ammunition and military stores within the Malabar District, shall be deposited with the Officer in charge of the nearest Police Station and all licences issued for the possession or carrying of arms within the Calicut, Ernad, Walivanad and Ponnani talukas in the Malabar District are cancelled. (G. O., No. 260, dated the 30th January 1885, No. 355, dated the 6th Feb. 1885 and No. 222, dated the 10th September 1922.)

2. Guns, imported from and exported to Pondicherry, without a licence, are liable to be detained by the Customs Officer. They should in all such cases submit a detailed report to the Circle Inspector. All cases of smuggling of arms, ammunition and military stores should also be reported for the orders of the Circle Inspector.

(2) In order that a firearm covered by a licence may be identified with the one described in the licence, its description should be as full as possible. "One double barrelled gun," for instance, without the maker's name and number or other identifying marks, is insufficient to describe the weapon in such a manner as to preclude the possibility of all attempts at fraud by the substitution of one gun for another, for any number of guns can be imported from the French territory with such a licence. The weapon of respectable sportsmen should not, however, be detained merely on this account. Should the description or the weapon given in the licence be defective, full particulars should be reported to the District Magistrate, through the Officer in charge of Land Customs, with a view to the defect being remedied.

3. A license is required for transport even within the confines of the same district. No licence, however, is necessary for the removal of ammunition from one magazine or ware-house to another in the same locality.

4. Search at Sayer stations.—*Vide* Note to section 11 of the Act, page 49.

5. Special exemptions.—*Vide* Note (3) under Schedule I, page 121..

6. The new forms of accounts for dealers in arms and ammunition prescribed in G. O. No. 1762 Judl. dated the 17th Dec. 1909, have been objected to on the ground that they will increase the amounts of scriptory work and stationary required to keep the accounts. The Government consider these objections not altogether unfounded but it is necessary that the registers should furnish complete information not only of the purchase of any lethal weapon but also of the identity of the various weapons in stock in order that it may be possible to trace them in case of theft. They have revised forms of stock book and sale book appended to these proceedings which should be used in lieu of those prescribed by G. O. No. 1762, dated the 17th December 1909.

* Rule 3— is based on the order of the Government of India referred to in note no. (3) to sec. 10 of the Act on page 48.

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

8. Dealers occasionally also receive arms and ammunition from persons who wish to effect their disposal, and the Government consider it necessary that all such arms and ammunition should be separately accounted for in an additional register (in Form D) showing receipts and disposal of such arms and ammunition.

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

10. District Magistrates and the Commissioner of Police are requested to inform all licensees concerned of these orders, and to see that the revised forms are brought into use.

FORM A. (Madras Rule 6),

STOCK BOOK of _____, son of _____ resident of _____, licenced to manufacture, convert, sell or keep arms, ammunition or military stores according to licence

No. _____ of 19 _____, in Form $\left. \begin{matrix} \text{XI} \\ \text{XII} \\ \text{XIII} \\ \text{XIV} \end{matrix} \right\}$ of the rules under the Indian Arms

Act, 1878, and licence, No. _____ of _____, in Form $\frac{A}{B}$ of the rule under the Indian Explosives Act, 1884.

Date of transaction.	DESCRIPTION.												
	FIRE-ARMS.										OTHER WEAPONS, IMPLEMENTS, ETC.		
	Particulars of receipts and issues.	303 B. L. rifles.	450 B. L. rifles.	B. L. rifles of bores ranging from .290 to .320 excluding .303 bore.	Other B. L. rifles.	B. L. arms (not rifled.)	Muzzle-loading arms.	Revolvers.	Pistols (magazine).	Swords.	Anvils.	Implements.	303 loaded rifle cartridges.
1	2	3	4	5	6	7	8	9	10	11	12	13	14

* Vide footnote to these forms on next page.

DESCRIPTION.																
AMMUNITION,											MILITARY STORES.					
450 loaded rifle cartridges.	Loaded cartridges for rifles of bores ranging from 290 to 320 excluding 303 bore.	Other loaded rifle cartridges.	B. L. (not rifled) cartridges loaded locally.	B. L. (not rifled) cartridge imported from Europe, etc.	Cartridge cases.	Revolver cartridges.	Pistol cartridges.	Gunpowder.	Percussion caps.	Fuses.	Gun-cotton.	Dynamite.	Sulphur.	Lead bullets.	Lead bird-shot.	REMARKS.
15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

NOTE.—(a) Column 2 should show (i) balance in stock, (ii) fresh receipts with descriptive details, such as, the name and address of the firm supplying them and (iii) day's total issuing according to Sale book.

(b) Column 3 to 30—If any dealer has not a licence for any of the classes of arms, etc., specified, the unnecessary columns may be omitted. If on the other hand, he has a licence for any other defined species, an appropriate column should be added. The dealer's licence should be kept in the stock book for purposes of reference.

FORM B, (Madras Rule 6)

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

to licence No. _____ of 19 _____, in Form $\left. \begin{matrix} \text{XI} \\ \text{XII} \\ \text{XIII} \\ \text{XIV} \end{matrix} \right\}$ * of the rules under the Indian

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

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

* For the corresponding present Forms—Vide Licence Forms IX, to XII attached to the Indian Arms Rules, 1924.

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

11. All District Magistrates, Taluk Magistrates and Deputy Tahsildars and Sub-Magistrates in zemindari tracts and station-house officers will keep in Form A, decennial registers of licences issued under the Arms Act in Form XVI to persons residing in the areas with which they are respectively concerned. In the office of the District Magistrate a separate register will be maintained for each taluk or Deputy Tahsildari. In each taluk register the entries will be arranged by police stations and villages, the villages within the limits of each police station being arranged in alphabetical, or other convenient, order. A page or more will be allotted to each village, as may be found necessary, no village being omitted although no licensee resides therein. Entries relating to hamlets will be placed under the parent village. The page numbers of each taluk register will be consecutive throughout the register. An index of villages arranged in alphabetical order will be placed at the beginning of each taluk register. The serial number of the licence will be a fraction of which the number of the page of the register in which it is registered is the numerator and the number of the line is the denominator, preceded or followed by a letter indicating the taluk (e.g. $\frac{2A}{5}$). The entries in the registers maintained in subordinate offices which will be supplied in the first instance from the District Magistrate's office, must therefore correspond exactly, page to page, and line to line, with the entries in the register maintained in the District Magistrate's office. The District Magistrate will fix dates between the 1st and 15th January for the submission to him of each taluk register in the district. Necessary entries will be made in the District Magistrate's office in these taluk registers relating to all licences renewed or the renewal of which has been refused for the year just begun. The taluk register will be returned to the Sub-Magistrate with as little delay as practicable. About the 1st of the second month of each quarter each station-house officer will take or send his register to the Taluk or Deputy Tahsildar's office, as the case may be, have it checked with the register maintained in that office, and corrected and brought up to date. All officers of the Police Department of and above the rank of Inspector, will inspect the police-station register at every inspection of the station and see that it is properly maintained.

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

of the abstract will be made whenever a line in column 1st is complete the net total should then be struck in column II of the abstract.

13. **Applications for licences** may be sent to the District Magistrate or to the Taluk Magistrate or the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts, or to the station-house officers. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the public. Applications received by the district Magistrate direct will be sent to the Taluk Magistrate or to the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts for report. Taluk Magistrate and Sub-Magistrate in Zamindari tracts will forward to the police for report only the applications which they receive direct or through their District Magistrate, from individuals whose character, status or reputation is unknown or doubtful; they will submit all others to the District Magistrate direct with their own reports. Station-house officers will forward their reports on applications for new licences to the District Magistrate through the Police Inspector and the Taluk Magistrate or the Sub-Magistrate in Zamindari tracts. Taluk Magistrate or the Sub-Magistrate in Zamindari tracts will see that the correct names of the village, hamlet (if necessary) and police station within whose limits the village is situated are correctly entered in the application before submitting it with his report to the District Magistrate. **Application for renewal of licences** should be submitted early during the last quarter of the year preceding that for which the renewal is desired as all weapons for the possession of which renewed licences have not been issued by the 1st January must be deposited in the police station. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the public. Each application should be accompanied by the licence and may be sent either to the District Magistrates direct or to one of the other officers mentioned * * *. Subordinate Magistrates and police officers, who may receive such applications, should submit them at once without remark (unless some reason for refusing renewal is already known to them) to the District Magistrate direct.

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

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

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

17. At the close of each month the District Magistrate will forward to the Subordinate Magistrates concerned **lists of the licences granted, renewed, cancelled or the renewal of which he has refused** during the month in Forms C and D. Licences renewed for the year following that in which the lists in Form C are sent need not be shown in the list. Licences the renewal of which is refused for the following year should be included in the lists in Form D, in order that action may be taken to see that the arm covered by the licence is not retained illegally by the licensee after the close of the year. If a licence is not renewed, the District Magistrate will state in the last column of the list in Form D, the reason for non-renewal (such as the death of the licensee, the transfer of the weapon by sale, gift or otherwise) and should see that the weapon is not retained by any person who is neither exempted from the operation of the Indian Arms Act in respect of such weapon nor licensed to possess it.

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

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

20. Licensing officers may allow to licence-holders the following **minimum quantities of ammunition** :—

For smooth-bore breech-loading guns—25 loaded cartridges, or 1 lb gunpowder, 1 box caps, and 25 empty cases.

For muzzle-loading guns—1 lb gunpowder and 1 box caps.

For rifles—10 cartridges or 1 lb gunpowder, 1 box caps, and 10 empty cases.

For pistols and revolvers—50 cartridges.

21. The quantity of shot that may be possessed by licensee need not be entered in the licence as, under para. 6 of G. O. No. 1615 dated the 22nd Nov. 1909, birdshot when possessed in quantities not exceeding 1 cwt. at any one time, is exempt from the operation of the Indian Arms Act, 1878.

22. The following instructions are issued for the guidance of District Magistrates and the Commissioner of Police in regard to the registration of retainers in forms XVI and XIX (present forms XVI and XX) of the licence. These restrictions should be strictly observed:

(i) Retainers should be permitted only to those persons whose standing or circumstances are such that they may reasonably require retainers or servants to carry weapons in the ordinary course of duty. (ii) All applications for the inclusion of retainers must be dealt with by the District Magistrate or the Commissioner of Police in person. (iii) No change should be made in the names of retainers entered in a licence except under the signature of the District Magistrate or the Commissioner of Police who granted the licence or his successor in office. (iv) When retainers are licensed the fact should be clearly stated in the columns of the licence forms.

23. See Rules under section 16 of the Act, page 177.

24. Register for licences in forms XV and XVII [present forms XIV and XVIII] may be maintained in the appended forms A-1 and A-2. The forms will not be standardised and may be altered to suit local requirements. If District Magistrates find it convenient in districts where licences in these forms are few to enter them in the existing register A or in register A-3 appended, this may be done. For licences in form XVIII [present form XIX] to which the Government attach growing importance a separate register in form A-3 should be opened. This form will be standardised and new register may be written up during 1915.

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

(1) To arrest any person found carrying or conveying any arms, ammunition or military stores, whether covered by a licence or not, in such manner or under such circumstances, as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used for any unlawful purpose; (2) to take such arms, ammunition or military stores from him; (3) to take without unnecessary delay such person's arms, ammunition and military stores before a magistrate (section 12); (4) to disarm any person going armed without a licence or in contravention of the terms of a licence (section 13). The last named person commits an offence under section 19 (e) which is cognizable. He may therefore, be arrested, but this should not ordinarily be done unless the circumstances require it. The case will be reported to the magistrate having jurisdiction and a process obtained

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

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

17. At the close of each month the District Magistrate will forward to the Subordinate Magistrates concerned **lists of the licences granted, renewed, cancelled or the renewal** of which he has refused during the month in Forms C and D. Licences renewed for the year following that in which the lists in Form C are sent need not be shown in the list. Licences the renewal of which is refused for the following year should be included in the lists in Form D, in order that action may be taken to see that the arm covered by the licence is not retained illegally by the licensee after the close of the year. If a licence is not renewed, the District Magistrate will state in the last column of the list in Form D, the reason for non-renewal (such as the death of the licensee, the transfer of the weapon by sale, gift or otherwise) and should see that the weapon is not retained by any person who is neither exempted from the operation of the Indian Arms Act in respect of such weapon nor licensed to possess it.

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

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

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For rifles—10 cartridges or 1 lb gunpowder, 1 box caps, and 10 empty cases.

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(i) Retainers should be permitted only to those persons whose standing or circumstances are such that they may reasonably require retainers or servants to carry weapons in the ordinary course of duty. (ii) All applications for the inclusion of retainers must be dealt with by the District Magistrate or the Commissioner of Police in person. (iii) No change should be made in the names of retainers entered in a licence except under the signature of the District Magistrate or the Commissioner of Police who granted the licence or his successor in office. (iv) When retainers are licensed the fact should be clearly stated in the columns of the licence forms.

23. See Rules under section 16 of the Act, page 177.

24. Register for licences in forms XV and XVII [present forms XIV and XVIII] may be maintained in the appended forms A-1 and A-2. The forms will not be standardised and may be altered to suit local requirements. If District Magistrates find it convenient in districts where licences in these forms are few to enter them in the existing register A or in register A-3 appended, this may be done. For licences in form XVIII [present form XIX] to which the Government attach growing importance a separate register in form A-3 should be opened. This form will be standardised and new register may be written up during 1915.

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

FORM A 2, (Madras Rule 24)

Police Station —

Village. —

1	Register page number. line		2 Residence of the licensee.	3 NAME		4 ARMS OR AMMUNITION COVERED BY LICENCE	5 Description.	6 Quantity.	7 Place or tract within which licence is valid	8 Specification of the wild beast which may be destroyed under the licence.	9 PERIOD FOR WHICH THE LICENCE IS VALID.		10 PRODUCTION OF WEAPON AND LICENCE BEFORE MAGISTRATE.		11 Date of production.	12 Designation of the Magistrate before whom produced	13 When licence cancelled or renewed, disposal number, and date of District Magistrate's order and disposal of weapon.
	1	2		Of licensee.	Of his father.						From	To	Date of production.	Designation of the Magistrate before whom produced			

FORM A-3, (Madras Rule 24)

Police Station —

Village. —

1	Register page number. line		2 Residence of licence (Hamlet).	3 NAME		4 Name and description of any member of the licensee's family or servant residing with him and employed to watch crops or cattle, by whom also the arms covered by this licence may be used.	5 ARMS OR AMMUNITION COVERED BY LICENCE	6 Description.	7 Quantity.	8 Place or tract within which the licence is valid.	9 PERIOD FOR WHICH THE LICENCE IS VALID.		10 From	11 To	12 When licence cancelled or renewed, disposal number and date of District Magistrate's order and disposal of weapon.
	1	2		Of licensee.	Of his father.						From	To			

FORM B. (Madras Rule A.)—Abstract of the Number of weapons of the several kinds.

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

I Details showing the page number and line number of every new licence granted and old licence cancelled.	II GRANTED.										III GRANTED.										IV Date and initials of the Magisterial Head Clerk.							
	Rifled arms.					Smooth-bore guns.					Rifled arms.					Smooth bore guns.												
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20								
	Magazine.	Double-barrelled.	Single-barrelled	D. B. B. L	S. E. B. L.	D. B. M. L.	S. B. M. L	Match-locks.	Flint-locks	Revolvers.	Fistols.	Bayonets	Swords.	Daggers.	Magazine	Double-barrelled.	Single-barrelled.	D. B. B. L.	S. E. B. L	D. B. M. L	S. B. M. L.	Match-locks	Flint-locks.	Revolvers.	Fistols.	Bayonets.	Swords.	Daggers.

FORM C. [Madras Rule 17]—Proceedings of the District Magistrate of
dated No. of 19 .

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

2. The Taluk Sub-Magistrate of is requested to cause the neces-
sary entries to be made in this copy of the register of licences under the Indian Arms
Act. The number and date of this order should also be entered in red ink in the
appropriate column under the heading "Date of renewal, grant, cancellation or
order refusing renewal.

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

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

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

FORM D. [Madras Rule 17]—Proceedings of the District Magistrate of
dated No. of 19 .

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

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

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

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

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

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FORM E. [Madras Rule 18]—List of Persons who have not applied for the renewal of their licences in Form XVI in Division Taluk, District for the year 19 , on or before the 1st January 19 .

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

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

FORM NO. 26—Report of the Inspection, held by the Inspector of Police of,— Circle, of shops licenced under the Arms Act and of shops declared under Rule 31 of the Rules under the Explosives Act to have been licenced under the Arms Act, for quarter ending—,

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

Inspector of Police,—Circle.

FORM No. 15.—Report of Inspection of Stock, Premises and Books of Person licensed under the Indian Arms Act in Forms to manufacture, convert, keep or sell arms, ammunition or military stores (G. O. No 1453. Judl dated 30th September 1882).

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

Superintendent of Police.

FORM No. 79.

Serial number.	Date.	Particulars of arms.	By whom deposited or from whom taken.	RESIDENCE		Signature of station house officer, owner, and a witness when arms are deposited.	If licence obtained, when.	If licence not obtained how were arms disposed of.	Designation of magistrate passing order.	Signature of owner for return of arms with date.	Signature of station-house officer, and date of disposing of arms.
				Village.	Taluk.						
1	2	3	4	5	6	7	8	9	10	11	12

31. In order to mitigate the inconvenience caused to travellers entering India by sea by the provisions of section 6 of the Indian Arms Act, 1878, the Government, after consulting the Board of Revenue (Separate Revenue), the Collector of Customs, and the Commissioner of Police, Madras, are of opinion that the instructions of the Collector of Customs issued in his departmental order No. 22, dated the 16th November 1920, are sufficient for the purpose. (G. O. No. 667, Judicial, dated 23rd September 1921).

The following departmental order (of the Collector of Customs No. 22, dated the 16th November 1920) is issued tentatively in connexion with the procedure to be followed in respect of firearms brought by passengers from abroad proceeding to destinations up country without the necessary licences for importation or possession:—

(1) In cases where there is obviously no doubt about the social standing of the passenger, the firearms brought by such a passenger may be passed on payment of duty, if any, the owner being informed at the same time that he should obtain the requisite licence within a week of arrival at his destination. As a safeguard the address of the passenger should be taken and an intimation giving all necessary details in regard to the arm or arms and the owner thereof should be immediately sent by the Customs Collector of the port of importation to the licensing authority for the place to which the passenger is proceeding. (2) In cases, however, where the Assistant Collector, Preventive Department, at Madras, or the Inspector or the Customs Collector at an outpost is doubtful as to the propriety of allowing any weapon to be removed without a licence, the existing procedure, viz, detention of the arm or arms until the necessary licence is produced, should be followed.

Notification—Under the rule 43, sub-rule (2), of the Indian Arms Rules, 1920, (cf. present rule 48 (2), on page 114), the following procedure shall be adopted in respect of licences to be issued under the Indian Arms Act, 1878:—

Rule 31.—Vide Rule 34 of the Indian Arms Rules, 1924, on page 104.

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

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

* (Application for $\frac{\text{new}}{\text{renewal of}}$ gun licence.)

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

Date.

Signature of Applicant

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

32. A question has been raised, whether under rule 37 (3) [present rule 42 (3)] of the Indian Arms Rules, a licence granted in one district can be renewed in another district. According to this rule every licence may be renewed by the authority who granted that licence; it does not lay down that the licence shall be renewed by the very officer who granted it. The Government therefore consider that licensing authorities are competent to renew in their districts, a licence originally issued in another district by **licensing officers of his status**. (G. O. no. 237 Judl. dated the 21st June 1921).

33. Application for licences.—*vide* note under rule 40, page 109.

34. Rules under section 16 of the Act.—*vide* page 178.

35. Malabar District.—*vide* note (2) under section 15 of the Act, on page 51.

36. Bayonets, swords and daggers.—*Vide* note (5) under Schedule II, page 136.

37. It has been brought to the notice of Government that instances are becoming common in which persons leaving the country deposit their firearms with friends or others without ascertaining whether the persons with whom they deposit the arms possess the necessary licences or not and without intimating the fact of such transfer of arms to the licensing authorities. It is also reported that weapons so deposited are not infrequently used by persons who have no licence to use them. To deposit arms, except in the manner prescribed under the Arms Act, constitutes an offence punishable under the Act. The Government therefore desire to warn all licensees and the general public against such violations of the provisions

of the Arms Act and Rules. The proper procedure to be followed in such cases is for the licensee to deposit his weapons for safe custody in a police station or with a licensed dealer, *i. e.* the holder of a licence in Form IX, Form X, Form XI or Form XII of the rules. In the latter case a licence in form XIII, which is issued free of fee, should be obtained by the licensed dealer for the possession of such arms. A licensee may also at his option leave his weapons, other than pistols and revolvers, with a private person, provided that a licence in Form XIV, which is also issued free of fee, is obtained in the name of such person. In the case of revolvers and pistols, however, a fresh licence in Form XVI, should (on payment of the prescribed fee) be obtained by the person in whose custody they are left. The Government trust that the procedure described above will be strictly followed in future by all licensees. (Madras G. O. no. 49 dated the 28th Jan. 1926).

38. It will be necessary in future to obtain licences from the local Government to re-import rifles of '303 and '450 bores and pistols and revolvers of '441, '455 and intermediate bores; but it will be left to the Customs authorities to give the necessary permission to re-import such weapons when the required conditions are satisfied. The re-importation of such weapons will be permitted only on the conditions specified; *vide* note no (10) to Rule 7 (on page 84) referred to in Burma Cir. no. 42 of 1903). (Madras G. O. no. 658 dated the 2nd Nov. 1926).

39. The weapon known as "Zippo" or "Life Preserver" is subject to all prohibitions and directions contained in the Arms Act. (Madras notn. no. 968, dated the 9th Aug. 1930 and note (11) to sec. 4, page 39).

1. *Objects of the Act*

Note.—The figures within brackets indicate the number of the Rules contained in the Bombay Police Manual, Volume I, 6th Edition, 1927.

1. (318) The main object for which the Arms Act was intended was the checking of importation of a dangerous cheap class of arms and the regulation of the possession of arms and the prevention of their being passed on to the disarmed districts, to the predatory classes in Indian States and to the hostile tribes on frontiers. The distinction between arms properly so called and those articles which are not arms at all but mere curiosities and useless as arms should be borne in mind. Also, as observed in Government Resolution No. 1436, Judicial Department, dated 12th March 1888, the distinction between import, export and transport must be noticed. The conveyance of arms or ammunition from one part of British India to another by land and continuously through British jurisdiction is transport. The passage of arms from one British district to another through Indian territory, or from Poona to Hyderabad (Deccan) through Sholapur involves both transport and export.

Licenses should be renewed by simple endorsements.

2. *Powers of Search and Detection of Offences.*

2. (319) (1) Police officers of not lower rank than an Inspector are empowered to make the search under section 25 of the Act.

(2) Police officers of not lower rank than a Sub-Inspector are the officers under section 30 of the Arms Act in whose presence a search of the nature named in that section may be made.

(3) A search, undertaken solely for the purpose of discovering unlicensed arms, should not be instituted anywhere without the express sanction of the District Magistrate previously obtained, and only in accordance with section 30 of Act XI of 1878. If unlicensed arms are discovered in the course of a search legally conducted for any other purpose, they should be sent to the District Magistrate for disposal under his orders. In that case the question whether a prosecution is to be instituted or not must, in view of the uncertainty which prevails as to the application of section 32, clause 2, of Act XXXI of 1860, (Vide note (2) to sec. 15 of the Act, p. 51) on the date on which Act of 1878 came into force, be left to his discretion. (Govt. cir., J. D., no. 16 J. dated the 4th Jany. 1907, and *erratum* no. 356 J. D., dated the 6th march 1907).

3. (320) Persons who may be in illicit possession of arms and ammunition, which are the property of Government should be prosecuted under the provisions of the Indian Arms Act.

(1) To prove that such arms and ammunition are the property of the State, all Government arms and small arms and machine gun

Rule 1. (318, *Vide* notes under sections 6 and 10 of the Act, pages 45 and 47.

" 2. (319) This cancels note (1) to S. 25 of the Act, page 71, so far as it relates to Bombay.

" 2. (319) (2)—*Vide* note (3) to sec. 30 of the Act, page 75.

" 3. (320) For the orders of the Govt. of India on which this rule is based, *vide* note (5) to rule 33, on page 102.

ammunition, whether manufactured in England or in India, will be stamped with a recognizable Government mark. Similarly Government arms which have been sold or given away will be suitably marked so as to show that they have ceased to be the property of Government. (Resn. no 4723 J. D. dated the 8th July 1896).

(2) On the method of showing the marks on Government small arms and machine gun ammunition and arms, see Govt. Res. J. D. No. 1031, dated the 19th Feb. 1909, and Resn. J. D. No. 1496, dated 12th March 1909.

3. Powers of Patils and Others to Disarm

4. (321) Under section 13 of the Arms Act,—

Officers, sepoys and peons of the Salt Department on the Goa Frontier, and

(322) Police Patils

are empowered to disarm persons going armed in contravention of this section. The arms of which the person is dispossessed should be forthwith sent to the nearest Police Station. (G. R. no. 409 J. D. dated the 18th Jany, 1895). (For notes under sec. 13, see page 49).

4. Prohibitions under the Act

5. (323) *Vide* notn. no. 1223 Poll., dated the 20th July 1925 reproduced as notes (2) and (3), on pages 133—135.

Places where the possession of arms is illegal

Note.—It should be borne in mind that the mere possession of arms as distinguished from going armed is not illegal except in the places to which section 11 of Act XI of 1878 has been extended. The places to which section 15 has been extended are set forth in the volume of Local Rules and Orders, 1924, made under Enactments applying to Bombay. (*Vide* note (2) to sec. 15 of the Act on page 31).

Exemptions under the Act

6. (324) For exemptions from the operation of all prohibitions and directions contained in the Indian Arms Act, see the compilation containing the Indian Arms Act, 1878, and the Indian Arms Rules, 1924. All amendments in the rules should be inserted at once on receipt so that the compilation may serve as a complete and up-to-date book of reference. (G. R., J. D. no. 6212 of 28th Oct. 1886; no 5906 of 20th Oct. 1909; no. 1840 of 25th Feb. 1920 and no. 2581 of 6th Dec. 1923.)

Note—Each member of the Indian Territorial Force or the Auxiliary Force is held responsible that the arms and ammunition issued to him are used solely on Corps duties, and warned that their use for sporting purposes is strictly prohibited and punishable under the civil law. (J. D., no. 500 of 29th Sep. 1905.)

7. (325) (f) The orders issued by Government under the Arms Rules of 1920 remain in force so far as they are not inconsistent with the Rules of 1924.

The Government of India have, however, directed that the persons who were exempted under entries 11, 11A, 11B and 12 of

Rule 6. (324) The Act and Rules will be found, respectively, on pages 34-77 and 78 to 178 of this Manual. For exemptions in the Bombay Presidency, *vide* page 118 and notes to Schedule I on pages 121—124.

Schedule I appended to the Rules of 1920, but whose exemptions have been withdrawn under the Rules of 1924, should apply for life licences before the 30th June 1924. (Bom. no. 483 Poll. dated the 7th March 1924).

Note.—(i) In the case of title holders, this privilege can be claimed only by persons who received their titles before 1st January 1920 :—

- (a) Members of any Order of Knighthood.
- (b) Persons holding the Kaisar-I-Hind Medal.
- (c) Persons holding titles conferred or recognized by the Governor-General in Council.
- (d) Persons holding swords or other arms received as gifts from the Governor General in Council or a Local Government.
- (e) Persons holding certificates received on the occasion of the assumption of the title of Empress of India by Her late Majesty Queen Victoria.
- (f) Retired officers (other than retired subordinates, warrant, petty and non-commissioned officers) of the Royal Navy and retired British and Indian Officers within the meaning of section 7 (1) and (2) of the Indian Army Act 1911, in receipt, as such, of a pension.
- (g) Landholders and Members of a Municipal Board or a Committee designated for exemption in any list issued in this behalf by a Local Government.
- (h) All persons who before the first day of January 1920 had been admitted as members of the Distinguished Service Order, the Imperial Service Order, the Indian Order of Merit or the Order of British India, or had been awarded the Victoria Cross, the Military Cross, the Distinguished Flying Cross, the distinguished Conduct Medal, the Distinguished Flying Medal, the Long Service Good Conduct Medal, the Volunteer Decoration, the King's Police Medal, the Volunteer Long Service Medal, or the Indian Distinguished Service Medal.
- (i) Such of the 2nd and 3rd class Sardars of the Deccan, of the 2nd class Sardars of Gujarat and of the Mewasi Chieftains of the Bombay Presidency, as were exempted under the Indian Arms Rules, 1909, and Meherban Fattesingh Gumansingh, the Chieftain of Chikhali.
- (j) Persons holding the Naval decoration of D. S. C.

(Bom. H. D. no. 967 Poll., dated the 27th May 1924)

Note.—(ii) The following persons and classes of persons are still exempted under Schedule I from the prohibition of going armed and possessing arms without licence, but are required by the New Rules to register any firearms and ammunition in their possession in the manner indicated in paragraph 2 below (reproduced on page 123) :—

- (a) His Excellency the Governor, Members of the Executive Council of the Governor, Ministers and members of the Indian Legislature, the Chief Justice, and Puisne Judges of the High Court, the Commissioner in Sind, the Judicial Commissioner and the Additional Judicial Commissioners of Sind.
- (b) (1) Every Ruling Prince or Chief.
- (2) Such members of the families of Ruling Princes or Chiefs and such nobles, officials or accredited agents of a State in India as may be designated by the Local Government or Political Officer concerned, on the occasion of his or their entering, passing through, or residing in British India with his or their retinues to such members as may in each case be agreed to, by the Political Officer concerned, under the special or general orders of—
 - (i) the Government of India.
 - (ii) A Local Government in respect of Ruling Princes or Chiefs whose political relations are with that Government.
- (c) All officials of Indian States passing through British India on duty.
- (d) Every Maharaja, Raja or Nawab whose title has been conferred or recognized by Government and every Peer, Baronet, Knight Bachelor and Knight of any Order established by the Crown,

(e) Every Consul and Consular Agent.

(f) The First Class Sardars of the Deccan and Southern Maratha Country States, the First Class Sardars of Gujarat, and such number of their retainers as the Government of Bombay may designate.

(g) Such Members of the Talpur family and Jagirdars and Zamindars in Sind as the Government of Bombay may designate.

(h) Every officer holding a Commission from His Majesty, every Officer of His Majesty's Indian Forces or of Indian State Forces or of the Indian Territorial Force, every person enrolled under the Auxiliary Force Act, 1920, and every warrant officer or Staff Sergeant of a British unit of His Majesty's Regular Forces, including a Warrant Officer or Staff Sergeant who is an instructor of the Auxiliary Force, India, or of the Indian Territorial Force.

This exemption applies only to one single barrel rifle of .303 bore used solely for match-shooting purposes.

(i) Every Warrant Officer, non-commissioned officer and soldier in His Majesty's Regular Forces or in any Indian State forces who is in possession of a pass granted and signed by his Commanding Officer.

This exemption applies to such arms, if any, as are provided for sporting purposes by Government or from a regimental fund under the authority of the Officer Commanding the unit, and are entered in the pass. (Rule 3 of rules relating to shooting, accompanying G. R., J. D., 423 of 27th Jany. 1905.)

(j) Persons holding swords or other arms received by them as gifts from the Governor-General in Council or a Local Government or the Commander-in-Chief.

8. (326) (1) Revolvers borne or possessed by Police Sergeants, Sub-Inspectors or Officers of higher rank should be considered to be borne or possessed by them in the execution of their duty as public servants, and as part of their equipment, whether the revolvers are supplied to them by Government or not. Licences to cover them are therefore, not necessary. (Bom. no. 4486 J. D. dated the 15th May 1920 and no. 190 Poll. dated the 25th Jany. 1923).

Note—For list of Police Officers in the Presidency including Sind and the City of Bombay, who are permitted in the public interest to possess a revolver or pistol in addition to the regulation revolver or pistol forming part of the equipment, see Government Notification No. 1050 Poll. of 19-4-1927 published on page 1075, Part I, *Bombay Government Gazette*, dated 5th May 1927.

(2) No fee shall be payable by retired police officers, who are permitted to wear on ceremonial occasions or when calling on Government officials the uniform of the rank which they held in the force at the time of retirement, in respect of the grant or renewal of any license in form XVI under rule 33 of the Indian Arms Rule, 1924, for the possession or carrying of revolvers which formed part of their equipment as police officers. (G. O., no. 1118-Poll. dated the 7th Sep. 1921).

(3) Arms carried and possessed by officers of Government as part of their equipment, e.g., revolvers in the case of military and police officers, and arms supplied by Government to subordinates of the Police, Forest, Postal and other departments, to be carried or possessed by them for their protection in the execution of their duty do not require a licence. (G. O., no. 9054 J. D., dated the 27th Oct. 1919).

Rule 8 (326) (1) *Vide* notes under section 1 of the Act, page 35.

„ 8 (326) (2) Sub-rule (2) is obsolete—*Vide* clause (5) of Schedule VII, page 151.

(4) Section 1 (b) of the Indian Arms Act exempts a public servant or member of the Indian Territorial Force or the Auxiliary Force in respect of public arms from the operation of the Act; the exemption in the rules issued under that Act applies to other arms. (Bom. no. 7756 J. D. dated the 20th Novr. 1894).

(5) Bailiffs of Civil Courts are protected by section 1 (b) of the Arms Act from the prohibitions contained in the Act. The exemption, however, is not general but is restricted to those districts in which the conditions justify and require the carrying of arms and is limited to a sword, to be carried only in the course of duty in places to be specified by the District Magistrate on a representation from the District Judge. (Bom. no. 2245 J. D. dated the 26th Mrch. 1913).

9. (327) (1) All Portuguese officers (Military and Civil) passing through British territory from one part to another of the Portuguese territory are, on their giving a simple declaration that they are proceeding to Portuguese territory, allowed to transport their fire-arms without let or hindrance.

(2) A similar concession has been made by the Government of Portuguese India to British officers (Civil and Military) passing through Goa territory. (Endt. no. 6574 P. D., dated the 8th Oct. 1909).

(3) Parties of Portuguese armed police travelling across intervening British territory from one part of Portuguese India to another should be allowed to transport their fire-arms, provided that previous intimation of their intention has been received by the local British authorities. This arrangement does not extend to armed troops operating on the frontier between Portuguese and British territory.

(4) A similar concession has been made by the Government of Portuguese India to parties of British armed police passing through Goa territory on their way to British territory. Superintendents of Police should communicate direct with the Chief Secretary to the Government of Portuguese India or the local authorities before sending armed parties of police through intervening Portuguese territory. (Bom. no. 1309 P. D., dated the 24th, Feb. 1913 and no. 4340 P. D. dated the 30th Jul. 1913).

10. (328) Lead-cutting swords (G. R. J. D. No. 3295 of 26-4-97) *vide* note (5) to section 1, page 35.

11. (329) (1) Air-guns declared to be toys. *Vide* notes (6) and (11) to Sch. II, pages 136-137.

(2) Amrcres,— *Vide* note (4) to section 4, page 38.

(3) Sulphur is exempt to an unlimited extent in the Bombay Presidency. (Bom. no. 2346 Poll. dated the 24th Nov. 1922)

(4) Leaden bullets and birdshot. (*Vide* note (21) to Schedule II, page 138.

Para. 9. (327) The orders of the G. of I. on which these paras are based will be found as note (4) to Schedule I page 121.

Rule 10. (328) As regards gunpowder, etc. Vide entry 2 (iv) of schedule II, page. 142.

(5) Lead, required *bona fide* for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shot) is exempted to any quantity in the Aden and in the districts of Karachi, Larkana, Sukkar and Upper Sind Frontier. (J. D. no. 5320 dated the 21st Feb. 1910).

Note—"Giffard Carbonic Acid Gas Guns" *Vide* note (3) to section 4, page 38.

6. *Persons not exempted*

12 (330) (1) Honorary members of the Parsi Indian Territorial Force are not exempt from the Indian Arms Act. (Bom. no. 1850 J. D. dated the 29th March 1911)

(2) Soldiers of the Imperial Service Troops, proceeding on furlough, are not exempt from the operations of the Indian Arms Act but in the case of pensioned Non-Commissioned Officers of the troops the Government of India desire that the executive orders already issued in favour of their exemption should continue to apply to those who have already taken their pension or who may hereafter do so. (Bom. no. 3971 of the 14th July 1909.)

(3) With reference to entry (2) of Schedule I of the Indian Arms Rules, 1914, it has been ruled that police escorts of marriage parties of an Indian State are not to be considered as travelling "on duty" in British territory. (Bom. resn. no. 6255 dated the 2nd Sep. 1895).

7. *Licenses and Passes*

(A) **Register of Licences**

13. (331) Registers of licenses of all kinds granted by the Commissioner of Police, Bombay, the District Magistrates and other officers empowered to grant licences, shall be kept by those officers.

14. (332) (1) All licences to go armed or to possess arms and ammunition should be sent to the parties for whom they are intended through the Sub-Inspectors, who should keep in their offices accurate registers of all the licences granted to persons within their respective charges: if the licences are sent direct to the licensees by the District Magistrate, extracts from the District Magistrate's registers should be sent to the Sub-Inspectors, and that, in the case of new licences, not renewals, the District Magistrate should, when forwarding a licence direct, require the licence-holder to appear at the police station with his licence and arm within one week in order that all particulars of the weapon may be correctly entered in the Sub-Inspector's register and the weapon numbered as usual, the Sub-Inspector being informed of the order communicated to the licence-holder. (Bom. no. 2763 J. D. dated the 25th May 1908).

(2) Licences issued by District Magistrates to persons residing within railway limits should be sent for delivery and registration to the office of the Railway Sub-Inspector concerned, through the Superintendent of Police of the district in which the licensee resides. The District Superintendent of Police may, if necessary, keep a book in his office for the record therein of such particulars as he requires and supply the District Sub-Inspector of the Police station within whose local area the licensee resides with a copy thereof, if, in his

opinion, such a course is desirable in any particular case, (Bom. no. 1760 J. D. dated the 9th March 1914. and no. 4088 dated the 10th June 1914).

(B) Licences for Extended Areas.

15. (333) A licence granted by a District Magistrate under sub-rule (1) of rule 33 of the Indian Arms Rules, 1924, and countersigned by a Commissioner is valid in such division of the Presidency (including Sind) as are specified by the Commissioner. There is no objection to the Commissioner specifying all the divisions of the Presidency (including Sind). (G. O. no. 3854 J. D. of the 23rd May 1913).

(C) Licences for Manufacture of Arms

16. (334) When a person who repairs arms is also a maker of arms, he should provide himself with a licence in the latter capacity. No licence is required thereby for carrying on the business of repairing arms by blacksmiths, etc. (*Vide* note (5) to sec. 5 of the Act, page 44.)

(D) Licences for Hyderabad State Subjects

17. (335) In cases where armed travellers from the Hyderabad State are proceeding direct, either to Bombay or to some station on the external frontier of India, a licence in Form XX granted by the Resident at Hyderabad shall cover the entire journey to the point of departure from British territory.

(E) Passes and Licences for Soldiers and Reservists

(i) *Passes by Commanding Officers to serving sepoy on leave.*

18. (336) In order to provide for the closer control over the possession of private arms by Indian troops, the Government of India direct the observance of the following rules:—

(1) An Indian soldier, while absent from his regiment on leave, shall be exempt from the operations of sections 13 to 15 of the Indian Arms Act, in respect of such arms and ammunition only as may be covered by the pass granted to him by his Commanding Officer under Army Regulations, India, Volume II. If a soldier so absent is found to be in possession of arms and ammunition not covered by such a pass, he will be made over to the military authorities for trial.

Note.—A pass shall not be required for regimental sword of an Indian officer or mounted soldier proceeding on furlough, if permission to carry it is entered on his furlough certificate. (Bombay G. O. no. 6831 J. D., dated the 6th Oct. 1915).

(2) The Commanding Officer's pass is intended to cover only those arms which were in the Indian soldier's possession at the time of his quitting his regiment on leave, and such pass does not cover arms purchased subsequently. A soldier is restricted to a certain maximum quantity of arms and ammunition, and if the quantity covered by the pass granted by his Commanding Officer on his proceeding on leave is less than the prescribed maximum, he may only purchase additional

Rule 16. (334) *Vide* note (5) to sec. 5 of the Act, on page 44.

" 18. (336) " " (3) to rule 33 of Rules, page 101 and rule 44 of U. P. Rules.

arms and ammunition up to that maximum with the written permission of "competent authority," i.e. his Commanding Officer. Dealers cannot therefore sell arms or ammunition to Indian soldiers on the strength of the Commanding Officer's pass up to the quantity specified therein unless a special authorisation is produced for each such purchase. (Resn. no. 5881 J. D., dated the 20th Oct. 1909).

(3) A case was brought to the notice of the Government of India in which a soldier of the Indian Army, employed under a Civil Department, purchased a rifle in British India and obtained, from the Officer of the Department under whom he was serving, an informal pass or permit with the object of smuggling the rifle across the North-West Frontier.

(4) Paragraphs 1527-1529 of Volume II of Army Regulations, India, permit a Commanding Officer to give passes to soldiers proceeding on furlough from a regiment. *But no other authority is empowered to grant a pass to an Indian soldier any more than to any other person, and an Indian soldier serving away from his regiment can only obtain authority to possess a gun or rifle by applying to the Magistrate for a licence under the Indian Arms Act in Form XX.

(5) Heads of Departments and the officers serving under them should, therefore, note that they have no authority to grant permits or passes to their subordinates to carry arms not required by them for the execution of their duty and referred to as such in the exemptions granted under Schedule I of the Indian Arms Rules, 1924. (Resn. no. 7939 J. D., dated the 14th Nov. 1895.)

(ii) Reservists' Licences

19. (337) (1) Whenever an Indian soldier, at the time of his being transferred to the reserve, wishes, as a reservist, to possess arms and ammunition for his personal use, the Magistrate of the district in which he resides will grant him a licence, free of licence fee, provided that the application therefor has been submitted through, and is recommended by, the Officer Commanding the applicant's late regiment or battery.

(2) In the case of an Indian reservist applying for a licence at any time after joining the reserve, the Magistrate of the district will grant the licence, free of licence fee on the recommendation of the Officer Commanding the Reserve Centre to which the reservist is attached.

(3) In all cases licences will be renewed, free of licence fee, on the recommendation of the Officer Commanding the Reserve Centre.

(4) Should a Magistrate not feel justified in issuing a licence to a reservist or in renewing a reservist's licence, his decision will be communicated to the officer, through whom the application was submitted, for such action as the latter may wish to take.

Note.—(i) If a reservist goes with his arms beyond the area for which his licence is valid under rule 33 of the Indian Arms Rules, 1924, he should be required to obtain a licence in Form XVI.

Note.—(ii) Application for a licence for arms and ammunition in respect of which the Indian Soldier is not exempt should invariably be refused by District Magistrates. (Resn. no. 2134 J. D., dated the 10th April 1911.)

(5) Offences under the Indian Arms Act and Rules committed by reservists will be dealt with in the ordinary manner under the Act by the magistracy. (Bom. no. 4497 J. D., dated the 8th Aug. 1910.)

(6) The District Magistrate should be informed of the discharge of reservists who are in possession of licences and these licences may be withdrawn when a reservist is discharged. (Bom. no. 468 J. D., dated the 29th Jan. 1906).

(F) Quantity of Ammunition allowed

20. (338) The licensing authority should in every case enter in columns 3 and 4 of the licence in form XVI of the Indian Arms Rules, 1924, the quantity of ammunition which a licensee may possess; but the quantity thus entered represents the maximum which the licensee may possess at any one time. So long as no absolute maximum has been fixed by the local Government, all that a dealer need do is to see that he does not supply to the licensee more than the specified quantity of ammunition at any one time and to endorse upon the licence, as required by condition no. 5, the prescribed particulars as to the transaction. When, however, the local Government has fixed an absolute maximum quantity, with reference to condition no. 6 of form XVI, thus limiting the amount a licence-holder may purchase in a year, it becomes necessary for the vendor further to see, by reference to the endorsements relating to former transactions, whether the absolute maximum so fixed has been reached, and if it has, he must, under condition no. 8 of license form X, refuse to sell any more. (Resn. no. 6682 J. D., dated the 30th Nov. 1909).

8. *Licensed Weapons—Marking and loss of.*

21. (339) Suitable arrangements should be made by the District Magistrates for the marking and numbering of all licensed guns which do not bear the maker's name and legibly stamped number thereon. The cost of the necessary tools should be met by a re-appropriation of funds, the previous sanction of Government being applied for in each case.

The registers at present maintained for licensed guns should be in the prescribed standard forms. (Resn. no. 3231 J. D., dated the 20th May 1901.)

Note.—Police officers should make it a duty to see that the conditions printed on back of all licences they are empowered to examine are observed by the licensee.

22. (340) If a gun, covered by a licence issued on forms XVIII and XIX annexed to the Indian Arms Rules, 1924, be lost or stolen, the licensee shall at once give notice of the fact at the nearest police station. (Resn. no. 5952 J. D., dated the 31st Aug. 1900.)

9. *Licensed Dealers.*

23. (341) (1) All licensed dealers in arms and ammunition are bound, under the law, to ascertain that the persons to whom they sell arms are legally authorised to possess the same. The police should keep a vigilant supervision over the register prescribed above, and if they find that arms and ammunition have been supplied to persons

whose exemption seems to be doubtful, they should take steps to ascertain whether such persons are really exempted from the provisions of the Indian Arms Act, and, if not, to report the matter to higher authority. (Resn. no. 4847 J. D., dated the 25th Aug. 1909).

(2) Licences for the possession of fire-arms, etc., cover only such arms as are described therein. A person who purchases a weapon the description of which does not agree with that contained in any licence which he may hold, cannot be regarded as lawfully entitled to possess such weapon within the meaning of the second proviso to exception II under item 10 of Import Tariff Schedule II. (Resn. no. 5761 R. D., dated the 16th June 1911)

(3) In the event of a licence issued in form XVI, XVIII or XIX of the forms appended to the Indian Arms Rules containing no entry as to the quantity of ammunition covered thereby, an arms-vendor should refuse to supply any ammunition to the licensee and should return the licence to be properly filled in. (Resn. no. 1980 J. D. dated the 6th April 1910).

24. (342) Every person to whom a licence to manufacture or sell arms, ammunition or military stores has been granted shall keep an account of all stock, and of all sales of arms, ammunition or military stores, in the form prescribed in Government Resolution, Home Department, No. 1232-Poll of 20th July 1925/3rd Aug. 1925.

Note.—Licensed vendors should be required to pay the cost of the books of forms of the sale register of arms supplied to them. (Letter no. 8564 J. D., dated 2nd December 1913.)

10. *Inspection of Licensed Shops.*

25. (343) (1) Every Magistrate in revenue charge of talukas, and every Superintendent of Police, Assistant or Deputy Superintendent of Police shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor within their respective charges at least once a year, and report the result to the District Magistrate.

(2) The date of every inspection above prescribed shall be noted in the account-book of the licensed manufacturer or vendor, and authenticated with the signature of the officer making the inspections.

(3) Superintendents of Police must pay particular attention to the important duties under the Indian Arms Act assigned to them by Government, and always report the result of their inspections of the shops, etc., of every licensed manufacturer etc., to the District Magistrate.

26. (344) In the mofussil Inspectors of Police shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor within their respective charges, and compare carefully the accounts with the stock in hand at least once every six months. The results of such inspections shall be at once reported to the District Magistrates through the Superintendent of Police, and the Inspectors will be held responsible for bringing to notice every breach of law, or rule, or any irregularity which may occur.

11. *Sale and Disposal of Arms, etc.***(A) Verification of Sales**

27. (345) The system followed in the City of Bombay for the verification of sales of arms and ammunition by local dealers has been prescribed for the Bombay Presidency. But the sale of gunpowder and percussion caps need not be recorded in the sale register of arms prescribed under the system. (Letter nos. 5336 J. D., and 467 J. D., dated the 19th Sept. 1911 and 18th Jan. 1912 and I. G. P. no. I6118-B of 27th Oct. 1911 and 1971-B. of 7th Feb. 1912)

(1) Verification slips of arms sold to persons residing in Rangoon should be sent to the Commissioner of Police, Rangoon, when the purchaser resides in Rangoon Town and to the Superintendent of Police concerned when the purchaser resides elsewhere in the province. As regards Madras, the slips should be sent to the Commissioner of Police, Madras, or the District Magistrate concerned. Similar verification slips sent from Madras and Rangoon will be addressed as follows :—

The Commissioner in Sind—in the case of purchasers residing in Sind.

The Commissioner of Police, Bombay—in the case of purchasers residing in the Bombay City.

The Superintendent of Police concerned—in the case of purchasers residing elsewhere in the Presidency. (Resn. no. 7019 J. D., dated the 1st Oct. 1912).

(2) The procedure described in clause (1) above will also be followed in regard to slips received from Bengal (other than the town of Calcutta). If any slip is missent from Bengal to an officer he should arrange to transmit it to the proper authority instead of returning it to the authorities in Bengal for redirection. (Resn. no. 3415 J. D. dated the 7th May 1913).

(B) Indiscriminate Disposal of Arms, etc, forbidden

28. (346) (1) All officers of Government whose duty it may be to conduct sales of arms should satisfy themselves before the confirmation of the sales, by a reference to the District Magistrate, that the purchasers are entitled to possess such arms; and auctioneers should be warned against selling arms and ammunition to persons not legally entitled to possess them.

(2) The duties of licensed vendors and private individuals in this respect are laid down in section 5 of the Indian Arms Act, 1878, and the attention of all heads of offices is drawn to the provisions of the law. (Cir. no. 2823 J. D. dated the 2nd May 1901).

(3) Railway Companies cannot be permitted to sell arms and ammunition under any circumstances. Section 28 of Act XI of 1878 requires them in certain cases to give information to the Police. When any arms or ammunition are left in a railway carriage, the Company may properly keep them for a reasonable time, to enable them to be claimed but section 22 of the same Act makes the Company legally responsible for delivering them to any person

were for the use of a person duly entitled to possess and transport them. It will be noticed that this rule deals with transport only, and that where export, as from Poona across Kolhapur to Ratnagiri, is involved, the licence of the Secretary to Government, Political Department, required by the rules is needed.

34. (352) and (353). **Arms deposited with Dealers or Police—superseded by rules published with Bombay Govt. H. D. (Poll) notn. no 953 Poll dated the 10th June 1929, which are reproduced on page 178.**

Note.—No expenditure is to be incurred for the conveyance from Taluka stations to the Head-quarters stores of arms which come into the possession of the police. It is unnecessary to send them in by a special party in a cart or with hired coolies. Such arms can be carried on the same carts when treasure is sent from Talukas to Head quarters. If for any special reasons any arms are to be brought in at odd times and expense is likely to be incurred the District Magistrate should be addressed to sanction and provide any probable expense. (I. G. P. no. 143 of 21st Oct., 1926.)

14. *Rules applicable to Railway Limits in Baroda and Palampur.*

35. (354). For rules for the control of arms and ammunition on the portions of the B. B. and C. I. Railway situated in Baroda and Palampur see Govt. resns., Poll. Dept. no. 7485 dated the 30th Nov. 1895 and no 5966 dated the 30th Sep 1897.

36. In supersession of the orders contained in Government Order No. 1096 A., Poll., dated the 1st Sept. 1921, the Government of Bombay have ruled that holders of licences for rifles other than **rifles of 22 bore., revolvers or pistols** in Forms XVI, XVIII, or XIX appended to the Indian Arms Rules 1924, shall not possess at any time ammunition in excess of the maxima shown below :—

Rifles other than rifles of 22 above	...	100 cartridges for each weapon
Pistols of revolvers	...	50 ditto

(Bombay No 2443, Poll., dated the 2nd December 1924).

37. Under condition 7 of the conditions attached to Licence Forms IX, X, XI, and XII appended to the Indian Arms Rules, 1924, the Government of Bombay directs that the licensees shall give information of all firearms and ammunition for shot guns, rifles, pistols and revolvers sold by them to licensed or exempted persons within a week after the sale in the form subjoined below, to the District Magistrate of the district in which the purchasers reside, or to the Commissioner of Police, Bombay, Calcutta, Madras or Rangoon if the purchasers reside in Bombay, Calcutta, Madras or Rangoon :—

FORM.—Report of sales of arms and ammunition.

Date of sale. 1	Name and address of purchaser. 2	Number and full description of firearms (sold including bore). 3	Quantity and full description* of ammunition sold (including bore). 4

* (NOTN.—No. 2268 dated the 11 Oct. 1927.)

(1) The Collector of Customs will, under section 6 of the Indian Arms Act, 1878 (XI of 1878), detain all firearms not covered by licences produced by the owner.—(2) He may likewise, if there are reasonable grounds for suspicion, under the same section, detain firearms ostensibly possessed under proper authority.—(3) He will give in the former case a receipt to the owner describing the particulars of the weapon; in the latter case he will report the facts to Government for orders under section 6 of the Act.—(4) The owner in the former case will apply for a possession licence filing his receipt with the application to the Commissioner of Police, Calcutta, or Magistrate of the 24 Parganas or Howrah, if he is going to reside in those districts. If he is going to reside elsewhere he will apply to the Commissioner of Police for a journey licence to his place of residence.—(5) The licensing authority will then dispose of the application, inspecting the weapon, if it wishes to at the Customs Office.—(6) On receipt of his licence, if it is granted, the owner will present it at the Customs Office and take possession of his weapon.—(7) In cases where the owner cannot spare the time to get a journey licence from the Commissioner of Police, he will, after reaching his destination, apply to the local District Magistrate for a possession licence for the weapon, filing his Customs receipt. On receipt of the licence he will forward it to a licensed dealer or a recognised shipping agent in Calcutta with an order authorising the dealer or the shipping agent to take delivery of the weapon from the Customs Office, and to forward it to him at his expense. The Customs authorities shall deliver up the weapon to the dealer or the shipping agent on production of the owner's licence and the letter of authority. [Similar rules *mutatis mutandis* have been framed for the import of arms as personal luggage through the Port of Chittagong.]

3A. The following is the list of firms authorised to take delivery from the Customs House of arms imported or brought as personal luggage on production of owner's licence. The firms mentioned in item III—'Tea and other Agencies'—are only authorised to take delivery of weapons belonging to the partners, or employees of concerns, for which they hold the agency:—

I.—Shipping Agents.—1. Grindlay & Co. 2. Thomas Cook & Son. 3. Cox and Kings (Agents), Ltd. 4. Balmer Lawrie & Co. 5. Allen Bros. & Co. (India), Ltd. 6. American Express Co. Inc. 7. George Waller & Co.

II.—Ships Agents.—1. Gladstone Wylie & Co. 2. Mackinnon Mackenzie & Co. 3. James Finlay & Co., Ltd. 4. Jardine Skinner & Co. 5. Anderson Wright & Co. 6. Turner Morrison & Co., Ltd. 7. Grahams Trading Co., Ltd. 8. Hoare Miller & Co.

III.—Tea and other Agencies.—1. McLeod & Co. 2. Octavius Steel & Co. 3. Duncan Bros. 4. Williamson Magor & Co. 5. Andrew Yule & Co. 6. Gillanders, Arbuthnot & Co.—7. Bird & Co. 8. Begg Dunlop & Co. 9. Shaw Wallace & Co. 10. Martin & Co. 11. Samuel Fitze & Co. 12. The Planters Stores and Agency Co., Ltd. (Bengal letter No. 158 P. J. D., dated the 14th July 1920).

4. Journey licences for passengers arms.—*Vide* note (1) to rule 34, page 105.

5. Import licences under Explosive Act for ammunition.—*Vide* note (3) to section 6 of the Act, page 46.

6. Foreign Inward Mail containing arms and ammunition.—*Vide* note (4) to section 6 page 46.

7. **Articles in transit to foreign territories through Post Office.**—*Vide* note (4) to section 6, second para, page 45.

8. **Cantonments and other administered areas and railway lands in Indian States** are foreign territory, although British jurisdiction is exercised in them, and consequently licences are necessary for the export of arms and ammunition to such places.

9. **The authorities in Bengal empowered to grant licences for the export of arms, ammunition or military stores to Indian States** are the Secretary to the Government of Bengal, Deputy Commissioner of Police, Calcutta, Commissioner of the Rajshahi Division and the Political Officer in Hill Tippera, for the places and subject to the conditions prescribed in Schedule VI of the Indian Arms Rules, 1924. The export of arms ammunition or military store to a State in India no longer requires the previous sanction of the Political Officer for such State, where the consignee is—(i) a Ruling Prince or Chief, (ii) a gazetted officer in civil employ or an officer holding His Majesty's Commission, (iii) a member of the family of the Ruling Prince or Chief or a noble or an official of a State in India who has been designated in this behalf by the Local Government or Political Officer concerned, (iv) a person included in any of the categories in Schedule I and the consignment is intended for the personal use only of the consignee. Such sanction is required in other cases, and in granting licences of the export of Arms into Indian State and Agencies the procedure laid down in rule 17 of the Indian Arms Rules, 1924, should be followed (H. D. letter no. F-21-XI-27 dated the 16th Feb. 1927).

* *Note.*— No licence is required for the export of swords and sword sticks to states. (F. and P. D letter no. F-149-G-29 dated the 4th June 1929).

9 A. **Export to Afghanistan.**—*Vide* note (5) to rule 19, page 91.

9 B. „ **to Nepal.**—*Vide* note (6) to rule 19, page 91.

10. **Moyapur Warehouse.**—*Vide* note to section 9 page 47.

11. Under section 9 of the Sea Customs Act, VIII of 1878, the following rule is published for general information :—

The import and export manifests of all vessels engaged in the coasting trade or vessels trading with ports in the Persian Gulf shall, in future, be required to contain a list of all arms and ammunition carried by such vessels as a part of their equipment or armament and likewise of all arms and ammunition being the personal property of the master, the officer and the crew on board such vessels. This information must be furnished in the manifest for each port to which the vessel is bound. (Notification dated the 7th Sept. 1889.)

12. In exercise of the powers conferred under section 157 of the Sea Customs Act VIII of 1878, the provisions of sections 55 and 63 of that Act have been extended to coasting vessels owned and manned by natives of India and to vessels plying under general passes under section 164 of the Act so far as regards the specification by the master, in the import and export manifests of all arms, ammunition carried on such vessels as part of their equipment or armament, and likewise of all arms and ammunition on board being the personal property of the master, the officers, and the crew working on board such vessels (Bengal notn., dated the 7th Sept. 1889.)

13. **Export to Indian States**—*Vide* note (2) to Rule 19, page 91.

13A. The second para. of sec. 6 of the Arms Act, operates to render a licence unnecessary in the case of arms and ammunition exported from British India into Berar by exempted or licensed persons resident in Berar in reasonable quantities for their own private use. Other arms and ammunition, which would otherwise fall within the prohibitions of the first paragraph of section 6 are, when covered by a licence granted in Berar or British India, protected [*Vide* entry 2 (vi) of Schedule II of the Indian Arms Rules, 1924, and entry (v) of schedule II of the Berar arms Rules, 1924] both in British India and Berar from all the prohibitions imposed by the Act and can therefore be imported or exported into or from Berar without formality or licence (H. D. Endt. no. F-21-XV-26 dated the 13th May 1926.)

14. **Export of cannon**.—*Vide* note (1) to Rule 19, page 91.

15. **Transport licence for definite consignments**.—*Vide* note (4) to Rule 24, page 94.

16. **Import and transport**.—*Vide* Note (5) to rule 24, page 94.

17-18. **Remission of fees for licences**.—*Vide* notes (1) and (2) to rule 46, page 113.

19. With a view to prevent the leakage of firearms through officers and crew of vessels calling at the Port of Calcutta, the following warning notice has been prescribed. The notice should be printed in heavy type under the signature of the Commissioner of Police, Calcutta, and distributed by him to shipping firms for circulation to officers and crew on the arrival of vessels and for posting up in conspicuous places on the ship. Copies should also be sent to Port Officer, Calcutta.

Officers and crews of vessels calling at the Port of Calcutta are hereby warned that the sale of arms, ammunition or military stores to any person in India is, unless effected in conformity with the provisions of the Indian Arms Act, punishable with imprisonment or with fine, or with both.

To avoid the risk of incurring these penalties, owners of such articles should in all cases before transferring them to any person in India apply for information to the Commissioner of Police in Calcutta or to Magistrates at other ports of call.

A similar notice with the requisite notification should be issued over the signature of the District Magistrate of Chittagong and distributed to the agents of shipping firms in Chittagong and to the Port Officer. (Bengal No. 136-37 P.—D., dated the 28th April 1916.)

20. **Application of Act to arms other than firearms**.—*Vide* note (7) to Schedule II, page 136.

21. **Prohibitions affecting Bayonets**.—*Vide* note (8) (i) and (ii) to Schedule II, page 147.

22. **Prohibitions affecting Air Pistols**.—*Vide* notes (8) and (9) to Schedule II, page 137.

23. **Prohibitions affecting Daggers**.—*Vide* note (8) (iii) to Schedule II, page 136.

24. **Prohibitions affecting Swords**—*Vide* notes (8) (iv) to Schedule II, page 137.

24A. **Extension to Bengal of section 15 of the Act.**—*Vide* note to section 15 of the Act, page 52.

25. **Leaden Bullets and Bird shot.**—*Vide* note (22) to Schedule II, page 138.

26. **Sulphur.**—*Vide* note (23) to Schedule II, page 138—139.

27. With regard to the prohibition of **going armed with daggers** the question has been raised whether **hunting knives** should be treated as **daggers**. This is a question of fact to be decided in each case, but the double edged type of hunting knife with cross guards should be treated as dagger, and the owner should take out a licence to go armed with it.—(*Vide* case of **Bishan Singh** referred to in note (48) to section 4 of the Act, page 42).

28. **Payment of fees in cash.**—*Vide* note to rule 48, page 114.

29. **Remission or Reduction of fees.**—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870) as amended by Part I of the First Schedule to the Devolution Act, 1920 (XXXVIII of 1920) the Governor in Council is pleased—

(1) to remit all fees payable under Schedule II of the said Act upon applications for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1924, in respect of which a fee is payable under those Rules, and

(2) to reduce to one anna all fees, exceeding one anna, payable under the said Schedule upon other applications relating to licences or duplicates granted or renewed under the said Rules in all districts in the Presidency of Bengal. (Bengal notn. no. 1711 Pl. dated the 17th June 1924.)

Note—The effect of this notification is that the Court Fee payable on appeals against the refusal of a licence under rule 33 of the Indian Arms Rules, 1924, is one anna.

30. **Fees for muzzle-loading pistols.**—*Vide* note (4) to Rule 46, page 114.

31. **Fees for licences for sulphur.**—*Vide* note (3) to Rule 46, page 113.

32. **Scale of arms for exempted persons.**—*Vide* note (11) to Schedule I, page 124—125.

33. **Licence for excess weapons.**—*Vide* note (12) to Schedule I, page 125.

33A. **Licence for ammunition of prohibited bores.**—*Vide* note (4) to Rule 7, page 83 and note (6) to rule 28, page 98.

34. **Certificates of exemption.**—Similar to U. P. rules reproduced as notes (24) and (25) to Schedule I, page 128.

35. **Improper use of arms by exempted persons.**—*Vide* note (5) to rule 3, page 81.

36. **Registration of firearms by exempted persons.**—*Vide* note (13) to Schedule I, page 125.

37. Should there be any difficulty or doubt as to the adequacy or accuracy of any description or should any exempted person be unable to fill in the **Enquiry Form**, no. 125 B., item no. 1 of Bengal Forms, (referred to in note (13) on page 133) satisfactorily, an officer of suitable standing should be deputed, by previous arrangement with the person concerned, to fill in the form after inspection of the weapons. The form when received back from the exempted person should be grouped in **Guard File** according to entries in Schedule I to the Indian Arms Rules. It is not necessary to maintain any regular registers as these guard files should suffice, while it will be an easy matter for the District Officer or the Commissioner of Police to forward the Form for any exempted individual to the officer in the district or town to which such person removes. To facilitate reference to the papers in the guard files an index should be prepared and kept up to date. (Bengal no. 1561-67 P. J., dated 1st April, 1920.)

37 B. Under clause (d) of entry (1) in Schedule I to the Indian Arms Rules, Servants of Ruling Prince or Chief, having a salute of guns when carrying arms for, but not accompanying, their masters, are exempted from the operation of certain provisions of the Arms Act subject to the condition that their names are specified in a general authorisation to be issued by the Political Officer concerned to the Prince or Chief. The form to be used by Political Officers in connection with the operation of clause (d) referred to above, is shown in item 2A in the Schedule of Provincial Arms Act Forms. (F. and P. D. letter no. F-363-G-29, dated the 7th Oct. 1930).

38. The following instructions must be observed in cases relating to the **inclusion of retainers** under licences in forms XVI and XX.—

(1) The provision for including retainers is intended to meet the case only of persons whose standing or circumstances are such as to make it reasonable for them to employ retainers or servants who would be required in the ordinary course of their duties to carry weapons. The privilege should, as a rule, not be granted except in the case of gentlemen included in the Darbar lists of their respective districts and to private firms and rich merchants as provided in paragraphs 42 and 44. If any retainers whose name is entered in a licence, should, during the continuance of the licence, die, or be dismissed from, or resign the service of the licence-holder, no other person shall be entitled to possess arms or ammunition as the successor of such retainer, unless his name, father's name and address are entered in the licence under the signature of the officer who granted the licence or the successor to such officer. When no retainers are licensed, the fact should be clearly indicated in column 5 of Form XVI or column 4 of Form XX, as the case may be. Application from licensees to have a brother, or other relative shown as a retainer should be refused. Except in the case of *bona fide* retainers, separate licences should be taken out by different persons desiring to use one weapon (Letter no. 5300-05-P., dated the 7th Nov. 1927).

39. Retainers of exempted persons shall not be allowed more than one smooth-bore muzzle-loading or breech-loading gun each.

40. As a precaution against the possibility of firearms of exempted great zamindars' retainers passing into the hands of unauthorised persons, each retainer is to be furnished by his Zamindar with a Parwana in Bengal Executive Form no 134 (item 2 of Schedule of Forms) authorising him to carry one smooth bore breech-loading or muzzle-loading gun. It is not desirable that spare copies of the form should be allowed to accumulate with private persons. "Great Zamindars" should therefore be given only as many forms as they have retainers covered by their

exemptions, and they should be requested to take particular care not to leave blank forms where unauthorised persons can have access to them. For similar reasons indenting officers should keep their spare stock of the forms under lock and key in a responsible officer's charge.

41. As it was represented that private firms, which had to make large remittances of money, experienced great difficulty in obtaining licences for their darwans, instructions were issued that licences in Form XVI of the Indian Arms Rules should be granted in the name of the firm (European or Indian) and that the name of the firm's chaprasis or servants who would ordinarily be employed in guarding remittances and who would be entrusted with guns should be entered in the appropriate column of the licence form. At the same time a parwana in Bengal Executive Form no. 134A, (Item no 3 in Schedule of Forms) should be issued to the licensee for each of the retainers allowed. These parwanas should remain in the personal custody of a responsible member or agent of the firm and should be made over to the retainers when they are entrusted with the guns by virtue of the licence. Should it be necessary to make any change in the list of the licensed retainers a responsible member or agent of the firm may make and sign the alteration in the parwana. The parwana should be returned at the end of the year along with the licence, when application for the latter's renewal is made. When such darwans, chaprasis or servants accompany a remittance they must take out journey licences in Form XX unless they hold licence in Form XVI made valid under rule 33 (2) for the districts through which the journey is to be made. The same precautions are prescribed to prevent these forms coming into the hands of unauthorised persons as in the case of the parwanas of great zamindar's retainers. (NOTE.—When licences are granted to firms in respect of pistols and revolvers for use by their employees the necessary alteration should be made in manuscripts in the parwana form, inserting pistol or revolver for "gun.")

42. Gun licences in Form XVI should be freely granted to rich merchants, who do not at present enjoy the privilege of keeping armed retainers, if they keep a retainer or servant of the pensioned sepoy class. It is not desirable to fix any limit of income for merchants to whom licences may be granted; District Officers should use their discretion in granting such licences. It should be understood that the duty of selecting and appointing ex-sepoys will lie with the employer and not with the District Magistrate. While encouraging the employment of ex-sepoys as retainers or servants, District Magistrates should grant licences for servants or employees, not of the pensioned sepoy class, who satisfy the Magistrate that they are of good character and are able to use a gun. (Bengal no. 271P.—D., dated the 13th July 1913 and no. 95P.—D., dated the 25th April 1916).

43. The following Notice which is published by the Army Department in the Calcutta Gazette in January and July every year indicates the authorities to whom applications for the service of ex-sepoys should be made and the particulars that should be furnished in the application :—

The services of pensioned and discharged sepoy of the Indian Army required for employment in civil capacities may be obtained on application to—

(i) Recruiting Staff Officer at the following stations :—

(s) The Recruiting Officer of the class required at the following stations :—

(a) Musalmans—

• Peshawar for Pathans; Rawalpindi, Lahore and Jullandhar for Punjabi Musalmans; Ajmer for Rajputana Musalmans and Poona for Dekhani Musalmans.

(b) Hindus, etc.

• Lahore and Jullandhar for Sikhs and Dogras; Delhi for Brahmans, Rajputs, Jats, Gujars and Ahirs; Ajmir, for Rajputana Hindus (i.e. Rajputs, Jats, etc.) Poona for Mahrattas and Maymyo for Burma Classes.

(ii) Pension Paymaster, Madras, for Madrasis

(iii) The Asst. Military Secretary (Personal) to H. E. the Commander-in-Chief (Army Head Quarters) for pensioned Indian officers of all classes, required for employment as passenger superintendents on Indian Railways.

All applications from employers should include the particulars shown below, and should be addressed to the officers referred to at the places above mentioned—

(1) Name of person or firm offering employment. (2) Nature of employment and place at which it is offered. (3) Proposed pay and period for which employment is offered. (4) Whether railway fare to place of employment will be paid or not. (5) Whether return railway fare will be paid in case of pensioner being discharged for no fault of his own, or after a definite period of service. (6) Class of men required e.g., Sikh, Pathan, Dogra, etc.

Reference should be made to this notice from time to time as changes in the details are not always reproduced in correction slips to the Manual.

44. Persons desiring to employ ex-sepoys as armed retainers and guards for the protection of their property may be advised by the District Magistrate to submit their applications through him. When such applications are received, the District Magistrate should forward them to the Military Officer concerned after he has satisfied himself that they are in order and that the complete information required in the notice has been furnished. It is not of course intended that Government should assume any responsibility for the pay of the ex-sepoys; but, if District Magistrates think it advisable, they may, before forwarding the application to the Military authorities, require the applicant to deposit a sum sufficient to cover the travelling expenses and the pay for a reasonable period of the men whom it is desired to employ. When such deposit has been made, the Military authorities should be informed. (Letter no. 8926 P., dated the 9th Aug. 1915 and no. 6378-6404 P., dated the 28th April 1916).

45. **Exemption of public servants.**—*Vide* note (4) to section 1 of the Act, page 35, note (16) to Schedule I, page 127 and note (5) to Schedule VII, page 152.

45A. **Exemption of Vice Consuls.**—*Vide* note (1) to clause (4) of Schedule I, page 117.

46. **Exemption of Government servants.**—*Vide* note (4) to Schedule VII, page 151.

46A. **Exemption of Government officers.**—*Vide* note (5) to Schedule VII, page 152.

46B. **Exemption from fee.**—*Vide* note (6) to Schedule VII, page 152.

47. Under sec. 27 of the Arms Act the Governor-General in Council has excluded from the operation of the prohibitions contained in sections 14 and 15 of the said Act any arm belonging to commissioned officer, warranted officer, non-commissioned officer or soldier of His Majesty's Forces for the time being serving beyond the limits of British India. (H. D. no. 1582, dated the 20th August 1920).

48. The following description of the pistol and revolver which comprise part of the equipment of officers holding commissions from His Majesty the King forms the description contained in paragraph 48:—

"2 revolvers or 2 pistols or 1 revolver and 1 pistol." } Of no special pattern but one of the weapons must take Government ammunition of 455 bore.

(H. D., letter no. F. 21-XLVI-25 dated the 23rd Oct. 1925).

NOTE.—These orders apply to persons exempted under section 1 (b) of the Act. For the purposes of clauses (3) and (4) in Schedule VII of the Indian Arms Rules, 1924

the above description of the equipment will apply to officers who retire after the 15th March 1924. Such officers are therefore entitled to a free licence for two revolvers or two pistols or one revolver and one pistol which formed part of their equipment, provided that one of these weapons takes Government ammunition of .455 bore. Military officers who retired before the 15th March 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 bore. For ex-officers of the Auxiliary Force, equipment has not been defined, and licensing officers, before issuing free licences, need only satisfy themselves that the weapons for which exemption is claimed actually formed part of the officer's equipment.' (H. D., letter no F. 21-XXV-25 dated the 28th July 1925).

48A. Classes of officers holding commission from His Majesty the King and His Excellency the Viceroy. — Paragraph 48 describes the equipment of officers holding commissions in the army for purposes of the Arms Act. Commissions are of two kinds according as they are granted by His Majesty the King or by 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, 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, *viz.*, 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, Subadar, Subadar-Major, Risaidar, Risaidar, Risaidar-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 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, Subadar, Subadar-Major.

The above classification should be strictly observed for the purposes of the Arms Act. (Bengal letter no. 4691-4696 Pl. dated the 28th October 1930).

NOTE — Difficulty is felt in districts in keeping a record of the weapons held by officers mentioned in paragraph 48 A above. This should be met by introducing the practice, which obtains in Calcutta, of regarding these officers as exempted persons and calling on them to register their exempted weapons in the same manner as other exempted classes. This can best be done through the Adjutant of the unit to which they belong. As regards police and forest officers, the exempted

weapons should be registered through the Superintendent of Police and Divisional Forest Officer, respectively. (Bengal letter no. 3984 PL, dated the 17th Sep. 1926)

49. The officers of the Army or Royal Air Force holding commissions both from His Majesty the King and His Excellency the Viceroy are entitled to be in possession, as part of their equipment for the purposes of section 1 (b) of the Arms Act,

Of two swords, one Full dress Pattern and the other Field Service Pattern, when so required by the "Dress Regulations for the Army. (H. D., letter no F. 21-XXX-23 dated the 15th Oct 1924)

50. The following arms shall comprise the equipment of an officer of the Royal Navy and of the Royal Indian Marine for the purposes of section 1 (b) of the Indian Arms Act, 1878:—

1 sword.

1 rifle—303 SMLE, Mark III or III.*

1 pistol—of no special pattern.

(H. D., letter no. F. 21 XXX-23, dated the 20th Oct. 1924).

51. In matters affecting the administration of the Indian Arms Act, 1878, the following functions should be performed by District Magistrates personally—

(1) the grant of licences for pistols and revolvers, (2) the grant, and cancellation of licence for all firearms, (3) the disposal of all cases in which a licensee fails to produce the weapons when he is called upon to do so after purchase or at other times (4) the making of recommendations in all applications for exemption, (5) the issue of licences to go armed on a journey, (6) the issue of licences to deal in firearms, (7) the institution of all prosecutions under the Indian Arms Act, 1878, (8) the fixing of the quantity of ammunition to be allowed to a licensee in the case of weapons for which Government have prescribed a maximum limit, (9) the disposal of confiscated arms, (10) the inspection of unserviceable weapons, (11) the grant of rewards in cases under the Arms Act, and (12) disposal of applications for the inclusion of retainers under licences in Forms XVI and XX.

A District Magistrate may, however, by a written order, delegate his duties numbered (5), (9), (10) and (11) to the Additional Magistrate where there is such an officer, and may similarly delegate to him, with the approval of the Commissioner, the duty of granting licences for shot guns in cases where the grant is recommended by both the Subdivisional Officer and the Superintendent of Police. He may also by a written order, delegate to him the duty of deciding whether the name of any particular person may be entered in column 5 of a licence in Form XVI or column 4 of a licence in Form XX in any case where the District Magistrate has authorised the inclusion of retainers as in item (12) of his duties specified above. The District Magistrate may entrust to a Joint, Assistant or Deputy Magistrate the verification of the deposit of firearms when a licence is cancelled or an exemption is withdrawn. (Letters nos. 5811-5815 PL, dated the 28th Nov 1927 and 2097-2101 PL, dated the 16th April 1928)

52. The following qualifications may be taken as rendering an applicant suitable for grant of a licence and previous enquiry should not, as a rule, be necessary when these qualifications are forthcoming:—

(i) Membership of any order established by the Crown, or the possession of a title conferred or recognised by the Government of India or of the Kaiser-i-Hind Medal or a certificate of honour. (ii) Membership, past or present, of the Indian or Provincial Legislatures or inclusion in the list of Provincial Darbars. (iii) Payment of not less than Rs. 500 land revenue or Rs. 100 in roads and public works cases. (iv) Any payment of income-tax. (v) Being a Government officer in receipt of a salary not less than Rs. 100 per month. (vi) Being a commissioned or gazetted officer of the Indian Navy, Indian Marine Service or a

commissioned Indian officer of the Imperial Service Troops in active service. (vii) Being a pensioned officer who before retirement was by virtue of his official position included in any of the classes described in (v) or (vi) above. Where the qualifications in respect of payment of land revenue, cess or income-tax are possessed by a joint family they should be taken to qualify the head of the family to the same extent as if he possessed them personally.

While the qualifications stated should ordinarily be taken as rendering an applicant suitable for the grant of a licence for a rifle or smooth-bore gun not of prohibited bore and previous enquiry should not as a rule be necessary when these qualifications are forthcoming, it lies within the discretion of the licensing authority to direct such enquiry when he considers that he cannot properly exercise his responsibility under the Act without further information as to the applicant. (Bengal no. 553—560 Pl., dated the 13th February 1924).

53. Licences in Bakarganj — *Vide* note to section 18 of the Act, page 62.

54. In the case of applicants for licences not falling within the classes specified in paragraph 52 the Magistrate or the Commissioner of Police shall cause such enquiries as he considers necessary to be made as to the character and status of the applicant and his fitness to receive a licence, and should satisfy himself that the arms are reasonably required for the purposes stated in the application. Where considered desirable enquiries may be made through other agencies in addition to, or in substitution for, the police.

55. The grant of permits for the purchase of arms and ammunition before the issue of the prescribed licence is forbidden except when prescribed licence forms are exhausted and, it is necessary, to issue a provisional licence or permit. All that is necessary is to issue the licence with an endorsement that the weapon, when purchased, is to be produced, within a certain time. Particulars of the weapon supplied should be entered by the dealer in the column provided for the purpose in Form XVI. (Bengal no. 4043-4048 Pl., dated the 21st Nov. 1921).

56. All applications for licences will be entered on receipt in the Magistrate's office in a "Register of application under the Arms Act" in Exe. Form no. 185 (item 5 of Schedule of Forms).

The entries in the register will be arranged by thanas, all applications being entered in one volume, which should last for several years. When a preliminary enquiry is necessary the application, with a copy of the enquiry form (item no. 5 of Schedule of forms), will be despatched direct to the officer entrusted with the enquiry. The Magistrate ordering the enquiry will invariably fix a returnable date, which in the case of applications forwarded to officers in charge of police-stations, and in the absence of special urgency, will ordinarily be one month ahead, so as to allow time for submission through the prescribed officers. The District Magistrate will pay particular attention to the punctual return of such applications. Blank spaces have been left against heading XII, as it is not intended, that the form should be regarded as precluding enquiry on other points, and the space allowed will enable additional information to be called for to meet local peculiarities. An enquiry, for instance, as to the number of guns already possessed in the village will not only be advantageous in itself but will bring the matter at regular intervals to the notice of the officer in charge of the police-station.

in which the village is situated. In the case of applications which are rejected the entry in column 7 of the register will be made in red ink for facility of reference, and before an enquiry report is submitted to the District Magistrate the register should be examined to see whether an application has been rejected within the last three years. Successful and unsuccessful applications should be kept in two separate guard files in chronological order. These are C class papers. In the event of a licence being granted on appeal to the Commissioner under rule 43 of the Indian Arms Rules the fact should be noted in column 8.

57. Among the **proper reasons for refusing a licence** are—(1) Prevalence in the neighbourhood of riots and especially of riots in which firearms have been used and of serious land disputes likely to result in disorder. (2) Such misconduct of the applicant or his near relatives or dependents as causes reasonable apprehension that a gun may be misused. (3) Culpable negligence resulting in the loss of weapon.

There are no orders in force at present **prescribing a maximum number of licences** for any District. The practice of making it a condition of the grant or renewal of a licence that the applicant shall subscribe to a work of public utility is expressly forbidden. An applicant who has a genuine need for a licence should not be refused a licence on the **ground of his politics** unless the District Magistrate has reason to apprehend that the gun may be misused. The policy adopted by Government is a **liberal issue of licences** for smooth bore guns—(i) for protection and for sport in Form XVI, (ii) for going armed for the destruction of wild animals which do injury to human beings or cattle under Form XVIII, and (iii) for going armed for the destruction of wild animals doing injury to crops or cattle under Form XIX, subject to reasonable precautions against guns coming into the hands of persons who are likely to misuse them.

58. **Licences for pistols and revolvers.**—*Vide* note (6) to rule 33, page 102.

58-A. **Possession of weapons of prohibited bores.**—*Vide* note (1) to rule 7, page 83

59. **Renewal of licences.** Paragraph 1 of this rule is reproduced as note (2) to rule 42, page 110 and paragraph 2 as note (10) to rule 33, page 103.

60. This rule forms note (11) to rule 33, page 103.

61. Application for licences may, **outside the town of Calcutta**, be received by any Stipendiary Magistrate for transmission to the District Magistrate. (Rules of 24th March 1879.)

62. **All India Licence.**—*Vide* note (12) to Rule 33, page 103.

63. **Single Licence.**—*Vide* note (13) to Rule 33, on page 109.

63-A. Licences in Form XVI are valid up to the end of a calendar year irrespective of the date on which they are issued. A licensee is not entitled to claim full twelve months' possession for the fee paid as the form itself states that the fee is for licences granted for periods of one year or less. Licences are granted for

specified arms, not for any arm, and to particular individuals in respect of the specific arms mentioned therein. For arms other than those mentioned in the licence a fresh licence, for which a separate fee is to be realised, is necessary. When a licence-holder who has paid a compounded fee, changes the weapon covered by the licence for another arm, but there is still one or two full years for the original licence to run, a refund for unelapsed period should be granted. (Bengal letter no. 916 Pl, dated the 11th April 1921).

64. **Licence for cultivators and shikaris.**—*Vide* note (14) to Rule 33, page 103.

65. **Ball and shot gun.**—*Vide* note (15) under Rule 33, page 103.

66. **Sale of Automatic guns.**—*Vide* note (16) to Rule 33 page 104.

66-A. **Revolvers and magazine pistols.**—*Vide* note (17) to Rule 33, page 104.

67. **Automatic magazine guns**—*Vide* note (18) to Rule 33, page 104.

67-A. **Ithica Auto, Burglar and Handy guns.**—*Vide* note (4) to Rule 28, page 98

67-B. **Gas Hand Granades and riot pistols.**—*Vide* note (40) to sec. 4, page 39.

• 67-C. **Life preservers or "Zipo".**—*Vide* note (11) to sec. 4, page 39.

67-D. **Chinese Crackers** are explosives and are, therefore, ammunition within the meaning of sec. 4 of the India Arms Act. It is not necessary however, to restrict, under the rules framed under the Arms Act, the transport of these Crackers by licensed dealers. The import, possession, transport and sale of Chinese Crackers can be regulated by means of licences under the Explosives Rules specially endorsed under rules 63, and it is preferable to apply the provisions of these rules rather than the corresponding provisions of the Arms Rules. (Bengal letter no. 4288 Pl. dated the 26th Sept. 1930).

67-E. **Alarm contrivance** known as "Stop" to be an arm within the meaning of section 4 of the Arms Act and subject, therefore, to all the prohibitions and directions contained in the Arms Act and the Rules framed thereunder (H. D., letter no. F-21-XXIII-30 dated the 27th Nov. 1930).

68. **Failure to produce arms**—*Vide* note (2) to Rule 45, page 112.

69.-70. **Air guns and air rifles.**—*Vide* notes (7), (9), (10) and (11) to Schedule II, on pages 136-137.

70-A. **Repairers of Arms.**—*Vide* note (5) to sec. 5, pages 44-45.

• 70-B. **Authorised dealers and repairers** are to take out permits for **testing firearms** at a recognised range. The permit should show the name of the dealer or repairer, the name of the approved range and the name of the person allowed to carry out the test. In case of non-compliance with the conditions in the permit, the licence of the dealer or repairer can be cancelled or suspended under sec. 18 of the Arms Act. (H. D., letter no. F-21-V-30 dated the 18th Oct. 1930).

71. It is undesirable to keep a large surplus stock of licence **Forms**. District Officers should prepare their indents carefully and restrict them to a very small margin over known requirements. Care must be taken to see that the licence forms do not fall into

improper hands and all licence forms in stock should be kept under lock and key in charge of a responsible officer.

72. A Register is to be kept in Bengal Exe. Form no. 126 (item no. 6 in Schedule of Forms) in the offices of all District Magistrates. It should be written up police station by police station, with separate volumes for each. The register should show among other things, the amount of the fee realised for each licence. This will enable an inspecting officer to satisfy himself that the proper fees have been realised for licences and duly credited to Government, to compare licence fees realised with the applications and to supervise the defacement of stamps and their destruction, after a certain interval. The Arms Act clerk should write on the stamp the year and the number of the licence to which it refers and the licensing authority should himself see the stamp defaced at the time he signs the fresh or renewed licence. (Bengal letter nos. 372-99 Pl. dated the 29th Jany. 1930.)

Note.—Licences for Sulphur, when granted with or without fee under Arms Act should be entered in this register. (Letters nos. 1319 Pl. and 63 Pl. D., dated, respectively, the 18th March and 14th April 1930.)

73. All weapons that do not bear a maker's or importer's name and number must be stamped on the metal with the district letter and the district number. The stamping will be done as follows:—

(1) Rifles, on the barrel and breech. (2) Guns other than rifles, on the barrel. (3) Revolvers on the barrel and cylinder. (4) Pistols, including automatic pistols, on the barrel.

73-A. The following procedure is to be followed in the case of firearms imported by dealers into Calcutta :

(1) (a) When a firearm does not bear the maker's name but does have a number on the barrel the importer's distinguishing mark as prescribed in clause (4) of this rule shall be engraved on the barrel adjacent to the number existing thereon.

(b) When the maker's number appears on the trigger guard or other replaceable part, that number with the importer's distinguishing mark shall be engraved on the barrel.

(c) If a barrel bears more than one number, the firm's distinguishing mark will be affixed to that appearing on the original invoice.

(2) Any marking required under clause (1) shall be done on the dealer's premises and compliance reported in writing to the Commissioner of Police, Calcutta, within a week after the firearm has been cleared.

(3) No firearm shall be sold before it has been properly marked. The mark and number engraved under clause (1) shall be shown in the stock register and sale transcripts.

(4) Distinguishing marks have been allotted to dealers as follows:—

Manton & Co.	...	...	...	M. M.
Rodda & Co.	...	...	...	R. R.
Lyon and Lyon, Ltd.	...	...	...	L. L.
Walter Lock & Co.	...	...	...	W. L.
Eric Hill & Co.	...	...	...	E. H.
Army & Navy Stores	...	...	...	A. N.
A. T. Daw & Co.	...	...	...	A. D.
D. N. Biswas and Co.	...	...	...	D. B.
A. C. Coondoo & Co.	...	...	...	A. C.
K. C. Biswas & Co.	...	...	...	K. B.
S. D. Dutta & Co.	...	...	...	S. D.
N. C. Daw & Co.	...	...	...	N. C.
N. C. Dutt & Co.	...	...	...	N. D.
M. Biswas & Co.	...	...	...	M. B.
T. C. Biswas & Co.	...	...	...	T. B.

The district letters are as follows :—

Bakarganj	...	...	...	...	B.
Bankura	...	...	...	...	B. A.
Birbhum	...	...	...	...	B. I.
Bogra	...	...	...	...	B. O.
Burdwan	...	...	...	...	B. U.
Calcutta	...	...	...	...	C.
Chittagong	...	...	...	...	C. H.
Chittagong Hill Tracts	...	...	...	...	H. T.
Dacca	...	...	...	...	D.
Darjeeling	...	...	...	...	D. G.
Dinajpur	...	...	...	...	D. N.
Faridpur	...	...	...	...	F.
Hooghly	...	...	...	...	H. G.
Howrah	...	...	...	...	H. H.
Jalpaiguri	...	...	...	...	J.
Jessore	...	...	...	...	J.
Khulna	...	...	...	...	K.
Malda	...	...	...	...	M.
Midnapur	...	...	...	...	M. I.
Murshidabad	...	...	...	...	M. D.
Mymensingh	...	...	...	...	M. Y.
Nadia	...	...	...	...	N.
Noakhali	...	...	...	...	N.
Pabna	...	...	...	...	P.
Rajshahi	...	...	...	...	R.
Rangpur	...	...	...	...	R. G.
Tippera	...	...	...	...	T.
24-Parganas	...	...	...	...	A.

Un-numbered and insufficiently marked fire-arms which may be found in the possession of exempted persons should be numbered in accordance with the instructions given above. (E. B. and A., J. D., no. 83-87, dated the 29th Oct. 1908, Bengal no. 2262 P., dated the 21st March 1911; E. B. and A., no. 3753-57 Pl., dated the 8th Nov. 1911, and no. 698 12 Pl., dated the 26th Feb. 1912.)

74. Particulars of the ammunition allowed should be endorsed by the licensing authority in the appropriate column of the licence against each weapon. The maximum amount of ammunition which may be possessed by the holders of licences in Forms XVI, XVIII and XIX of the Indian Arms Rules, 1924, are as follows :

Description of arms for which ammunition is to be possessed.	Maximum quantity of ammunition to be possessed at one time by holders of licences in Forms XVI, XVIII and XIX	Maximum quantity of ammunition to be possessed during the year by holders of licences in Forms XVI, XVIII and XIX.
1	2	3
Smooth bore muzzle loading gun ...	No limit	No limit.
Smooth-bore breech-loading gun ...	No limit	No limit
Rifle 22 bore ...	No limit	No limit.
Rifle of other bores ...	50 rounds	200 rounds.
Revolvers and pistols ...	50	100

This removal of the limit does not apply to licences in forms XVII and XX which are only for a specific quantity of ammunition of any kind as indicated in condition 2 of those licences.

The District Magistrate may at his discretion allow any reasonable quantity in excess of the limit prescribed to a person who can prove that he needs more ammunition.

75. In November of every year the officers-in-charge of police-stations should be called upon to report to the Superintendent of Police—(i) whether any licensee is dead, and (ii) whether there is any objection to the renewal of any licence. They should not comment on the suitability of each licensee on the list but state when definite objection is taken to the renewal of a licence, the grounds of this objection. The Superintendent of Police will forward the reports of the thana officers, together with his remarks, to the District Magistrate who will transmit them to the Sub-divisional Officer who is now empowered to renew licences in Form XVI under rule 42 (3), proviso (b), of the Indian Arms Rules. In the case of an adverse report on a licensee the District Magistrate should pass orders and the final decision will rest with him but in all other cases the Sub-divisional Officer is empowered to renew licences, without the orders of the District Magistrate on the list. The renewal of licences will be reported to the District Magistrate or other authority issuing the licence for the purpose of making the necessary entry on the counterfoil, when this is not in the Sub-divisional office. The licensees whose licences are not to be renewed should be served with a notice calling upon them under section 16 of the Act to deposit their arms and the licences at the nearest police-station or with a licensed dealer within fourteen days from the receipt of the notice. Those whose licences are to be renewed should be called upon by a notice circulated through thana officers, or by postcards addressed to the licensees, as most convenient, to submit their applications for renewal before the 1st of January.

76. The production of weapons before renewal of licence is based on rule 45 of the Indian Arms Rules, 1924, empowering the authority by whom a licence was granted to require the licensee to produce the licence. The policy of requiring the production of all weapons as a matter of course before renewal of licence has, however, been relaxed and the following principles should ordinarily be observed. The production of automatic pistols and revolvers before the renewal of licence should be required unless the licensing authority has definite reasons for dispensing with their production. In the case of shot-guns and rifles not of prohibited bore in the hands of literate persons in urban areas the production of the weapon should not ordinarily be necessary, but the licensee should be required to file with his application for renewal 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. Intimation to licensees to apply for the renewal of their licences, whether in the form of postcard or a notice served through the thana should state in all cases whether the weapon is to be produced.

77. In the case of illiterate persons and the majority of licensees in rural areas **production of the weapon before the renewal** of the licence will still be necessary in order to verify that the arms are in good condition and the number correct. A date should be fixed by the District Officer on which the weapons from each area are to be produced for inspection. This work will be done in the Sadar Sub-division by a Joint, Assistant or Deputy Magistrate and in other Sub-divisions by the Sub-divisional Officer. So far as possible it should be done on tour, officers fixing convenient centres such as police-stations for the production of weapon and renewal of licences, instead of summoning licensees to the District or Sub-divisional head-quarters. The Officer deputed to carry out this work will be supplied, before the date fixed, with the orders of the District Magistrate or Sub-divisional Officer regarding the licences to be renewed and will, if the weapons pass the inspection, return them with the least possible delay to the licensees together with the licences renewed under the signature of the renewing officer.

78. In case in which the **production of the firearms** is not considered necessary the licence may be renewed on an application received through the post enclosing the licence with the necessary certificate that the weapon is in good condition and that the number tallies with that in the licence. In such cases fees may be remitted in the form of non-judicial stamps or by money-orders or be deposited in the nearest treasury, the treasury *chalan* being enclosed with the application in token of payment of fees. Postage stamps should not be accepted in payment of fees for renewal of licences.

79. Licensees who are required to **produce their weapons** before renewal of their licence should ordinarily do so personally but they may be allowed to do so by duly authorized agent at the discretion of the officer granting the licence. (Bengal no. 3671-P., dated the 17th April 1913).

80. **Before a licence is renewed**, special attention should be directed to the endorsements thereon (if any) of **purchases of new weapons or of ammunition** made during the year. Should any of the entries appear to be suspicious, or any of the purchases of ammunition exceed the limit endorsed on the licence in cases in which a limit is prescribed, the officer renewing the licence should cause such enquiries to be made as may appear to be necessary. (Bengal No. 602 P., dated the 29th Jan. 1913).

81. If due forethought is exercised and **punctuality** observed in making the arrangements it should be possible to carry out the **inspection of arms** and to return the renewed licences on the day on which production is ordered for each thana; the desirability of accomplishing this and so avoiding all unnecessary delay should be steadily kept in view. When a weapon does not pass the inspection and the renewal of the licence is refused, the owner should be instructed to deposit it forthwith at the nearest police-station or with a licensed dealer under section 16 of the Indian Arms Act.

82. In order to ensure that licences are annually renewed it should be made the duty of some clerk in the Magistrate's office

to report immediately after the 1st January of each year, **what licences have not been presented for renewal.** Applications received within thirty days after the expiry of the licence should ordinarily be renewed at the renewal fees prescribed. In the case of licences not renewed within this period it will be open to the District Magistrate in lieu of prosecution to levy the full initial fee payable on the licence. In serious cases steps should be taken to institute prosecution against those who have failed to renew their licences. It is desirable to prosecute for neglect to apply for a renewal, not with rigour, but firmly, in order that it may be clearly understood that the provisions of the law will be enforced.

83(1) *Vide* Note (7) under section 6 of the Act, on page 47

83(2) " " (6) " " 25 " " " 71

83(3) " " (3) " " 30 " " " 75

84. The power vested in sub-inspectors of Police (in Bengal Govt., notn. no. 10673-P., of the 12th November 1914 (*vide* notes to sections 6, 25 and 30 referred to above) to **search for and detain arms and ammunition is an important one.** Its exercise should be limited to approved and trustworthy sub-inspectors and to senior sub-inspectors in charge of police-stations. (Bengal no. 10674-80 P., dated the 23rd November, 1914).

85. In pursuance of section 5, clause (b) of the Whipping Act, 1909 (IV of 1909), the Governor-General in Council is pleased to specify offences under the laws mentioned in the Schedule hereto annexed, being offences punishable under the said laws with imprisonment, 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.

The Schedule.

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11. The Indian Arms Act, 1878 (XI of 1878), sections 19, 20, 22 and 23.

(Extract from H. D. notn. no. 350, dated the 8th March 1910).

86—88. **Rewards.**—Reproduced on page 185.

89. **Rules under sec. 16** of the Act Reproduced on page 178.

90. **Arms deposited with dealers** fall under two classes, viz. (1) arms deposited for safe custody, and (2) arms deposited under section 16 of the Arms Act. Arms deposited with the dealers for safe-keeping should be entered in the register in Executive Form 184 (item 13 in Schedule of Forms) prescribed in rule 89. Arms entered in this register do not become automatically liable to forfeiture after a certain period. Dealers should see that arms are covered by a licence or exemption before being received by them for safe custody. Otherwise the arms are held to be deposited under section 16 and are liable to forfeiture if not disposed of within the prescribed period.

91. **Action to be taken when arms are stolen.**—*Vide* note (5) to rule 3, page 81.

92. Directly a licence to possess arms is cancelled whether under section 16 of the Act or by its renewal being refused, an entry to that effect shall be made in the register of cancelled licences and shall be initialled by Magistrate in charge of arms licences. The register shall be in Executive Form 189 (item no. 7 in Schedule of Forms). Entries in the register of cancelled licences, should be made thana by thana, in chronological order with an alphabetical index. These entries should be carefully examined at the time of granting licences under the Indian Arms Act, 1878, so as to prevent a person whose licence has been cancelled from obtaining a fresh licence through suppressing the fact of the cancellation of his former licence.

93. After an entry in the register of cancelled licences has been made, an order shall issue by registered post to the licensee directing him to deposit the arms, ammunition or military stores covered by the licence at the nearest police-station or with a licensed-dealer, as provided by section 16 of the Arms Act within 14 days of the receipt of the order and warning him that if he fails to do so, he will be liable to prosecution under the Act. He should further be informed that if he deposits them with a licensed-dealer he is required by the rules made under section 16 of the Act to report the fact to the Commissioner of Police, Calcutta, and also, if he is not a resident of Calcutta, to the Magistrate of the district in which he resides. A copy of the order will be issued to the officer in charge of the police-station for his guidance. The order should contain full particulars of the arms, ammunition or military stores to be deposited.

94. The following procedure should be observed in the case of arms, ammunition or military stores deposited by the owner at a police station :—

(i) All such arms, ammunition or military stores shall at once be entered in a register to be kept for the purpose, in P. R. B. Form 193 (item 11 in Schedule of Forms.) If the licence is also deposited the fact shall be noted in this register. Licences will not be deposited in all cases as they may be cancelled in the Magistrate's office when the petition for renewal is rejected. If this is the case they will be filed in that office and will not be sent to the police station. If, however, a licence which has been cancelled or has ceased to be valid is still in the possession of the licensee he will be specially ordered to surrender it with the arms, ammunition or military stores, if he deposits these at the police station, or to send it to the Magistrate's office for cancellation if he deposits them with a licensed dealer. (ii) Within 14 days from the date of deposit at the police-station the officer in charge will forward the arms, ammunition or military stores, together with the licence if it has been deposited, to the Court, after filling up the duplicate and triplicate copies of P. R. B. Form 193, (item no. 11). (iii) On receipt of the weapon in the Court, the Court sub-inspector will endorse the duplicate copy and return it to the police station to be filed. He will then make the necessary entries in the Arms Register of the Malkhana, in P. R. B. Form 190 (item no. 10 in Schedule of Forms). He will then make over the triplicate copy of Form (item 11) to the clerk in charge of licences (with the licence, if received) after endorsing on it the date of deposit in the Malkhana and the number in the Malkhana Register in Exe. Form 190 (item 10 in Schedule of Forms). (iv) The clerk will enter the date of deposit and the number in Malkhana Register in the register of cancelled licences and will file the triplicate copy of Form 11.

95. In the case of arms, ammunition or military stores deposited at the police station by a licensed dealer under rule 2

of the rules reproduced in paragraph 89 (*vide* page 179), the sub-inspector shall enter them in the Register in Form 11. In filling up column 4 he should enter the name of the licensee, and the designation of the issuing authority, as well as the number of the licence. He will then follow the procedure described in paragraph 94. The court sub-inspector and the clerk in charge of licences will also follow the procedure described in that paragraph. If the arms, ammunition or military stores belonged to a person resident in another district, intimation of their deposit shall be sent to the Magistrate of that district.

96. If a licence, which has been cancelled, is subsequently renewed, the Magistrate will, when the arms, ammunition or military stores are in deposit in the Malkhana, issue to the Court sub-inspector an order over his own signature to make over the weapon covered by it and will also send him the necessary licence and the triplicate copy of Form 11 received from the police-station. He will also inform the licensee that the licence has been renewed. The Court sub-inspector will then despatch the weapon with the licence and the triplicate copy to the officer in charge of the police-station in which the licensee lives and make the necessary entry in the Malkhana Register. The sub-inspector will acknowledge receipt of the weapon, the licence and triplicate copy of Form 11 and will enter the particulars of the weapon in the prescribed Register and will send for the licensee to take delivery of the licence and the weapon. The licensee on taking delivery will sign the Register and the sub-inspector will return the triplicate copy to the Magistrate with an endorsement signed and dated to the effect that the weapon has been duly delivered. If the arms, ammunition or military stores have been deposited with a licensed dealer, the licensee will be informed that his licence has been renewed and should then take delivery of it from the Magistrate's office. The dealer will be at liberty to return the arms, ammunition or military stores on production of the licence.

97. **Disposal of confiscated or forfeited weapons.**—*Vide* page 183.

98. **Arms and ammunition confiscated, unclaimed 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, (on page 185). (Bengal no. 2696-2697 S. R., dated the 29th Oct. 1921, and no. 3734 Pl. dated the 11th Nov. 1921).

99. Whenever guns or other arms in respect of which licences have to be taken by purchasers under the Indian Arms Act, 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. All unclaimed arms and ammunition found in railway trains or in the premises of a railway should be forwarded by the officers of the railway 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	... } The nearest Magistrate.
Bengal-Duars Railway	.. }
Howrah-Amta Railway	.. }
Howrah-Seakhalla Railway	} District Magistrate, Howrah.
Darjeeling-Himalayan Railway	Deputy Commissioner, Darjeeling.
Barasat Basirhat Railway	Sub-divisional Officer, Barasat.
Tarakeswar-Mogra Railway	District Magistrate, Hooghly.
Kalighat-Falta Railway	.. } Commissioner of Police, Calcutta.
Jessore Jhenida Railway	District Magistrate, Jessore.
Bankura-Damodar Railway	.. } " " Bankura.
Burdwan-Katwa Railway	.. } " " Burdwan.

The District Magistrates and Sub-divisional 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 no. 2451-P.-D., dated the 21st Sep. 1911, and no. 6797 P., dated the 13th Dec. 1911, H. D. no. 2106 R. T., dated the 3rd Dec. 1908, and Bengal nos. 9336-8 and 9341 P., dated the 15th Oct. 1914).

101. District Magistrates are required to furnish lists of licences yearly to officers in charge of police-stations. Additions and alterations to these lists should be supplied quarterly to officers in charge of police-stations. (Bengal no. 2941 Pl. dated the 8th Aug. 1921.)

102. Every sub-Inspector on assuming charge of a police-station shall personally compare the arms in deposit at the police-station with their descriptions in the Register in P. R. B. Form 193 (item 10 in Schedule of 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 descriptions in the Arms Register of Malkhana in Form no. 190 (item 10 in Schedule of P. A. A. 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.

106. 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. Licence for the sale of firearms and ammunition should ordinarily only be issued for shops situated at district and sub-divisional head-quarters. (E. B. and A. no. 3903-07 G, dated the 14th June 1910.) (Cf. U. P. Rules 33 and 38.)

107. 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 (page 132).

108. Licensed vendors should protect themselves by making reference 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 that the persons in question are actually entitled to purchase the arms and ammunition in contemplation. (Bengal 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. **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** in Executive Forms 186A, 187 and 188 (items, 14, 15 and 16 in Schedule of Provincial 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 no. 12161 P., dated the 21st December 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 a register in the Forms shown in items nos. 18 and 19, in Schedule of Provincial Arms Act Forms.

113. Under sub-rule (4) of rule 28 of the Indian Arms Rule, 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 Notn no. 2801 P., dated the 16th March 1924.)

114. 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. (Bengal no. 12161 P., dated the 21st Dec 1914.)

115. **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 Superintendent of Police. The following sales, however, should always be verified: all sales of rifles, pistol 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. (Vide Notes to Schedule II, page 138).

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 sale of arms and ammunition in Exe. Form 130 (item 17 in Schedule of Forms). Such return should be preserved in the Police office for a period of ten years. (Bengal no. 12161 P., dated the 21st Dec. 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 12 in Schedule of Provincial Forms) by the Commissioner of Police to the Superintendents of Police concerned, who will cause the sales to be verified in accordance with the instructions 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 dealer's sale book. Copies of entries in the transcript relating to other provinces will be sent by the Commissioner of Police to the provinces 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 to the Superintendents 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 considers 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 transaction 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 Executive Form 131 (item 12 in Schedule of Provincial 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. The Commissioner of Police for Calcutta and Superintendents of Police, outside Calcutta will report to the Chief Secretary to the Government of Madras and to the Inspector General of Police of other provinces, (except the N.-W. Frontier Province) 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. 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.		
(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 and Orissa, the Madras Presidency, and the Civil and Military Station, Bangalore, it has been arranged that the district Magistrate 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 Exe. Form no. 393 (item 8 in Schedule of Provincial 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 Form no. 150 (item 9 in Schedule of Provincial 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.

123. Under section 3 of the Wild Birds and Animals Protection Act, 1912 (VIII of 1912), and in supersession of the late E. B. and A. Govt.'s notn. no. 1361 P. L., dated the 28th April 1911, issued under the Indian Arms Rules, 1909, 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 Notn. No. 8338 For., dated the 25th Aug. 1914, is hereby cancelled.

LIST A.—THE WHOLE YEAR.

<i>Birds.</i>	<i>Birds.</i>
Laughing thrushes ... } (Timaliidæ)	Owls ... (Tytonidæ)
Babblers ... } (Sittidæ)	... (Asionidæ)
Whistling thrushes ... (Turdidæ)	Floricans—Cock and Hen (Otididæ)
Nuthatches ... (Sittidæ)	Adjutant birds .. (Ciconiidæ)
Drongos ... (Dicuridæ)	
Creepers ... (Certhiidæ)	<i>Animals.</i>
Wrens ... (Troglodytidæ)	Female buffaloes throughout the Presidency and male buffaloes in reserved or protected forests.
Warblers ... (Sylvidæ)	Rhinoceroses.
Shrikes ... (Laniidæ)	Female bisons; and in Jalpaiguri and Darjeeling districts male bison.
Minivets ... (Campephagidæ)	Female deer of all kinds.
Orioles ... (Oriolidæ)	Female antelopes.
Grackles ... (Graculidæ)	Swamp deer—male and female.
Starlings ... (Sturnidæ)	Male deer when hornless or in velvet.
Mynas ... (")	Gazelles.
Fly-catchers ... (Muscicapidæ)	Ringed or water lizards (Varanus Salvator) (Vernacular Ramgoddi length 4 feet inclusive of tail and girth 11 inches and below).
Chats ... (Turdidæ)	Black lizards (Varanus Nebulosus) (Vernacular Kalgoddi) (girth measurement 8 inches and below).
Robins and red starts, thrushes ... (Turdidæ)	Yellow land lizards (Varanus Flavascens) (Vernacular Sonagoddi) (girth measurement 8 inches and below).
Blackbirds and ouzels ... (")	Gray land lizards (Varanus Bengalensis) (girth measurement 8 inches and below).
Martins and swallows ... (Hirundinidæ)	
Wagtails ... (Motacillidæ)	
Pipitæ ... (")	
Larks (except ortolans) (Alaudidæ)	
Sunbirds ... (Nectariniidæ)	
Pittas ... (Pittidæ)	
Woodpeckers ... (Picidæ)	
Bee eaters ... (Meropidæ)	
Hoopoes ... (Upupidæ)	
Swifts ... (Mycropidæ)	
Cuckoos ... (Cuculida)	

(Bengal Rev. Dept. notn. nos. 12246 and 12255 For., dated the 24th Oct. 1930.)

LIST B.—PART OF THE YEAR.

<i>Birds.</i>	<i>Animals.</i>
All wild ducks—1st May to 30th September.	For other Divisions—1st May to 30th Sept.
Jungle-fowl—15th March to 30th Sept.	Sambhar with horns not in velvet—1st April to 30th September.
Partridges—15th March to 30th September	Male antelopes—1st May to 30th Sept.
Pheasants—15th March to 30th Sept.	Hares—1st April to 30th September.
All pigeons and pea-fowl—1st March to 30th September.	Serow and Goral—male and female—1st May to 30th Sept.
Oortolans—1st April to 31st August.	Ringed or water lizards (Varanus Salvator) (Vernacular Ramgoddi) of more than 4 feet in length (inclusive of tail) and 11 inches in girth—15th Feb. to 15th August.
Little egrets and cattle egrets—1st July to 31st August.	Black lizards (Varanus Nebulosus) (Vernacular Kalagoddi) of more than 8 inches in girth 15th Feb. to 15th Aug.
King-fishers—1st January to 31st May.	Yellow land lizards (Varanus Flavascens) (Vernacular Sonagoddi) of more than 8 inches in girth—15th Feb. to 15th Aug.
	Grey land lizards (Varanus Bengalensis) of more than 8 inches in girth—15th Feb. to 30th Sept.
<i>Animals.</i>	
Male bison other than in Jalpaiguri and Darjeeling Districts for which a whole year close season has been prescribed, Vide list A above—1st May to 31st August.	
Barking deer stags with horns not in velvet—1st April to 30th Sept.	
Hog deer Stags and Cheetal stags with horns, not in velvet.	
For Rajshahi Divn.—1st Oct. to 28th Feb.	

(Bengal notn. no. 442 T. R., dated the 19th May 1930.)

124. 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.
- (H. D. Resn. No. 1458-93, dated 27th September 1895)

125. There should be a **single annual report on the working of the Arms Act** in the form shewn on page 244.

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 no. 1122 P., dated the 26th January 1915, and no. 11680 P., dated the 6th Sep. 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 Notification no. 1372 P., dated the 24th March, 1927, (*Vide* page 179) and (b) a statement showing the total amount of fees realised during the year in respect of licences under the Act. (Bengal no. 3750-55 Pl., dated the 12th November 1921).

The report should also contain an annual review of the position in regard to the illicit possession of arms and ammunition. The District Magistrate, 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 order no. 1578-1546 Pl., dated the 12th May 1926).

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IN THE DISTRICT 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 in Bengal Manual, page 186), showing the sale of arms, ammunition during the year 19—.

(2) *Verification*.—

What number of cases of sales of firearms were verified? 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 187, Bengal Arms Manual.

PARAGRAPH 4.—EXEMPTED PERSONS AND LICENCES.

(a) Fill up the list prescribed on page 188, 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 188, 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 188 of Bengal 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.

A. Fill up the statement prescribed on page 189 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 in page 190 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 191, of Bengal 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

Question for the inspection of the Arms Act Dept, printed on pages 192—195 (Bengal Arms Manual).

SCHEDULE OF FORMS APPENDED TO THE BENGAL LOCAL RULES AND ORDERS.

ITEM NO 1 RULE 36 BENGAL EXE FORM 125

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 the 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. (g) 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 notn no. 1660 P. J dated the 1st April 1920 and letter no 4299 Pl. dated the 22nd October 1929 and para 36, Bengal Rules)

ITEM NO. 2

(RULE 40)

B E FORM 125

*Parwana Form—You A, B, son of C. D., of village E, thapa F. are hereby appointed to be my armed retainers 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 Kacheri—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)

(8d) X. Y. Z.—(Name,
title, if any, and address.)

ITEM No. 5

(BENGAL RULE 56)

Form of Enquiry on an Application for a Licence.

- I. Name, age and address * of applicant.
 - II. Character of weapon and licence applied for.
 - III. Where does applicant usually reside ?
 - IV. Approximate income of applicant (or of family where he is a member of a joint family). What sum, if any, does applicant pay as (1) income-tax, (2) Chaukidari-tax ?
 - V. (a) Is applicant the head of the household ; if not who is ?
(b) Do any members of his family living with or near him possess a licence ?
 - VI. Is applicant or any of his near relatives concerned in any land dispute ?
 - VII. Has applicant ever been concerned in any riot or other criminal case ?
 - VIII. What is applicant's character (by general repute or from your personal knowledge) ?
 - IX. Give other particulars regarding applicant's antecedents.
 - X. Are there any wild animals from the ravages of which it is necessary for the applicant to have a gun to protect his crops ? State the number of men and cattle killed during the year by wild animals in the village or neighbourhood.
 - XI. If the licence is desired for protection of valuable property kept at applicant's homestead, give a brief description of its situation and surroundings.
 - XII. Miscellaneous,
(a)
(b)
(c)
 - XIII. Recommendation of the enquiring officer
 - XIV. Form of licence recommended
 - XV. Area for which recommended
- Signature of the enquiring officer.*
Remarks of the Sub-divisional officer.
Remarks of the Superintendent of Police.
Orders of the District Magistrate.

* NOTE (1)—See section 2 of Act XVI of 1904. Against this question is to be stated whether the father of the applicant is alive or dead.

NOTE (2)—Items III-XV are to be filled in and signed after a personal enquiry by the officer in charge of the police station when this form is addressed to him, and this enquiry slip should be submitted through the sub-divisional Officer to the Superintendent of Police who will forward * to the District Magistrate but when enquiries are made by agencies other than the police the enquiry slip should be returned through Sub-Divisional Officer to the District Magistrate.

ITEM No. 6.

(BENGAL RULE 72)

B. E. F. 126

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

Serial number of licence.	Form of licence.	Description of weapon.	Number of gun.	Name, father's name and residence of licensee.	Date of issue of licence and fee realised. (Note here whether fee received in cash or in stamps. If in cash, the number and date of the chalan to be noted).	DATES OF RENEWALS AND FEE REALISED.										REMARKS. (Date of cancellation should be entered in red ink in this column.	
						(Note here whether fee received in cash or stamps. If in cash the number and date of the chalan to be noted)	7	8	9	10	11	12	13	14	15		16
1																	

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

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ITEM NO. 7.

Register of cancelled licences under the Indian Arms Act, 1878, [Rule 92].

(BENGAL RULE 92)

B. E. F. 189

1	Serial no.
2	Name of licensee with father's name.
3	Address (quote also number of panchayati or Local Board Union).
4	Description and district number of weapons and form and number of licences.
5	Date of cancellation and Magistrate's initials.
6	Reasons for cancellation (briefly) with reference to records of police or criminal case (if any).
7	Date of receipt in Malkhana and number in Malkhana Register.
8	Magistrate's initial.
9	Final order of disposal.

ITEM NO. 8.

Register of import of fire arms, [Rule 122].

(BENGAL RULE 122)

B. E. F. 393

1	Serial no.
2	Date of import.
3	Vessel by which imported.
4	Name and address of dealer
5	Name and address of private individuals.
6	Description of weapon.
7	Bore.
8	Single or double barrel or number of chamber
9	Number of weapon.
10	Maker's name
11	Date of sale.
12	Name and address of purchaser.
13	REMARKS.

ITEM NO. 9.

Register of the import of arms by private individuals.

(BENGAL RULE 122.)

B. E. F. 150.

1	I. D. R. no. and date	
2	Vessel by which imported.	
3	Name, address and profession of importer.	
4	Description of weapon.	A—Rifle. B—Gun. C—Revolver. D—Pistol.
5		Bore of weapon.
6	Single or double barrel.	
7	Number of weapon.	
8	Maker's name.	
9	Value.	
10	No.	Drawback.
11	Date.	
12	Amount allowed.	

[FORMS 10--12.] LOCAL RULES AND ORDERS [BENGAL].

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ITEM NO. 10.

(BENGAL RULES 94 and 103.)
Form of the Arms Register of the Malhama.

B. E. F. 190.

1	Date of Receipt.
2	Serial number.
3	Class of weapon.
4	Licence number and year.
5	Number of weapon.
6	Thana.
7	Owner.
8	From whom received.
9	Initials of Sub-Inspector
10	Date of receipt of information by Arms Act clerk.
11	Initials of Arms Act clerk.
12	Date of despatch to Arsenal.
13	Initials of despatching officer.
14	REMARKS.

ITEM NO. 11.

(BENGAL RULES 94, 95, 96 and 102.)

P. R. B. F. 193

ORIGINAL.

1	Serial number.
2	Name of depositor.
3	Address.
4	Number of licence, if any, (note here whether licence is also deposited)
5	Full description of the weapon deposited, (number and maker's name, class of weapon, etc.)
6	Value.
7	Cause of deposit.
8	Date of receipt at police station.
9	Signature of the depositor or his agent.
10	Date of despatch to Court.
11	Remarks (manner of disposal) with initials of the officer in charge of the police station.
	DUPLICATE COPY AND TRIPLICATE COPY. (11 COLUMNS AS IN ORIGINAL).

NOTE.—The above form is required in triplicate.

ITEM NO. 12.

(BENGAL RULES 117 AND 119)

B. E. F. NO. 131.

Sale Verification Ship.

No.
Date

From the Commissioner of Police, Calcutta.
The Superintendent of Police,—District.
Please verify the following sale:—

THE SUB INSPECTOR

To
The Supdt. of Police

From dealer

1	Date of sale.	Name of purchaser.	Full address (if mutasill, state village, police-station and district.)	Arms purchased (give description, including the bore, number and maker's name).	AMMUNITION PURCHASED.		VERIFICATION REPORT AND REMARKS. (If exempted how? If licensed, state number, date and by whom granted. If unverified, why?)
					Description.	Quantity.	
2							
3							
4							
5							
6							
7							

Signature and rank of verifying Officer.

[FORM 16.] LOCAL RULES AND ORDERS [BENGAL.]

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ITEM 16.

(BENGAL RULE III.)

B. E. F. 188

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

Date of sale.		1
Name and profession of purchaser, and if Indian, father's name.		2
Residence (including name of police-station and district).		3
Under licence, or exempt: if under licence, number and date of licence and by whom granted.		4
Description.	AMMUNITION SOLD.	5
Quantity.		
Price.		
Description.	SULPHUR, SALTPETRE, LEAD OR OTHER MILL- TARY STORES.	6
Quantity.		
Value.		
Result of verification.		7

UNITED PROVINCES—LOCAL RULES AND ORDERS.

Resolution of the Government of the United Provinces, no. 1719—VIII—225, dated the 3rd May, 1924, on the Report of the Committee appointed to revise the United Provinces Arms Rules and Orders with reference to the Indian Arms Rules, 1924

On November 3rd, 1923, the Government of India published in their 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 fire arms other than muzzle-loading weapons have been reduced by one half; and
- (3) Entries 11, 11-A, and 11-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 fire-arms 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 April 1st to March 31st as hitherto, will be the same as the calendar year, i. e., from January 1st to December 31st.

(4) Under rule 42 (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.

UNITED PROVINCES,—ARMS RULES AND ORDERS.

1. Exemption.—*Vide* note (13) to Schedule II, page 137.
2. Cancellation of exemption.—*Vide* note (13) to Schedule II, page 137.
3. Exemption of kirpans.—*Vide* note (14) to Schedule II, page 138.
4. Registration of firearms.—*Vide* note (15) to Schedule I, page 126.
5. Exemption of public servants.—*Vide* note (16) to Schedule I, page 127.
6. Definition of "Talukdars" and "Zamindars"—*Vide* note (17) to Schedule I, page 127.
7. Arms presented by Government.—*Vide* note (18) to Schedule I, page 127.
8. Former exemptees.—*Vide* note (19) to Schedule I, page 127.

9. **Scale of arms for exemptees.**—*Vide* note (14) to Schedule I, pages 125-126.

10. **Firearms in excess of prescribed scale.**—*Vide* note (20) to Schedule I, page 127.

11. **Retainers' Arms.**—*Vide* note (21) to Schedule I, page 128.

12. **Retinues of princes, etc.**—*Vide* note (22) to Schedule I, page 128.

13. **Armed guards travelling through British India.**—*Vide* note (23) to Schedule I, page 128.

14. **Facilities to exempted persons.**—*Vide* note (24) to Schedule I, page 128.

15. **Certificates of exemption.**—*Vide* note (25) to Schedule I, page 128.

16. **Improper use of weapons by exemptees**—*Vide* note (5) to Rule 3, page 81.

17. **Air-guns and air-rifles.**—*Vide* note (10) to Schedule II, page 137.

18. **Firearms captured as trophies.**—*Vide* note (28) to Schedule I, page 128 and note (1) to Schedule II, page 133.

19. **Sulphur, lead, leaden bullets and bird-shot.**—*Vide* note (24) to Schedule II, page 139.

20-21. **Transport.**—*Vide* notes to section 10 of the Act, page 48.

22. **Import of rifles by exemptees.**—*Vide* note (7) to Rule 7, page 83.

(Mauser and Bergmann Pistols.—Cancelled—H. D. letter no. F-21-XXXIII—23 dated the 25th June 1925).

23. **Importation of rifles with "sub-target rifle machines"** is strictly prohibited.

24. **Import licences under Explosives Act.**—*Vide* note (3) to Rule 7, page 83.

25. Condition (b), in column (3), against entry no. (8) of Schedule VI, (page 146) does not apply in its entirety to **Waziristan**. All licences for export of arms and ammunition to **persons residing or serving in Waziristan**, should be issued by the District Magistrate of Meerut, only after previous consultation with the Political Agent, Tochi or Wana, as the case may be (F. and P. D. no. 533 G. dated the 30th June 1925).

25A. **Appliances** are manufactured in America for **discharging of gas**, which causes temporary blindness and suffocation. They are mostly in the form of **pistols, revolvers, hand grenades or fountain pens**. These appliances should be regarded as included in the definition "of "arms" contained in section 4 of the Arms Act, and all applications for licences for their import should be refused. (H. D. no. F-21-LV-2S dated the 31st Dec. 1928, and U. P. G. O. no. 1019 dated the 5th April 1929).

26-27. **Export to Indian States.**—*Vide* notes (3) and (9) to Rule 19 on pages 91 and 92.

28. **Political officers to grant export licences.**—*Vide* note (4) to rule 19, page 91.

29. **Export of arms for ruling chiefs.**—*Vide* note to Rule 39, page 108.

30. **Export of cannon to Indian states.**—*Vide* note (1) to Rule 19, page 91.

31. **Ammunition of prohibited bores.**—*Vide* note (1) to Rule 28, page 98.

32. **Licences in forms IX and XII** should be granted only for a specified quantity of arms and ammunition the amounts being fixed by the licensing authorities on the merits of each case. In cases where the licensing authority is the local Government, District Magistrate should state, when forwarding the application for a licence, what quantities they recommend. (G. O. No 2883 dated the 28th May 1920).

32A. Licensing authorities may permit persons or firms holding a licence in one of the forms IX to XII to **test firearms** at recognized ranges. The permit must be in writing and specify— (i) the licensee, (ii) the range, (iii) the person to carry out the test. (H. D. letter no. 21-V-30 dated the 18th Oct. 1930).

33. (i) **Vendors of ammunition are required to take out licences under the Explosives Act** in addition to the licences they may be required to take out under the Arms Act, as vendors of firearms. (See Bengal Rule 106, page 238).

(ii) Should any person who **makes and sells fireworks combine with his trade the manufacture and sale of gunpowder** or any of the articles enumerated in section 5 of the Arms Act, he will be required to take out a licence under the Arms Act according to Forms IX, X, XI or XII, as the case may be, or in Form A or B under the **Explosives Act**, endorsed to have effect under the Arms Act. [G. O. No. 1107, dated the 11th Sep., 1880.]

34. The orders conveyed in the preceding rule and in rule 37 **do not apply to persons who only sell fireworks.** In their case the police should watch that the conditions of the licence are not transgressed, and may inspect the premises of the licensees, and, if necessary, examine their books of account. [Rule on page 72 of U. P. Arms Rules, 1909, amended.]

35. **Repairing arms.**—*Vide* note (5) to section 5 of the Act, page 44.

36. The authority for the supply of arms to a State should generally be held as sufficient authority for **repairing the arms** as necessary either—(a) by recall to the arsenal for repair and replacement of all unserviceable or lost components; or if the repair is undertaken by the State itself—(b) 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 issue of components in replacement of unserviceable or lost or damaged ones should be made on indents submitted through the Political Agent concerned. The repairs or the supply of the necessary components, as the case may be, will be on payment. [H. D. no. 970-D., dated the 16th April, 1910.]

37. (a) Magistrates in granting licences under rule 28 of the Indian Arms Rules to manufacture, convert or sell or keep arms, ammunition and military stores, or to keep and sell the same, shall deliver to each licensee two books in the Forms A and C or B and D (as the case may be) shown in Appendix I; the one to be kept up as showing his stock in-trade, and the other for the purpose of showing the sales of each day. The pages of these books should be numbered from beginning to end, and the first and last page of each should be signed by the Magistrate, or some responsible subordinate, and sealed with his official seal.

(b) The licensee will be required to pay the cost of these books. The Magistrate, in delivering these books to the licensee, will explain to him the necessity for keeping them up regularly, and the penalties attaching to failure to do so.

(c) In order to ensure that all arms and ammunition received by dealers are brought to account in the stock books and subsequently in the day-books of licensed vendors, arrangements should be made for the timely examination of consignments on arrival by an officer not below the rank of officer-in-charge of a police station, who should see that the necessary entry is made in the books of the firm. By the terms of the licence the articles must be available for exhibition within six days of the arrival of the consignment. [G. O. No. 2099, dated the 27th July, 1893, and G. O. No. 4096, dated the 23rd July 1925.]

(d) Except in the case of arms of European manufacture, which are already numbered and marked, every licensed vendor of arms shall, previous to sale, stamp every weapon in a permanent manner with a number and mark, and shall on sale enter the number and mark of the weapon sold, whether of European or Indian manufacture, in column 4 of his day-book (Form C or D), forwarding forthwith within 48 hours a copy of the entry, to the Magistrate of the district in which he has his place of business, factory or shop. In addition to the number and mark a full description of the weapon sold shall also be entered in column 4. [G. O. no. 1107, dated the 11th Sep. 1889]

38. Penalty for not taking proper precautions for the safe custody of gunpowder and firearms.—Similar to Bengal Rule 106, page 238.

39. Ammunition of the prohibited bores.—*Vide* notes (4), (5), (6) and (10) to Rule 7, pages 83—84.

40. No limit has been fixed as to the number of rifles and shot-guns which may be possessed under a single licence. But the licensing authority is authorised to restrict at his discretion the quantity of arms which may be possessed by a licence-holder in particular cases.

41. The quantity of ammunition to be allowed to a licensee in respect of each weapon rests on the discretion of the licensing officer, provided that except in special cases the quantity shall not exceed—

(i) 200 cartridges for each sporting rifle; (ii) 100 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. They will not always be allowed as a matter of course; the licensing authority may at his discretion, reduce the allowance of ammunition in the case of any particular licensee. [U. P. resn. no. 1719 dated the 3rd May, 1924.]

42. Licences for pistols and revolvers.—*Vide* note (7) to Rule 33, page 103.

43. Forest rangers may ordinarily be granted licences for one shot-gun and one rifle each. They should not be allowed to possess a revolver or pistol unless special circumstances render the issue of a licence for such weapons in any particular case necessary. [G. O. no. 2991, dated the 4th June, 1920].

44. Under paragraph 8 of *Appendix III to the Army Regulation, India Volume II, Unit Commanders are empowered to grant passes for arms to soldiers proceeding on furlough. If such soldiers, however, are not serving with the Colours but are employed under a civil department they must obtain licences in Form XVI under the Arms Act, and such a licence can be granted by the civil authorities only. [G. O. no. 3072, dated the 27th Nov. 1895.]

45. Unit Commanders have been instructed to furnish District Magistrates with the names of such soldiers proceeding on furlough as are granted passes under paragraph 8 of *Appendix III to the Army Regulation, India, Volume II, to carry and bear private arms, together with the description of the arms covered by the passes. A list of soldiers who have been granted such passes should be maintained in District Magistrate's offices, as the information may on occasion be useful. Paragraph 8 of Appendix III to the Army Regulations provides that when passes granted to soldiers proceeding on furlough are withdrawn or cancelled the Magistrate or Political Officer concerned is to be so informed. On receiving such information Magistrate should see that the arms held under the passes are surrendered or licences taken out for them. (G. O. no. 3695, dated the 12th October 1894.)

46. Licences to foreigners travelling *bona fide* for the purpose of trade—*Vide* note (3) to Rule 28 page 98.

47. Licences in form XX.—Cancelled by F. and P. D. no. 47 G. dated the 8th May, 1925.

48. (i) The terms of the licence in Form XVI mean that, unless there are clear orders to the contrary, a retainer is allowed to carry and use the arms covered by the licence (i.e., entered in columns 8 and 9 of the licence) whether he is in attendance on his master or not.—

(ii) The retainer of an exemptee, if included in list of retainers sanctioned under clause 6 (g) of Schedule I, and communicated to the District Magistrate, is similarly entitled to carry and use the arms in respect of which his master is exempt whether he is in attendance on his master or not.

(iii) Relations can be entered in column 2 of the licence without payment of extra fees

(iv) The entry of retainers should not be allowed as a matter of course but after consideration of the status and needs of the licensee. The fact that the licensee

* Printed as Appendix D. to these (U. P.) Rules. *Vide* also notes (3) and (4) on page 101.

is of a class which does not habitually use arms but needs arms for the protection of himself or his property should be a valid reason for allowing a retainer.

(v) No fees shall be charged for retainers. No. 5333 dated the 30th April 1924.

49. The Sub-divisional Officers, Lalitpur, Roorkee, Deoria-Kassia, Karwi and Mahoba are authorised to issue licence to person within their sub-divisions. [Res. No. 5572, dated the 10th Nov. 1919].

50. Persons of approved character and status are prima facie entitled to licences for the possession of rifles, other than prohibited bores, and smooth bores in particular. Such licences may be granted on application unless there are clear reasons to the contrary to persons who possess 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 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 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 Military or Naval 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 a honorary Magistrate, honorary munsif or honorary assistant collector. [Res. no. 5572, dated the 10th November 1919.]

51. Village headmen of good position or meritorious service should be considered as having a claim to be allowed a gun licence superior to the claims of other residents in the village.

52. Where an enquiry is found to be necessary as to the character and status of an applicant for a licence such enquiry may be made through other agencies in addition to or in substitution for the police and should not involve undue annoyance to the applicant. [H. D. resn. no. F. 829-1-22 dated the 3rd Nov. 1924, page 19.]

53. Licences in form XVI should only be issued to respectable men who are free from all suspicion of connection with criminals, and who may be confidently relied on not to use, or to allow the use of the arms for improper purposes [G. O. no. 2147, dated the 5th Aug. 1897.]

53A. Licences in form XVI-A 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. (G. O. no. 1286 dated the 30th April 1929).

54. Licences in Form XVI should ordinarily be made valid by the licensing officer throughout British India, except the district of Malabar in the Madras Presidency, and should be granted for

periods expiring on the 31st December. Where special reasons exist and are recorded licensing officers may restrict the validity of licences. [G. O. no. 720, dated the 6th April 1921.]

The district officers of the Benares division and the district officer of Allahabad are empowered, with reference to condition no. 3 of licence form XVI to make licences granted on that form valid for the Benares State, provided that a copy of each such licence is forwarded to the Benares Darbar. Similarly the Darbar can make their corresponding licences valid for the Benares division and the Allahabad district, if they forward a copy of such licences to the district officer of the British district concerned. (G. O. no. 894 dated the 16th Feb. 1926 and no. 4161 dated the 30th June 1926).

In the case of the Malabar district if a licensee wishes to visit that district he should be instructed to get his licence endorsed by the District Magistrate of Malabar to make it valid in that district [G. O. no. 1901, dated the 25th May, 1923.]

55. Instructions for facilitating the grant renewal and distribution of arms licences in Form XVI :—

(1) Applications for licence in Form XVI or for renewals should either be written on impressed paper of the prescribed value or accompanied by a cash payment of the requisite amount and should ordinarily be presented or sent by registered post to the licensing authority so as to reach him by the 15th December preceding the date of expiry of the licence

(2) A licensing officer may, if necessary, require the personal appearance of the applicant. All applications for licences in Form XVIII and XIX and for renewal of the same should be made in person, unless they are attested by the tahsildar after examination of the arms they cover.

(3) If the application be for renewal of a licence, no enquiry should ordinarily be necessary beyond a reference to the register in Form G, Appendix I, appended to these rules, but the Superintendent of Police should bring to the notice of the Magistrate during the year any irregularity or breach of the rules framed under the Act, or of the conditions of the licence, and an abstract of such report and of any orders which may have been passed thereon should be entered in column 10 of this register.

(4) 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 utilised for the purpose.

(5) Licences should ordinarily be ready for delivery by the 15th January at the latest; and it shall be optional for applicants to appear in person and take delivery on that date or on a date to be fixed by the licensing authority, or to have them sent through the village chaukidars or by registered post.

(6) Licences to be delivered through village chaukidars should be sent through the office of the Superintendent of Police, accompanied by a list and a separate invoice of each licence, to the officers in charge of the police stations within the jurisdiction of which the licensee resides. Each licence with its invoice should be made over, for delivery to the licensee, to the chaukidars of the licensee's village, on the occasion of the chaukidar's next periodical visit to the police station after the receipt of the licences. The date of making over the licence to the chaukidar should be endorsed on the invoice, and on the occasion of his following visit to the police station the chaukidar should return the invoice signed and dated by the recipient and report the date of actual delivery.

(7) The list and invoice should be returned to the licensing authority through the Superintendent of police, who should scrutinise them, and bring all cases to the notice of the licensing authority in which more than one month's delay may have taken place in the delivery of any licence.

(8) Copy of the entries in register G should ordinarily be furnished to the Superintendent of Police by the 1st February for compliance with rule 66 of these rules. [G. O. no. 1932, dated the 16th August 1889 as modified by G. O. no. 1209, dated the 28th March 1924, resn. no. 1719, dated the 3rd May, 1924, G. O. no. 5377, dated the 30th September 1924 and G. O. no. 4096, dated the 23rd July 1925].

56. Officers in charge of police stations should bring to the notice of Superintendents of Police all cases in which licences to carry arms are granted to men of bad character. Superintendents of Police should after careful personal enquiry in each case and after satisfying themselves that the information on which the licence-holder is classed as a bad character is correct, bring these cases to the notice of the District Magistrate and apply for the withdrawal of the licences. [G. O. no. 1046, dated the 4th May 1892].

57. In licences granted in Forms XVI to XX the description of each weapon should be entered in detail in the column provided for the purpose. The amount of ammunition which the licence-holder may possess should also be entered in the licence in every case. [G. O. no. 2099, dated the 27th July, 1893, and no. 1909, dated the 6th June, 1905.]

57A. All machinery for re-loading empty cartridge cases is "ammunition" within the meaning of section 4 of Indian Arms Act, 1878, and therefore the possession of such machinery requires a licence or a special mention of it in a licence to possess arms. (G. O. no. 399 dated the 22nd Jan. 1926.)

58. Weapons, like the "Explora" "Fauneta" and "Paradox" ball and shot guns, which though mainly smooth-bore are rifled at the muzzle of the barrels should not be regarded as smooth bore guns, and should not be possessed by or sold to persons having licences for the possession or sale of shot guns, unless the terms of the licence expressly include rifles. (H. D. no. F-23-X-21 dated the 2nd May 1923, vide also (15) to Rule 33, page 103).

58A. The weapons described below and all similar weapons should be classed as pistols and all the restrictions in regard to ordinary pistols and revolvers should be applied to them:—

(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 cartridge.

(ii) **H. and R. Handy Gun.** Made in America, single barrel '410 "m/m" bore, breech-loading, central fire, barrel eight inches, total length twelve and three quarter inches, takes either shot or ball cartridge. (U. P. G. O. no. 2270 dated the 29th July 1929, based on the H. D. letter nos. 21-58-27 and F-21-XXXIV-29 dated the 20th Oct. 1927 and 9th July 1929 referred to as note (4) to rule 28 page 98 and note (17) to rule 33, page 104.)

59. All reasonable facilities should be afforded to agriculturists to obtain licences in Form XIX for the protection of crops and cattle. Such licences should not be withheld without good cause. [G. O. no. 414, dated the 22nd Jan. 1920].

60. Whenever a licence in Form XVIII or XIX is granted, the licensing authority should see that the weapon or weapons are accurately described in English and Vernacular. Licences in Forms XVIII and XIX for rifles should be granted very sparingly and with much caution. [G. O. no. 125, dated the 9th Jan. 1895].

61. Commissioners of divisions are authorised to renew licence in Forms XI and XII. (*Vide* note (3) to Rule 42, pages 110-111).

62. Under rule 42 (3) of the Indian Arms Rules, 1924, a licence can be renewed, not only by the authority who granted it, but also by any other authority empowered to grant a licence of the description in question, and in cases of Forms, XVI, by the Sub-Divisional officers. In these cases the authority renewing a licence may do so after such enquiry as it may consider necessary or on mere production of the licence and shall notify the renewal to the authority who issued the licence and to the last renewing authority. [Res. no. 1719, dated the 3rd May, 1924.]

63. When a licence has been cancelled by a licensing officer or District Magistrate, under section 18 (a) of the Act, or when the grant or renewal of a licence has been refused for reasons to be recorded, by the licensing authority, the licensee or applicant may apply for a revision of the order. All such applications shall be made within thirty days of the date of the order in question. 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. [Res. no. 1719, dated the 3rd May, 1924.]

64. Every licensing authority shall keep a register of the licences granted by him under rule 28 of the Indian Arms Rules to manufacture, convert, sell or keep for sale arms, ammunition and military stores. Such register shall be in Form E in Appendix I. A copy of this register shall be furnished by the licensing authority to the Superintendent of Police. A register in English shall be maintained in the licensing authority's office giving the name of each licensee under the two heads of (a) head-quarters shops, and (b) outlying shops, and quoting the date of inspection in each year by (1) the Magistrate or his Assistant, and (2) the Superintendent of Police, his Assistant or Deputy Superintendent of Police. The Commissioner, when on tour, shall examine and initial the register and see that the standing order on the subject are complied with. [G. O. no. 824, dated the 29th March, 1904.]

The Superintendent of Police will furnish to each officer in charge of a police station an extract, columns 1 to 7, giving the names of the persons living within his jurisdiction who hold licences; and each Circle Inspector shall receive from the Superintendent of Police an extract giving the names of all persons living in his circle who hold licences. Every Inspector, when making the inspection directed in rule 80, shall enter in his copy of the register, in column 8, 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, at the inspection, any fact is brought to light which it is advisable that the licensing authority should know, the Inspector shall send a special report to him, through the Superintendent of Police, noting in the column of remarks in his register the date on which the report was sent. Every subordinate Magistrate, Superintendent of Police, Assistant Superintendent and Deputy Superintendent of Police making an inspection, as directed in rule 80, shall send to the licensing

authority a report of the result of his inspection for incorporation in the register. At the close of the calendar year the Circle Inspectors shall send their registers to the Superintendent of Police for transmission to the licensing authority, who will enter in his register, the facts recorded by the Inspectors opposite to the name of each licence. [Rule on page 74 of U. P. Arms Rules, 1909, modified.] [G. O. no. 3386 dated the 16th November 1907].

65. A register in Form, F, (in Appendix I,) shall be kept by the licensing authority of all licences to sell and keep for sale arms and ammunition and the same rules shall, *mutatis mutandis*, be observed with regard to this register as are laid down in rule 62, for the register in Form E, Appendix I. [Rule on page 74 of U. P. Arms Rules, 1909, modified.]

66. Separate registers in Forms G. H., and J, in Appendix I, shall be kept by licensing authorities of the licences granted under rules 33, 35 and 36, respectively, of the Indian Arms Rules. The Magistrate will supply a copy of each of these to the Superintendent of Police. The Superintendent will furnish to each officer in charge of a police station an extract giving the parts that concern his jurisdiction. [Rules on pages 74 and 75 of U. P. Arms Rules, 1909, amended.]

67. Under rule 46 (3) of the Arms Rules, the Governor in Council has remitted all fees payable in respect of the grant or renewal of any licence in form XVI by those persons mentioned in Schedule VII of the Arms Rules in respect of arms and ammunition entered in the second column of Schedule VII [Notn. no. 780, dated the 16th May, 1924.]

NOTE.—The following Government servants have been exempted by the local Government from payment of fees for licences in Form XVI in respect of all arms under clause (7) of Schedule VII, namely:—

(i) Justice of the Peace. (ii) Stipendiary Magistrates. (iii) All gazetted police officers. (iv) All excise inspectors in respect of a revolver or a pistol, (v) (a) All gazetted forest officers, (b) All forest rangers, in respect of one 12 bore gun each (vi) All gazetted officers of the Indian Service of Engineers and the United Provinces Engineering Service in the Irrigation branch and all canal deputy magistrates. (vii) All patwaris employed in the hill portion of the Kumaon division in respect of one shot-gun. (G. O. no. 6507 dated 1st November 1924, no. 1719 dated 20th March 1925, no. 2488 dated 4th July 1925, G. O. no. 1149 dated the 18th Feb. 1927, resn. no. 1719 dated the 3rd May, 1924 and G. O. no. 6343 dated the 15th October 1930).

68. Under rule 46 of the Arms Rules, the Government of India have directed that no fee shall be charged:—

(a) in respect of the renewal of a licence granted in Form VI under rule 17 of the Arms Rules for the export to a State in India of arms, ammunition or military 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 utilised within that period.

(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. [H. D. no. 3 and 810, dated the 1st Jan. and 6th May, 1920, respectively].

69. Remission of fees for licences to re-import.—*Vide* note (2) to Rule 46 (page 113 based on H. D. no. 508 dated the 6th May 1920).

70. Remission or reduction of fees payable under Schedule VII of the Court Fees Act 1924. (Identical with Bengal Govt. Rule 29, page 221).

71. **Fees for breech loading revolvers and pistols**,—*vide* note (4) to Rule 46, page 114, based on H. D. no. 456 dated the 14th March, 1920.

72. For three years' licences the fee should be the sum of the renewal fees which would ordinarily be charged if the licences were renewed yearly. [Paragraph III of Form XVI, Schedule VIII, Indian Arms Rules, 1924]

NOTE.—(1) In the case of breech loading weapons one half of the prescribed initial fees are chargeable for renewal annually.

(ii) The proviso to paragraph II (h) under the head "Fees" in Form XVI does not absolve the holder of a licence in that form who fails to renew the same prior to its expiration from the provisions of section 19 (f) of the Arms Act, if after expiration of the licence he remains in possession of the arms in respect of which the licence was granted. [H. D. no. P. 21-XIX 24 dated the 16th May 1924].

73. In cases other than those in rule 48, if two or more people are given a joint licence in respect of the same weapons, each must pay fees for them.

74. Where cash payments are made for licence fees such receipts should be credited to the head "XIX—Police—Cash receipts under the Arms Act." [G. O. no. 5337 dated the 30th Sept., 1924].—

75-76. Authority to detain arms and ammunition under section 6, of the Act, *Vide* note (7) on page 47, and to disarm under section 13, *Vide* note (1) on page 49.

77. Officers employed under Government are required to exercise the utmost caution to ensure that arms being disposed of by them do not fall into the hands of persons not certified to possess them. Officers wishing to dispose of arms by private sale or public auction must ascertain that the would-be purchaser is entitled by law to possess them. [G. O. no. 1751, dated the 1st June, 1900 and G. O. no. 1115 B., dated the 15th April, 1901.]

78. A Magistrate or police officer receiving notice of sale of arms or ammunition under the second clause of section 5 of the Act should at once verify the purchaser's name and address as given by the seller. The responsibility for taking out a licence rests with the purchaser. [Rule on page 72 of U. P. Arms Rules, 1909, modified].

78A. District Magistrates or Superintendents of Police shall report all sales of ammunition by licensed dealers in their districts to the authorities of the purchasers' districts whether in or outside the province, (Letter no. 251 dated the 23rd March 1926) and the latter shall retain these reports after verifying the purchases when necessary, (D. O. letter no. 251 dated the 23rd March 1926 and G. O. no. 7194 dated the 29th Oct. 1926).

79. The following rules shall be observed by Magistrates and police officers in connection with the verification of sales of arms by local dealers:—

(1) On receipt of a "report of sale" of arms, ammunition or military stores from a dealer, the facts mentioned therein shall be entered in columns 1 to 6 of the register in Form M, Appendix I.

(2) As regards column 7 of the register, verification of sales is obligatory in the case of—

(a) Rifles and their ammunition; (b) pistols, revolvers and their ammunition; (c) air pistols; (d) walking-stick rifles; and (e) all breech-loading guns.

In the case of other weapons and ammunition, also military stores, verification of sale is optional, but the District Magistrate shall pass orders as to whether the sale will be verified or not.

(3) If a sale is to be verified, the endorsement on the "report of sale" shall be filled in and despatched to the officer concerned (see the following rule), *without delay*.

(4) In the case of sales to persons residing in the United Provinces, the endorsement shall be addressed to the Magistrate of the district in which the purchaser resides. If the purchaser resides at a place outside the United Provinces, then the endorsement shall be addressed to the officer concerned as indicated in the list in Appendix K.

(5) If, in the case of weapons (not ammunition) of the kinds described in rule (2) above, the results of the verification prove satisfactory the "report of sale" shall then be sent to the Deputy-Inspector General of Police, Criminal Investigation Department, United Provinces, for information and record, the date on which it is sent being entered in column 11 of the register in Form M.

(6) If the results of the verification prove unsatisfactory, the District Magistrate will take steps to have the matter investigated without delay, and on the completion of the investigation shall take such further action as seems necessary.

(8) From the information furnished in the "reports of sales" received from District Magistrates (see rule 6 above), the Deputy Inspector-General of Police, Criminal Investigation Department, United Provinces, shall compile and maintain a provincial register which shall contain a full alphabetical list of the names of persons certified to be in possession of weapons of the kinds described in rule 2 above, brought from dealers in the United Provinces, and a description of the weapons. [G. O. no. 2716, dated the 6th July, 1916.]

80. The shop, premises and stock of every licensed vendor shall be inspected once in every half year by a police officer not below the rank of Inspector. A similar inspection shall be made annually by the Magistrate of the district or a subordinate Magistrate in the month of March, and by the Superintendent of Police, Assistant Superintendent of Police or Deputy Superintendent of Police in the month of October, of all shops situated at the headquarters of Districts. In the case of outlying shops, an annual inspection shall be made by a Magistrate and by the Superintendent of Police, Assistant Superintendent of Police or Deputy Superintendent of Police at any time during the year. It should be arranged, however, if possible, that there should be an interval of a couple of months at least between the visits of the inspecting officers. The practice of sending for and examining the books kept up by the licensed vendors cannot be regarded as an inspection and is prohibited. Every officer making such inspection shall initial the stock and sale books of the licensee and at once report to the Magistrate of the district any irregularity or breach of rule which may have come to his notice. [G. O. nos. 3047 and 3650, dated the 14th and 12th Nov. 1893 and 1897, respectively, and no. 3386, dated the 16th Nov. 1907.]

In the case of larger firms in towns inspection should ordinarily be made oftener than twice a year, and police officers should specially examine the names of customers as entered in the registers and ascertain that they are really persons entitled to possess arms and ammunition. Inspecting officers should be careful to see that copies of the entries in the day book have been sent to the District Magistrate concerned, and District Magistrates receiving such copies should ascertain that a person claiming exemption from the provisions of the Arms Act is really exempt. [G. O. no. 93 dated the 16th Jan. 1903.]

Inspecting officers should see that column 8 "Date on which 'report of sale' was sent to the District Magistrate" in the day books in Forms C and D, Appendix I, is duly filled in by the dealer. [G. O. no. 2716, dated the 6th July, 1916]

Rule 34 authorises the police to inspect the premises of vendors licensed in form D to sell fireworks; inspection in such cases is desirable, although not obligatory. (G. O. no. 932, dated the 5th May, 1926)

81. (i) Weapons for which licences have been granted in Forms XVIII and XIX shall ordinarily be inspected by a Magistrate while on tour, or by the Tahsildar. The fact of the inspection shall be endorsed on the licence, and a report sent to the head-quarters to be entered in column 10 of the register in Form J, Appendix I, opposite the name of each licensee, year by year.

(ii) Inspection, if any, of weapons licensed in Form XVI should be made by the District Magistrate or Sub-Divisional Magistrate when on tour. Such inspection is in no case obligatory, and in the case of persons of approved character and status as detailed in rule 50 should be made only for special reason.

(iii) In all cases inspecting officers shall compare the weapon produced with the description of it entered in the licence. [G. O. no. 3047, dated the 14th Nov. 1893.]

82. The authorities empowered to grant or renew licenses are required to take action under rule 45 of the Indian Arms rules, 1924, and under the relevant conditions in forms XIV to XVI, XVIII and XIX, to verify the arms in the possession of licensees. Should a licensee be unable to produce arms held under a licence when called upon to do so he should be required to give an account of their disposal. Such cases should be dealt with by the Magistrate in person. Should the account not prove satisfactory the renewal of the licences either in whole or in part should be refused. Licensees are warned that in case they sell any arms or ammunition covered by the licences possessed by them to any person (other than a person exempted under section 27 of the Act) they are required 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. (H. D. no. F-21-X1-25 dated July 5, 1927, and U. P., G. O. no. 5448 dated August 19, 1927.)

• 83. Action to be taken when arms are stolen,—*Vide Note (4) to Rule 3, page 81.*

84. Searches,—*Vide notes (6) and (3) to sections 25 and 30 of the Act, pages 71 and 75.*

85. Disposal of arms deposited under section 16 of the Act,—*Vide page 180.*

85A. Firearms in district Malkhanas which have been confiscated under section 24 or forfeited under section 16 (3) of the Arms Act should be periodically cleaned and oiled and the charge debited to district Magistrate's grant under "Contingencies" (G. O. no. 2714 of the 10th Sep. 1929.)

86. (1) to (3) **Disposal of forfeited ammunition under section 24 of the Act.**—*Vide* page 184.

86. (2) 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 does not keep more arms than the licence permits. (G. O. no. 6343 dated the 15th Oct. 1930)

87. **Rewards under section 28 of the Act.**—*Vide* page 186.

88. To facilitate the description of a weapon 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:—

(1) Both a number and a letter should be used. Unless a letter is added it would be impossible to trace arms imported from a district other than that in which they are found.

(2) The letter used must be a distinguishing one, e. g., it is not sufficient to use F for Fatehpur; in this case the letters F. P. would be the distinguishing ones.

(3) No number must be repeated and the series used should apply to licences in all Forms XVI, XVIII, or XIX, unless the number of the Form (i. e., XVI or XVIII or XIX) is also stamped on weapons.

(4) The arms should be stamped with steel punches which can be obtained from Roorkee; they should not be branded, as this practice disfigures them unnecessarily.

(5) It is not necessary that the serial number of the licence should correspond with that of the weapon.

(6) It is unnecessary to enter in the licence a detailed description of the weapon if the number and letters are entered.

(7) It is unnecessary to mark weapons which already bear a distinguishing mark of some kind e. g., the number and stamp of the vendor. [G. O. no. 2428, dated the 2nd Sept., 1895]

89. **Confiscation of arms.**—*Vide* page 184.

90. As a rule, offences cognizable under the Act, which were due to ignorance or carelessness, would be sufficiently punished by a fine; and imprisonment should not be awarded unless from the character of the offender or on any other ground it can fairly be presumed that the arms were kept for an unlawful purpose. Commissioners and Magistrates should scrutinise the proceedings of their subordinates attentively, should take pains to see that the law is not worked harshly, and should report to Government all cases in which excessive punishments were awarded, or arms improperly confiscated. [G. O. no. 1328, dated the 28th July, 1885.]

91. With a view to enable District Magistrates to scrutinise the working of the Arms Act in their districts, the following **form showing the punishments, etc., inflicted for breaches of the provisions of the Act, should be prepared at the close of every month and scrutinised by them.** Commissioners of divisions have the option of calling for this monthly statement from any district:—

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

District.	Names of persons punished.	Section and clause of Act under which punished.	Punishment awarded.	Remarks by Magistrate.

[G. O. no. 2920, dated the 10th July, 1914.]

92. The exact procedure which should be adopted in searching for arms is as follows:—

(i) All parts of the United Provinces except that portion of the Mirzapur district lying to the south of the Sone have been disarmed. Consequently any one not coming under any exemptions, who has in his possession or under his control arms of any description, ammunition or military stores, except under a licence and in the manner and to the extent permitted thereby, is punishable under section 19 (f), Act XI of 1878, with imprisonment for a term which may extend to three years, or with fine, or with both. As this offence is "one cognizable by the police (*vide* Schedule II of the Criminal Procedure Code), an officer in charge of a police station having reason, from information received or otherwise, to suspect that it has been committed, is empowered (section 157) to investigate the case, and in certain circumstances to search for the article (section 165), the unlawful possession of which he has reason to suspect. Similarly, a Magistrate taking cognizance (section 191) of such an offence might issue a search warrant under section 96, Criminal Procedure Code. In both cases the provisions of section 30, Act XI of 1878, and the orders issued under it would govern the procedure of the person conducting the search. The search must be made in the presence of one of the persons specially appointed by virtue of office for the purpose (*vide* rule 84(b), note (3) to section 30 to page 75).

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

(iii) In ordinary cases relating to searches for unlicensed weapons possessed in contravention of the provisions of section 14 or 15, Act XI of 1878, section 25 of the Act will not apply. Section 25 would cover the case of a person even lawfully entitled to possess arms who is believed to be about to use them for an unlawful purpose, or who cannot be left in possession of them without danger to the public peace. It appears to "refer to cases in which the Magistrate considers that arms, whether under a licence or not, are possessed for an illegal purpose or under circumstances such as to endanger the public peace" (*vide* ruling in case of *Queen-Empress vs. Togha Singh*, I. L. R., 8, Calcutta, page 473—(referred to in note (43) on page 61). If a Magistrate finds it necessary to take action under section 25, the grounds of his belief that the person whose house is to be searched possesses arms for an unlawful purpose or cannot be left in possession of them without danger should be carefully recorded as prescribed by the provisions of the section. [G. O. no. 2285, dated the 3rd August 1893.]

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

Whenever guns or other arms in respect of which 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. [G. O. no. 77 dated the 9th January, 1901.]

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

(1) All applications for licences, whether granted or refused, shall be retained for five years from the date of the expiry of the licence, whether annual, biennial or triennial, or from the date of refusal, as the case may be. All applicants for licences should state in their applications whether they have applied for a licence previously, and if so, with what result. [G. O. no. 1669, dated May 26, 1928.]

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(2) Papers regarding the deposit of arms in police stations under the provisions of section 16 of the Act shall be kept for five years from the date of the order of deposit, except that in cases where the deposit has been made by a guardian on behalf of a minor, the papers shall be retained for a period of five years from the date of the minor attaining majority.

(3) Papers regarding the cancelling or suspension of licences (section 18 of the Act) shall be kept for five years, unless there is any special reason for their retention for a longer period. [G. O. no. 1689 dated May 26, 1928.]

It should be understood that these rules do not affect any papers forming part of the record in criminal and police cases, and dealt with as such under the rules of the High Court or Judicial Commissioner, or of the Police Department. [G. O. no. 1718 dated the 15th Dec., 1884.]

95. (i) Magistrates should prepare, at the close of each calendar year, and submit to the Commissioner, a report on the working of the Act during the year. This report should notice briefly the results of the various inspections prescribed by rule, convictions and punishments—particularly where special circumstances were held to justify very light or very severe sentences—rewards granted, any great increase or decrease in the number of licences granted; and generally any facts of importance connected with the working of this Act. Forms K and L in Appendix I, should be filled in and submitted with the report.

The following information should also be furnished:—

1. Number of exempted firearms; 2. cases of loss of firearms; 3. crimes of violence in which firearms were used, 4. prosecutions in respect of firearms, and

should be accompanied by a brief survey of the position which these statistics and those relating to licensed firearms disclose. Reference should be made in particular to the extent to which firearms have been employed in the commission of crime, including riots or unlawful assemblies, and in the exercise of the right of private defence. (G. O. nos. 3245, 4485, and 7391, dated the 25th June 1925, 7th August 1925 and 18th November 1927.)

District Magistrates should also in their reports deal with the illicit possession of arms and ammunition in their districts and should report as required in para. 3 of letter No. 251 dated March 23, 1926. (G. O. no. 3245 dated the 25 June 1925, No. 4485-204 dated 7th August 1925, D. O. no. 251 dated 23rd March 1926).

District Magistrates should also mention in their reports any new cases in which they (or the subdivisional officers who are authorised to grant arms licences) order the barrels of guns allowed to agriculturists in form No. XIX to be shortened, and the commissioners should mention these cases in their divisional report. (D. O. no. 452P dated 9th June 1926).

(ii) It is the Commissioner's duty to review the district reports of his division, and to pass suitable orders on such matters falling within his province as require them. He should then prepare a divisional report, with necessary statements, and submit to Government by the first of March. If any of the required information is wanting, the Commissioner should call for it before submitting his report. Commissioners should mention in their reports the action taken against licensees and exemptees for loss of

their fire-arms. [G. Os. no. 123, dated the 5th Sept., 1879; no. 256-A, dated the 3rd Oct. 1880; No. 997, dated the 17th July, 1881; no. 3082, dated the 10th Dec., 1892 and G. O. no. 2237, dated the 25th July 1929.]

96. District Magistrates should forward, in duplicate, direct to the Government, by March 15 at the latest each year, an annual return, in the form in appendix M., of licensed and exempted fire-arms in the possession of and ammunition *purchased* by residents of their districts during the previous calendar year, as well as a brief report on the quantity of arms and ammunition believed to be held illicitly in their districts. Particular attention should be paid to the following points :—

(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; and (iii) ammunition for muzzle-loading guns should not be shown.

97. District Magistrates or Superintendents of Police shall report all sales of arms and ammunition in their districts to the authorities of the purchasers' district whether in or outside their province. The procedure followed in different provinces for reporting such sales is as under :—

Province.	Province of authority responsible for report.	Authority to whom report is made. a
Central Provinces	Dealer	Magistrate of district in which purchaser resides.
Bombay	Do.	
Delhi	Do.	
N. W. Frontier Province	Do.	
Bihar and Orissa	Do.	
Madras	District Magistrate	
Punjab	Superintendent of Police	
Assam	Do.	

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 this province in Calcutta, and in the case of purchases in Bengal, outside Calcutta, the Superintendents of Police concerned will send reports to the Inspector General of Police. The Inspector General in each case will send extracts to the District Magistrate concerned in this province. (D. O. letters nos. 845 P. and 60 P. dated the 26th July 1927 and 9th March 1928, and nos. 1484-P. and 6-P., dated the 1st Nov. 1927. and 13th Jan. 1928.)