Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No 1013

Dated 14th May 1895

INDEXED.

[Despatch Abstract.]

EXPLOSIVES RULES.

Requesting certain officers and mercantile firms to favour Government with their opinion as to certain points in connection with the proposed amendments of the---.

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JUDICIAL.

Issued

Read. *Encl.*

G.O., 14th May 1895, No. 1013.

MAY.

Explosives Rules.

Requesting certain officers and mercantile firms to favour Government with their opinion as to certain points in connection with the proposed amendments of the—.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

Read—the following paper :—

From J. P. HEWETT, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Calcutta, 28th March 1895, No. 4-Public—520.

Abstract.—Requesting to be favoured with the opinion of His Excellency the Governor-in-Council on certain suggestions of the Committee appointed to propose amendments of the rules under the Explosives Act.

Order—dated 14th May 1895, No. 1013, Judicial.

The foregoing letter from the Government of India, with its enclosures, will be communicated to the Commissioner of Police, Madras, the District Magistrate of Malabar, the Chemical Examiner, Messrs. Best & Co., Messrs. Arbuthnot & Co., and Messrs. Parry & Co., Madras, with the request that they will favour Government, as soon as possible, with their opinion as to the following points in connection with the proposed amendments of the rules :—

(i) Whether clause III of rule 2 (relating to Transport) should be deleted and no exemption from the general rule as to double packing contained in clause IV be allowed in favour of blasting gunpowder;

(ii) If this rule is considered to be too stringent, whether it would not be advisable to prescribe a rule similar to that obtaining in England *viz.*, that if gunpowder is contained in a single package the case or barrel should be of a pattern approved by a Government Inspector of explosives;

(iii) Whether a foot-note should be appended to rule 3 indicating that "rules regarding search for and detention of, explosives contravening regulations have been issued by the Local Governments";

(iv) On the Government of India's proposal to add to the last words in clause IX of rule 6, the words "of England or this country;"

(v) Whether, with reference to the proposed addition (in italics) to rule 15 of the Import Rules, there is any difficulty in providing suitable places for temporary storage of explosives of which samples may be taken for examination.

2. The Commissioner of Police, and the District Magistrate of Malabar will be requested to furnish precise information as to the substances being explosives falling under rule 13 of the Importation Rules which are at present permitted to be imported into this Presidency.

3. The Chemical Examiner will also report his opinion (*a*) as to whether any official list of "authorized explosives" in India is required as a foot-note to rule 1; and if so (*b*) whether it would not be expedient to add in rule 14 after

the word "granted" the words "unless the explosive be a substance the importation of which has been authorised by the Government of India, and"

4. The following proposed changes in the Port Rules will be referred to the Marine Department for remarks:

"The Chief Inspector of explosives has pointed out that dynamite and other "high explosives, when they are made up (as they frequently are) into cartridges "or charges for blasting, fall under class 6 and not under any other class of "explosives mentioned in rule 1. Certain provisions relating to ammunition in "the rules for the transport and importation of explosives in the port of "Madras, published under the Madras Government Order No. 232, Marine, "dated 16th June 1894, appear not to be intended to apply to consignments "of dynamite and high explosives; but under the present wording they "would apply to them if they are in cartridges or cases. The Committee's "recommendation would be carried out by adding in rules (*c*) and (*h*) of the Port "rules of June 1894, before the words 'class 6, Ammunition class' the words "'the first division of.' 'Division I, class 6', would also be specified in the "parenthesis at the begining of rule (*i*)."

5. The Lieutenant General Commanding the Forces will be requested to favour Government with any remarks which the Inspector-General of Ordnance may wish to make on the proposed changes in the rules.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Commissioner of Police, Madras.
" District Magistrate, Malabar.
" Chemical Examiner.
" Marine Department.
" Deputy Adjutant-General.
" Messrs. Best & Co.
" " Arbuthnot & Co.
" " Parry & Co.

NOTIFICATION—By the Government of Bengal, dated 9th July 1887.

In exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884, the Lieutenant-Governor is pleased, with the previous sanction of the Governor General in Council, to make the following rules to regulate the manufacture, possession, and sale of explosives in the Lower Provinces of Bengal.

I. Nothing in the rules relating to the possession of explosives shall apply in any port, as defined in the Indian Ports Act, 1875, for which the Local Government may have made, or may make special rules under the Indian Explosives Act, 1884, to regulate the possession of explosives.

RULES UNDER THE EXPLOSIVES ACT, 1884, FOR THE MANUFACTURE, POSSESSION, AND SALE OF EXPLOSIVES IN THE LOWER PROVINCES OF BENGAL.

PRELIMINARY.

[Rule 1 is identical with Rule 1 under the Transport and Import Rules.]

MANUFACTURE, POSSESSION, AND SALE.

(*a*) *General Rules.*

2. An explosive shall not be manufactured under and in accordance with the conditions of a license to manufacture the explosive granted under these rules.

Nothing in this rule shall apply—

(*a*) to the making of a small quantity of an explosive for the purpose of chemical experiment, and not for practical use or for sale; or

(*b*) to the filling for private use, and not for sale, of any safety cartridges to the amount allowed by these rules to be possessed for private use.

3. If any person manufactures an explosive in contravention of rule 2, he shall be punished with fine which may extend to three thousand rupees.

4. An explosive shall not be possessed except under, and in accordance with, the conditions of a license to possess the explosive granted under these rules:

Provided that this rule shall not apply—

(1) to a person possessing for his private use and not for sale—

(*a*) gunpowder to an amount not exceeding on the same premises 30lbs., or in lieu of the said quantity of gunpowder 15lbs. of any other explosive, or in lieu of any less amount of gunpowder not so possessed, half that amount of other explosive; or

(*b*) gunpowder contained in safety cartridges to an amount not exceeding 150lbs., or in lieu thereof 150lbs. of any explosive contained in ammunition of the 1st division of class 6, or in lieu of any less amount of gunpowder not so possessed, that amount of any explosive so contained,

Exception.—Nothing in the foregoing portion of the proviso to this rule shall be held to authorize the possession for private use—

(*a*) of any explosive of the 5th (fulminate) class; or

(*b*) of any explosive whereof the possession has been prohibited absolutely by notification under section 6 of the Act; or

(*c*) where the possession of an explosive has by notification under that section been prohibited subject to conditions of any such explosive except subject to those conditions.

(2) to the possession of an unlimited quantity of fireworks, if obtained and intended for immediate use and not for sale, and if kept for a period not exceeding 14 days in a safe and suitable place, and with all due precautions for the public safety:

(3) *omitted:*

(4) to the possession of any explosive by a carrier or other person for the purpose of transport when the same is being kept or transported in accordance with the provisions of the rules made under the Act with respect to the transport of such explosive: or

(5) to the possession of any gunpowder, rockets or other explosive on board any ship in pursuance of the provisions of the Merchant Shipping Acts, or any order or regulation under those Acts.

5. If any person possesses an explosive in contravention of rule 4, he shall be punished with fine which may extend to one thousand rupees.

6. An explosive shall not be sold except under, and in accordance with, the conditions of a license to sell the explosive granted under these rules:

Provided that this rule shall not apply to any person selling any explosive which for his own private use he lawfully possesses to any person who is not legally prohibited from possessing the same.

7. If any person sells an explosive in contravention of rule 6, he shall be punished with fine which may extend to five hundred rupees.

(*b*) *Licensing of the manufacture, possession, and sale of gunpowder and certain explosives.*

8. Licenses to manufacture, possess, and sell, or to possess and sell, or to possess an explosive of the 1st (gunpowder) class, or of the 1st division of the 6th (ammunition) class, or of the 7th (firework) class to such total amount during the currency of the license, and in such places as shall be approved by the licensing officer, may be granted in a Presidency town and its suburbs by the Commissioner of Police, and elsewhere by the District Magistrate.

Provided that nothing in any such license shall be deemed to entitle the license-holder to keep at the same time in the place to which the license applies more than 200lbs. of gunpowder, 500lbs. of explosive contained in ammunition of the 1st division of the 6th (ammunition) class, and 200lbs. of fireworks, or any such less quantity of any of these explosives as the licensing officer may direct in this behalf.

9. The following fees shall be paid for every license granted under the last foregoing rule, namely—

(1) a fee of twenty rupees for every license to manufacture, possess, and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity;

(2) a fee of ten rupees for every license to manufacture, possess, and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity;

(3) a fee of five rupees for every license to manufacture, possess, and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity;

(4) a fee of ten rupees to possess and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity;

(5) a fee of five rupees to possess and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity;

(6) a fee of two rupees eight annas to possess and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity; and

(7) a fee of eight annas for every license to possess explosive.

10. Every license granted under rule 8 shall be in Form A, B, or C in the schedule hereto annexed, as the case may be, and shall be subject to the conditions prescribed therein.

11. If any person commits a breach of any condition subject to which a license under rule 8 is granted, he shall be punished with fine which may extend to five hundred rupees.

(*c*) *Licensing of the manufacture of other explosives.*

12. Licenses to manufacture explosives other than those referred to in rule 8 shall be granted by the Governor General in Council on payment of such fees, in such form, for such term, and subject to such conditions, as the Governor General in Council may in each case prescribe: provided that the Governor General in Council shall, in the case of any such license, prescribe all the conditions which are hereinafter prescribed for licenses to possess an explosive of the same description and quantity as the manufacturing license is to cover.

13. If any person commits a breach of any condition subject to which a license under rule 12 is granted, he shall be punished with fine which may extend to three thousand rupees.

(*d*) *Licensing of the possession of small quantities of other explosives.*

14. Licenses for the possession, at such places as shall be approved by the licensing officer, of explosives other than those specified in rule 3 shall, if the explosive is not one of the 5th (fulminate) class, and if the quantity to be possessed at the same time does not exceed 60lbs., be granted in a Presidency town and its suburbs by the Commissioner of Police, and elsewhere by the District Magistrate.

15. Every license granted under rule 14 shall be in Form D in the schedule hereto annexed, and shall be subject to the conditions prescribed therein. A fee of five rupees shall be paid for every such license.

16. If any person commits a breach of any condition subject to which a license under rule 14 is granted, he shall be punished with fine which may extend to one thousand rupees.

(*e*) *Licensing of the possession of explosives generally.*

17. Licenses for the possession of explosives other than those which may be issued under rules 8 and 14 shall, if the explosive is not one of the 5th (fulminate) class, be granted by the Local Government in accordance with the following procedure:—

(1) The applicant shall submit to the District Magistrate, or, in a Presidency town and its suburbs, to the Commissioner of Police, an application in writing accompanied by a plan (drawn to scale) of the place in which it is proposed to keep the explosive (herein referred to as the magazine) and the site thereof.

(2) The application shall specify such of the following matters as are applicable, namely,—

(*a*) the boundaries of the land forming the site of the magazine, and either any belt of land surrounding the site which is to be kept clear, and the buildings and works from which it is to be kept clear, or the distances to be maintained between the magazine, or any part thereof, and other buildings and works;

(*b*) the situation, character, and construction of all the mounds, buildings, and works on or connected with the magazine, and the distances thereof from each other;

(*c*) the amount of explosive and of ingredients thereof wholly or partly mixed to be allowed at the same time within the boundaries of the magazine; and

(*d*) any especial terms which the applicant may propose by reason of any special circumstances arising from the locality, the situation

or construction of any buildings or works, or the nature of any process or otherwise.

(3) Upon receipt of the said application—

(*a*) The District Magistrate or Commissioner of Police, as the case may be, shall thereupon cause notice to be published of the application, and fix a date on which any persons shall be heard objecting to the establishment of a magazine on the proposed site who have not less than seven clear days before the day of hearing sent to the said District Magistrate or Commissioner of Police, and to the applicant, notice of their intention to appear and object with their name, address, and calling, and a short statement of the grounds of their objection.

(*b*) Where the site of the proposed magazine is situate within, or within one mile of, the limits of the jurisdiction of any municipality or of any Port authority, the applicant shall serve on such authority notice of the application, and of the date of hearing by the District Magistrate or Commissioner of Police.

(*c*) The said notices shall be published and served at the cost of the applicant by the District Magistrate or Commissioner of Police not less than one month before the date of hearing.

(*d*) The District Magistrate or Commissioner of Police shall fix the date of hearing as soon as practicable after application is made to him, and the time so fixed shall be as soon as practicable after the expiration of the said month from the publication and service of the notices by the applicant.

(*e*) On consideration of the application, and on making such enquiry as may be deemed necessary, the District Magistrate or Commissioner of Police may dissent altogether from the establishment of such new magazine on the proposed site, or assent thereto, either absolutely, or on any conditions requiring additional restrictions or precautions.

(*f*) On the completion of the enquiry, the District Magistrate or Commissioner of Police shall forward the application with his recommendation to the Local Government. The Local Government may thereupon either grant the license applied for either in accordance with the recommendation of the District Magistrate or Commissioner of Police, or with the addition of any additional restrictions and precautions as may be deemed proper, or the Local Government may refuse such license. *Provided that, if the distance of the proposed magazine from any dwelling-house, highway, street, public thoroughfare or public place be less than 200 yards, or if for any other reason it consider it advisable to do so, the Local Government shall, before granting the license, obtain the opinion of an Inspector of Explosives after inspection of the place by him.*

(*g*) If the Local Government grant a license, it shall forward the same to the District Magistrate or Commissioner of Police, who, when satisfied that the magazine is sufficiently completed according to the license to justify the use thereof, shall confirm the license; but until so confirmed the license shall not come into force.

18. A fee of Rs. 20 shall be paid for every license granted under rule 17.

19. Every license granted under rule 17 shall be in Form E in the Schedule hereto annexed, and shall be subject to the conditions prescribed therein.

20. If any person commits a breach of any conditions subject to which a license under rule 17 is granted, he shall be punished with fine, which may extend to one thousand rupees.

21. Licenses for the possession of explosives of the 5th (fulminate) class shall be granted by the Governor General in Council on payment of such fees and in such form, and subject to such conditions, as he may in each case prescribe.

22. If any person commits a breach of any condition subject to which a license is granted under rule 21, he shall be punished with fine, which may extend to one thousand rupees.

(*e*) *Licensing of the sale of other explosives.*

23. Licenses for the sale of explosives other than those referred to in rule 8 may be granted in a Presidency town and its suburbs by the Commissioner of Police, and elsewhere by the District Magistrate, to any person licensed to possess the same.

24. A fee of five rupees shall be paid for every license granted under rule 23.

25. Every license granted under rule 23 shall be in Form F in the Schedule hereto annexed, and shall be subject to the conditions therein prescribed.

26. If any person commits a breach of any condition subject to which a license under rule 23 is granted, he shall be punished with fine, which may extend to five hundred rupees.

(*f*) *Supplementary.*

27. Substitute a new rule such as has been made in Bengal and Bombay.

28. A person licensed to possess an explosive shall not be required to take out a license for the manufacture of the explosive by reason that in connection with his magazine or licensed premises he fills for sale or otherwise any cartridge for small arms with the said explosive, provided that he observes the following regulations, namely,—

(*1*) *There shall not be in the room in which such filling is being carried on more than five pounds of gunpowder, or an amount to be prescribed by the Local Government in this behalf of any other explosive, except it is made up into safety cartridges; and*

(*2*) *Any work unconnected with the making of the cartridges shall not be carried on in the room while such filling is being carried on; and*

(*3*) *There shall not be in the room while such filling is being carried on any fire nor any artificial light, except a light of such construction, position, or character as not to cause any danger of fire or explosion; and*

(*4*) *The room in which the filling is carried on shall be detached from the magazine, but in the immediate neighbourhood thereof, and at such distance therefrom as may be specified on the license by the authority granting the same; and*

(*5*) *The occupier shall give notice to the authority which grants his license that he intends to carry on such filling of cartridges as is allowed by this rule.*

28(a). A person licensed to possess an explosive shall not be required to take out a license for manufacture by reason that, in connection with his magazine or licensed premises he, by filling cartridges, making charges, drying, sifting, fitting or otherwise, adapts or prepares the said explosive for use exclusively in his mine or quarry, or in some excavation or work carried on by him, or under his control, provided that he observes the following regulations, namely,—

(*1*) *There shall not be in the workshop in which such adaptation or preparation is carried on more than 100lbs. of gunpowder, or an amount to be prescribed by the Local Government in this behalf of any other explosive; and*

(*2*) *Any work unconnected with such adaptation or preparation shall not be carried on in the said workshop while such adaptation or preparation is being carried on; and*

(*3*) *The said workshop shall be detached from the magazine, but in the immediate neighbourhood thereof and at such distance therefrom*

as may be specified on the license by the authority granting the same ; and

(4) *An explosive of one description shall not be converted into an explosive of another description, and shall not be unmade or resolved into its ingredients ; and*

(5) *The occupier shall give notice to the authority which grants his license that he intends to carry on such adaptation or preparation as is allowed by this rule.*

D.—GENERAL.

29. Every license granted under these rules shall be liable to be forfeited on breach of any of the conditions subject to which it is granted.

30. If a person licensed to manufacture, possess, or sell an explosive dies or becomes bankrupt, or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or the rules made thereunder for carrying on the business or acting under the license during such reasonable time as may be necessary to allow him to make an application to the authority granting the license for a new license in his own name during the currency of the unexpired portion of the original license. Such new license shall be granted on the payment of one rupee.

31. The fees leviable under these rules shall be taken in the shape of "impressed stamps." Applications for licenses or renewals of licenses shall, if not otherwise provided, be written on plain paper, the licenses themselves being issued on "impressed stamps" of value equal to the amount of fee leviable in respect of such licenses or renewals.

32. All licenses, except licenses to manufacture an explosive under rule 12, or to possess explosive of the 5th (fulminate) class under rule 21, shall expire on the 31st December of the year for which they are granted. Licenses granted under rules 12, 21 shall be current for the terms therein specified. But the currency of a license may, unless the circumstances have so changed that the grant of a new license would either not be authorized under the Act and rules, or is deemed objectionable by the licensing authorities, on application previous to its expiration, be renewed on payment of the original fee.

33. When a license granted in accordance with these rules is lost, or accidentally destroyed, duplicate may be granted to the licensee on payment of a fee of eight annas.

34. Any person holding a license, or acting under a license, granted in accordance with these rules, shall be bound to produce the same when called upon to do so by *any Inspector of Explosives or* any Magistrate or by any Police Officer in charge of a police-station or by any Police Officer of higher rank.

35. All Magistrates or other authorities acting under these rules will perform their duties subject to the control of their executive superiors and of the Local Government.

36. Any authority empowered to grant a license under the foregoing rules may, if he thinks fit, direct by an order written on the license that it shall have the effect of a like license under the Indian Arms Act, 1878.

37. Any persons lawfully entitled under the Indian Arms Act, 1878, or the rules made thereunder, to possess any explosive coming under the head of ammunition as defined in that Act may possess, without license under these rules, any such explosive in reasonable quantities for his own private use.

SCHEDULE.

FORM A.

(*See Rule 8.*)

FEE RUPEES IN STAMPS.

License to manufacture, sell, and possess gunpowder or an explosive of the 1st Division of the 6th (Ammunition) class or of the 7th (Firework) class.

Name, etc., of license-holder and place of residence.	Place of business, factory or shop.	*Maximum quantity of explosive to be kept at any one time.*	Description and quantity to be manufactured during the year.	Description and quantity to be possessed and sold during the year.	Date on which license expires.
					The 31st of December 189 .

_____ *District,*
_____ *189* .

Seal.

(Signature.)
_____ *of* _____

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2. The license-holder shall keep records and accounts of all explosive manufactured, of all stock in hand, and of all sales, in such form as the Local Government may from time to time direct.

3. The license-holder shall exhibit his stock and his books of manufacture and sales to any Magistrate or to any Police Officer not below the rank of Inspector, when such officer may call upon him so to do.

4. The explosive shall be manufactured in a *tent or any lightly* constructed building exclusively appropriated for the purpose and *separated from any* dwelling-house *by the distance*—

(*a*) *in the case of gunpowder, of 100 yards,*

(*b*) *in the case of an explosive of the 1st division of the 6th (Ammunition) class or of the 7th (Firework) class, of 50 yards,*

and by the same distances from any highway, street, public thoroughfare or public place. *In the case of filling cartridges, the operation may only be carried out in a one-storeyed building, or in the upper room of any building : provided that no more than 5lbs. of gunpowder or 3lbs. of smokeless powder be in the room where the operation is being carried on.*

5. All sales of explosive under this license must be effected upon the premises shown on the face of the license.

6. An explosive shall not be sold to any child apparently under the age of 13 years.

7. The explosive possessed by the licensee shall be kept in *a substantially constructed uninflammable building, approved by such officer as the Local Government may prescribe*, or in a fire-proof safe, *separated* from any *dwelling-house*, highway, street, public thoroughfare, or public place *by the distances laid down in condition No. 4, and* made and closed so as to prevent unauthorized persons having access thereto, and to secure it from danger from without :

Provided that a quantity not exceeding 50lbs. of gunpowder, or in lieu of each pound of gunpowder not so kept 2lbs. of explosive contained in ammunition of the 1st division of class 6, or an equivalent quantity of an explosive of the 7th (firework) class, may be kept inside a dwelling-house, or in any building other than as last aforesaid, in a receptacle exclusively appropriated to keeping explosive.

Provided also that no explosive other than gunpowder or ammunition of the 2nd division of class 6 made with gunpowder shall be kept in a fire-proof safe.

8. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosive and from any building, fire-proof safe, or receptacle containing the same. *And no one entering such building or place shall have any iron or steel in their possession, or attached to or on their boots or shoes.*

9. Neither the building exclusively appropriated for the purpose of manufacturing or keeping the explosive, nor the fire-proof safe or receptacle, shall have any exposed iron or steel (*except machinery necessary for the manufacture*) in the interior thereof.

10. All explosive exceeding 5lbs. in amount of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class, and all other explosive exceeding 1lb. in amount, shall be kept in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the explosive from escaping, and if publicly exposed for sale or sold, the outermost receptacle containing such explosive shall have affixed the name of the explosive in conspicuous characters by means of a brand or securely attached label or other mark.

11. Each description of explosive, which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other. *Explosives of the same class, however, may be kept together; and gunpowder may be kept with safety fuzes.*

12.* The license-holder shall affix to his shop or place of business a sign-board as required by rule 11 of the rules framed under the Indian Arms Act, 1878, and shall post up in his shop a copy of section 28 of that Act.

13.* The license-holder shall at the time of purchase endorse upon the license of every purchaser holding a license under Form VIII or IX of the forms prescribed under the Indian Arms Act, 1878, the following particulars:—

(*a*) the name and address of the person who takes delivery of the article sold;

(*b*) the nature and amount of articles sold;

(*c*) the date of sale;

and shall append his signature to the endorsement.

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* These conditions are to be added only when the authority granting this license directs, by an order written thereon, that this license shall have the effect of a like license granted under the Indian Arms Act, 1878.

FORM B.

(*See Rule 8.*)

FEE RUPEES IN STAMPS.

License to sell and possess gunpowder or explosive of the 1st Division of the 6th (Ammunition) class or of the 7th (Firework) class.

Name, etc., of license-holder and place of residence.	Place of business, factory or shop.	*Maximum quantity of explosive to be kept at any one time.*	Description and quantity of explosive to be possessed and sold during the year.	Date on which license expires.
				The 31st of December 189 .

_____ *District,*
_____ *189* .

Seal.

(Signature).

_____ *of* _____

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2. The license-holder shall keep records and accounts of all explosive in stock and of all sales in such form as the Local Government may from time to time direct.

3. The license-holder shall exhibit his stock and his books and records of sales to any Magistrate or to any Police Officer not below the rank of Inspector when such officer may call upon him so to do.

4. All sales of explosive under this license must be effected upon the premises shown on the face of the license.

5. An explosiv e shall not be sold to any child apparently under the age of 13 years.

6. The explosive shall be kept in a substantially constructed *uninflammable building approved by such officer as the Local Government may prescribe*, or in a fire-proof safe, *separated from any dwelling-house*, highway, street, public thoroughfare, or public place *by the prescribed distances*,* and made and closed so as to prevent unauthorized persons having access thereto, and to secure it from danger from without:

Provided that 50lbs. of gunpowder, or in lieu of each pound of gunpowder not so kept 2lbs. of explosive contained in ammunition of the 1st division of class 6, or an equivalent quantity of explosive of the 7th (firework) class, may be kept inside a dwelling-house, or in any building other than, as last aforesaid, in a receptacle exclusively appropriated to keeping explosive.

Provided also that no explosive other than gunpowder or ammunition of the 2nd division of the 6th class made with gunpowder shall be kept in a fire-proof safe.

7. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosive and from any building, fire-proof safe, or receptacle containing the same. *And no one entering such building or place shall have any iron or steel in their possession, or attached to or on their boots or shoes.*

8. Neither the building exclusively appropriated for the purpose of keeping the explosive, nor the fire-proof safe or receptacle referred to above, shall have any exposed iron or steel in the interior thereof.

9. All explosive exceeding 5lbs. in amount of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class, and all other explosive exceeding 1lb. in amount, shall be kept in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the explosive from escaping, and when publicly exposed for sale or sold, the outermost receptacle containing such explosive shall have affixed the name of the explosive in conspicuous characters by means of a brand or securely attached label or other mark.

10. Each description of explosive which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space as will effectually prevent explosion or fire in the one communicating with the other. *Explosives of the same class, however, may be kept together, and gunpowder may be kept with safety fuzes.*

11.† The license-holder shall affix to his shop or place of business a sign-board as required by rule 11 of the rules framed under the Indian Arms Act, 1878, and shall post up in his shop a copy of section 28 of that Act.

12.† The license-holder shall at the time of purchase endorse upon the license of every purchaser holding a license under Form VIII or IX of the

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* *In the case of gunpowder, 100 yards.*

In the case of explosive of the 1st division of the 6th (Ammunition) class or of the 7th (Firework) class, 50 yards.

† These conditions are to be added only when the authority granting this license directs by an order written thereon, that this license shall have the effect of a like license granted under the Indian Arms Act, 1878.

forms prescribed under the Indian Arms Act, 1878, the following particulars:—

(*a*) the name and address of the person who takes delivery of the articles sold;

(*b*) the nature and amount of the articles sold;

(*c*) the date of sale;

and shall append his signature to the endorsement.

FORM C.

(*See Rule* 8.)

FEE EIGHT ANNAS IN STAMPS.

License to possess gunpowder or an explosive of the 1st division of the 6th (Ammunition) class or of the 7th (Firework) class.

Name, etc., of license-holder and place of residence.	Description and quantity of explosive to be possessed during the year.	Place with full details where explosive is to be possessed.	*Maximum quantity of explosive to be kept at any one time.*	Date on which license expires.
				The 31st of December 189 .

_____ *District,*
_____ *189* .

Seal.

(Signature)

_____ *of* _____

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2. The explosive shall be kept in a substantially constructed *uninflammable building approved by such officer as the Local Government may prescribe*, or in a fire-proof safe *separated from any dwelling-house*, highway, street, public thoroughfare or public place *by the prescribed distances,* and* made and closed so as to prevent unauthorized persons having access thereto, and to secure it from danger from without:

Provided that 50lbs. of gunpowder, or in lieu of each pound of gunpowder not so kept 2lbs. of explosive contained in ammunition of the 1st division of class 6, or an equivalent quantity of explosive of the 7th (firework) class may be kept inside a dwelling-house or in any building other than as last aforesaid, in a receptacle exclusively appropriated to keeping explosive.

Provided also that no explosive other than gunpowder or ammunition of the 2nd division of class 6 made with gunpowder shall be kept in a fire-proof safe.

3. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosive and from any building, fire-proof safe, or receptacle containing the same. *And no one entering such building or place shall have any iron or steel in their possession or attached to or on their boots or shoes.*

4. Neither the building exclusively appropriated for the purpose of keeping the explosive nor the fire-proof safe or receptacle referred to above shall have any exposed iron or steel in the interior thereof.

* *In the case of gunpowder, 100 yards.*

In the case of an explosive of the 1st division of the 6th (Ammunition) class or of the 7th (Firework) class, 50 yards.

5. All explosive exceeding 5lbs. in amount of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class, and all other explosive exceeding 1lb. in amount shall be kept in a substantial case, bag, canister or other receptacle made and closed so as to prevent the explosive from escaping.

6. Each description of explosive which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space as will effectually prevent explosion or fire in the one communicating with the other. *Explosives of the same class, however, may be kept together, and gunpowder may be kept with safety fuzes.*

7. The license-holder shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature:—

(*a*) the name and address of the person who takes delivery of the articles purchased;

(*b*) the nature and amount of the articles purchased;

(*c*) the date of purchase.

FORM D.

(*See Rule 14.*)

FEE FIVE RUPEES IN STAMPS.

License to possess explosives.

Name, etc., of license-holder and place of residence.	Place of business or shop.	Description of explosive.	*Maximum quantity of explosive (not exceeding 60lbs.) to be kept at any one time.*	Date on which license expires.

_____ *District,*
_____ *189* .

(Signature.)

_____ *of* _____

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2. The explosive shall be kept in a substantially constructed building exclusively appropriated for the purpose and detached from a dwelling-house, and at a safe distance from any highway, street, public thoroughfare, or public place, made and closed so as to prevent unauthorized persons having access thereto, and to secure it from danger from without:

Provided that a quantity not exceeding 15lbs. of such explosive may be kept inside any building other than as last aforesaid, in a receptacle exclusively appropriated to keeping explosive.

3. All articles or substances of any explosive or highly inflammable nature shall be kept at a safe distance from the explosive and from any building or receptacle containing the same.

4. Neither the building exclusively appropriated for the purpose of keeping the explosive nor the receptacle shall have any exposed iron or steel in the interior thereof.

5. All such explosive exceeding 1lb. in amount shall be kept in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the explosive from escaping.

6. Each description of explosive, each of which may be lawfully kept under this license, shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other.

7. The license-holder shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature :—

(*a*) the name and address of the person who takes delivery of the articles purchased;

(*b*) the nature and amount of the articles purchased;

(*c*) the date of purchase.

FORM E.

(*See Rule 17.*)

Fee Twenty Rupees in Stamps.

License to possess explosives.

Name of license-holder and residence.	Boundaries of the land forming the site of the magazine to which the license applies.	Situation, character, and construction of the buildings and works connected with the magazine.	Description of explosive to be possessed.	Amount of explosive to be possessed at the same time in the magazine and within the boundaries of the site thereof.	Date on which license expires.

District. } (Signature.)
189 . } *of*

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2. There shall not be at the same time in the magazine an amount of explosive exceeding the amount specified in the license.

3. The magazine shall be used only for the keeping of the explosive or explosives specified in the license, and of receptacles for, or tools or implements for, work connected with the keeping of such explosive or explosives.

4. The interior of the magazine and the benches, shelves and fittings therein, shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel, and the detaching of any grit, iron, steel, or similar substances in such manner as to come into contact with the explosive, and such interior, benches, shelves, and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean; and in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom.

5. The magazine shall have attached thereto a sufficient lightning conductor *which shall be tested at least once a year.*

6. Before repairs are done to or in any part of a room or magazine, it shall, as far as is practicable, be cleaned by the removal of all explosive or mixed ingredients thereof, and the thorough washing out of such room or part; and after such cleaning, these conditions shall cease to apply to explosive until such room or part of the magazine is again taken into it.

7. Except after such cleaning, all tools and implements used in, or in any repairs to, any part of the magazine shall be made only of wood, copper, or brass, or some soft metal or material, or shall be covered with some safe and suitable material.

8. Due provision shall be made by the use of suitable working clothes without pockets, suitable shoes, searching and otherwise, or by some such means for preventing the introduction into the magazine of fire, lucifer matches, or any substance or article likely to cause explosion or fire, or any iron, steel or grit; but this rule shall not prevent the introduction of an artificial light of such construction, position, or character as not to cause any danger of fire or explosion.

9. No person shall smoke in any part of the magazine.

10. Any person under the age of 16 years shall not be employed in or enter the magazine except in the presence and under the supervision of some grown-up person.

11. Two or more descriptions of explosive which may lawfully be possessed in a licensed magazine may be possessed in the same magazine, provided they are separated from each other by an intervening partition of such substance and character, or by such intervening space as will effectually prevent explosion or fire in the one communicating with the other, subject to the following qualifications :—

(*a*) The various explosives of classes one (gunpowder), two (nitrate-mixture), three (nitro-compound), and four (chlorate-mixture), safety fuze belonging to the first division of class six (ammunition), and such of the various explosives of the 2nd division of class six (ammunition) as do not contain any exposed iron or steel, may be kept with each other without any intervening partition or space.

(*b*) The various explosives of the 1st division of class six (ammunition) may be kept with each other without any intervening partition or space.

(*c*) Such of the various explosives of the 2nd division of class six (ammunition) as contain any exposed iron or steel may be kept with each other without any intervening partition or space.

(*d*) The various explosives of the 3rd division of class six (ammunition) may be kept with each other without any intervening partition or space.

(*e*) The various explosives of class seven (firework) may be kept with each other without any intervening partition or space.

Except as aforesaid, two or more descriptions of explosives may not be kept in the same magazine.

12. The licensee and every person employed in or about the magazine shall take all due precaution for the prevention of accidents by fire or explosion in the same, and for preventing unauthorized persons having access to the magazine or to the explosive therein, and shall abstain from any act whatever which tends to cause fire or explosion, and is not reasonably necessary for the purpose of the work in such magazine.

FORM F.

(*See Rule 23.*)

FEE FIVE RUPEES IN STAMPS.

License to sell explosives.

Name, etc., of license-holder and place of residence.	Place of business or shop.	Description of explosive to be sold.	Date on which license expires.

(Signature.)

_____ *District.*
_____ *189* .

_____ *of* _____

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2. The license-holder shall keep records and accounts of all explosives in stock, and of all sales in such form as the Local Government may from time to time direct.

3. Explosives shall not be sold to any child apparently under the age of 13 years.

4. All explosive exceeding 1lb. in weight, when publicly exposed for sale or sold, shall be in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the explosive from escaping, and the outermost receptacle containing such explosive shall have affixed the name of the explosive with the word "explosive" added thereto in conspicuous characters by means of a brand or securely attached label or other mark.

Exd.—W. B. G.

Government of India Central Printing Office.—No. 569 H. D.—22-3-95—350.

Bengal Rule 27.

The officers herein undermentioned are authorized, within the areas respectively specified below,—

(*a*) to enter, inspect and examine any place, carriage or vessel in which an explosive is being manufactured, possessed, used, sold, transported, or imported under a license granted under the Indian Explosives Act, 1884, or in which they have reason to believe that an explosive has been or is being manufactured, possessed, used, sold, transported or imported in contravention of that Act, or of the rules made under that Act;

(*b*) to search for explosives therein;

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

(*d*) at their discretion to seize, detain, remove, and, if necessary for the public safety, destroy any explosive found therein in respect of which there may be reason to believe that the provisions of the said Act or of the rules made under the said Act have been contravened.

Areas.	*Officers.*
In all parts of Bengal . . .	The Superintendent of the Gunpowder Factory, Ishapur. The Assistant Superintendent of the Gunpowder Factory, Ishapur.
Within their respective districts .	All District Magistrates.
Within the areas respectively subject to their jurisdiction . . .	All Magistrates subordinate to the District Magistrate.
In the town of Calcutta and its suburbs	The Commissioner of Police, Calcutta. All Police officers of rank not below that of Inspector if specially deputed in that behalf by the Commissioner of Police.

Provided that—

(1) Whenever the Superintendent or the Assistant Superintendent of the Gunpowder Factory, Ishapur, or any Magistrate subordinate to the District Magistrate seizes, detains, or removes any such explosive, he shall report the fact to the District Magistrate.

(2) Neither the Superintendent nor the Assistant Superintendent of the said Factory, nor any Magistrate subordinate to the District Magistrate, shall destroy any such explosive without the previous sanction of the District Magistrate.

Bombay Rule 27.

The officers herein undermentioned are authorized, within the areas respectively specified below,—

(*a*) to enter, inspect, and examine any place, carriage or vessel in which an explosive is being manufactured, possessed, used, sold, transported, or imported under a license granted under the Indian Explosives Act, 1884, or in which they have reason to believe that an explosive has been or is being manufactured, possessed, used, sold, transported, or imported in contravention of that Act or of the rules made under that Act;

(*b*) to search for explosives therein;

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

(*d*) at their discretion to seize, detain, remove and, if necessary for the public safety, destroy any explosive found therein in respect of which there may be reason to believe that the provisions of the said Act or of the rules made under the said Act have been contravened.

Provided as follows—

(1) Whenever the Superintendent or the Assistant Superintendent of the Gunpowder Factory, Kirkee, or any Magistrate subordinate to the District Magistrate, or any Police officer of rank not below that of Inspector, if specially deputed in that behalf by the Commissioner of Police in the Town and Island of Bombay, seizes, detains or removes any such explosive, he shall report the fact to the District Magistrate or the Commissioner of Police, Bombay, as the case may be.

(2) Neither the Superintendent nor the Assistant Superintendent of the said Factory, nor any Magistrate subordinate to the District Magistrate, nor any Police officer of rank not below that of Inspector, if specially deputed in that behalf by the Commissioner of Police in the Town and Island of Bombay, shall destroy any such explosive without the previous sanction of the District Magistrate or the Commissioner of Police as the case may be.

Areas.	*Officers.*
In all parts of the Presidency . . .	The Superintendent of the Gunpowder Factory, Kirkee. The Assistant Superintendent of the Gunpowder Factory, Kirkee.
Within their respective districts . . .	All District Magistrates.
Within the areas respectively subject to their jurisdiction	All Magistrates subordinate to the District Magistrate.
In the Town and Island of Bombay . .	The Commissioner of Police. All Police officers of rank not below that of Inspector, if specially deputed in that behalf by the Commissioner of Police.

G. I. C. P. O.—No. 1579A H. D.—23-3-95.—350.—W. B. G.

Proceedings of a Meeting of the Explosives Committee held at the Home Office on Wednesday, January 2nd, 1895, at 2 p.m.

Present:
Colonel MORTIMER.
Captain MUSPRATT WILLIAMS.
Mr. J. HARRIS.
Mr. L. M. THORNTON.

The criticisms contained in Colonel Majendie's memorandum dated the 16th December 1893 were taken into consideration.

TRANSPORT RULES.

(*a*) *Packing.*

Rule 2.—I. The Committee would retain this, as it can do no harm and conduces to clearness.

IV (*b*). The Committee agree with Colonel Majendie's remarks, and suggest that the first sentence of this clause should be limited by the following foot-note:—

Note.—From the requisition that the package should be waterproof are excepted—

(1) All explosives falling in the 2nd Division of the 4th (Chlorate-mixture) class.

(2) Those explosives, included in the 1st Division of the 3rd (Nitro compound) class which do not yield up their nitro-glycerine on contact with water, such as blasting gelatine, gelatine dynamite, and gelignite: provided that any other substance than those named has been certified to be of this character by a Chief Inspector of Explosives.

IV (*c*). Colonel Majendie's suggestion may be carried out and this clause may be replaced by the Secretary of State's rule *in extenso*, as follows:—

1. If the explosive belongs to the 5th (Fulminate) class, and is of such character that it cannot be packed mixed with water, or that danger would arise from such mode of packing, it shall be packed in such manner as shall be specially directed by the Governor General in Council.

2. Any other explosive of the Fulminate class shall be packed as follows: It shall be packed in bags or coverings of calico, canvas, or other material permeable to water, and containing each not more than 25lb of Fulminate, and so made and closed as to prevent any explosive from escaping. Such bags or coverings shall be packed in a case containing sufficient water to ensure the explosive being kept constantly wet, and such case (hereinafter called the inner case) shall be packed in an outer case containing sufficient water constantly to surround the inner case; and the inner case and the outer case shall each be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow any Fulminate or water to escape: and the amount of explosive in any one outer case shall not exceed 200lb, except with the consent of and under conditions approved by an Inspector of Explosives.

3. Every package when actually used for the packing of one Fulminate shall not be used for the packing of any other Fulminate or for any other purpose.

4. On the outer case there shall be affixed in conspicuous characters by means of a brand or securely attached label or other mark the word "explosive," with the name of the explosive, followed by the words "Fulminate, Division 1" (or 2, as the case may be) and the name and address of the owner or sender.

The Committee are not aware that paragraph 1 of the above is at present necessary in India, and it might be omitted if the Government of India consider it superfluous, but there seems, on the other hand, no objection to incorporating the rule as a provision for possible cases.

IV (*d*). The Committee consider that the English regulation should be substituted, as recommended by Colonel Majendie. The regulation would run as follows:—

1. If an explosive belongs to the 1st Division of the 6th (Ammunition) class, it shall be contained in a box, barrel, or case of wood, metal, or other solid material, and of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow any explosive to escape.

2. If the explosive belongs to the 2nd Division of the 6th (Ammunition) class, the following rules shall apply, *viz.*,—

(*a*) A shell or torpedo containing any explosive material, whether such shell or torpedo be separate or form part of a rocket or other appliance, shall be packed in such manner as may be specially directed by the Governor General in Council with reference to such explosive.

(*b*) Any explosive material when made up into a cartridge or charge for cannon, shells, mines, blasting, or other like purposes, shall be packed in the manner required for the same explosive material when not so made up: provided that where a double package is required, the enclosing case of such cartridge or charge, if it satisfies the conditions required for the inner package, may be held to be such inner package.

(*c*) Any other explosive of the 2nd Division shall be packed in a box, barrel, or case of wood, metal, or other solid material, and of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow any explosive to escape: and any one such package shall not contain more than 100lb of ammunition, except with the consent of, and under conditions approved by, an Inspector of Explosives.

Saturday, January 5th, 1895.—Present, as before.

TRANSPORT RULES.

(*a*) *Packing.*

V (*b*). As suggested by Colonel Majendie, the Committee would add to this rule the words—"except with the consent of, and under conditions approved by, an Inspector of Explosives."

V (*e*). The Committee do not think it necessary to amend this rule, which relates to the amount of explosive to be contained in a single package, as the power of relaxation conferred by the rule seems to them sufficient.

Rule 3. This provides a penalty for breach of the packing rules, and Colonel Majendie has remarked that the penalty in this and similar cases should include forfeiture of the explosive, and that power of seizure and detention should be vested in the officers. As regards forfeiture, the Committee refer to section 10 of the Indian Explosives Act, 1884, which provides that a Court which convicts any one of an offence under the Act or the rules may direct that the explosive shall be forfeited: they presume that forfeiture without a conviction would not be contemplated. The circumstances in regard to power of seizure and detention have been now somewhat altered by the Notifications which have been issued by the Governments of Bombay and Bengal amending rule 27 of the local rules for manufacture, possession, and sale of explosive in connection with the appointment of the Superintendents and Assistant Superintendents of the Ishapur and Kirkee Gunpowder Factories to be Chief Inspectors and Inspectors of Explosives respectively. The revised rule 27 gives full power of seizure and detention not only to the Inspectors of Explosives but also to local Magistrates. The Committee have only to suggest that it may be advisable to issue a similar rule in other Provinces and also to indicate its existence in the rules for transport and import.

(*b*) *Mode of conveyance.*

Rule 4.—IV. In the parenthesis near the end of this rule the word "gunpowder" should be omitted.

IX. The Committee agree with Colonel Majendie that the variation of the quantities allowed in England does not appear objectionable.

Rule 6.—IX. Tests have been prescribed by the Government of India in Notification No. 1418, dated 24th June 1887, which appears to have been overlooked by Colonel Majendie.

The Committee recommend the following changes in this rule:—

For "if it is gun-cotton, dynamite, or blasting gelatine," *substitute* "if it is an explosive of class 3 or 4."

Omit the words "and has undergone no deterioration since its manufacture."

For "in the case of . . . . . exuded nitro-glycerine," *substitute* "in the case of all nitro-glycerine compounds, that there are no signs of exuded nitro-glycerine."

For the last sentence, *substitute* "The consignor shall also certify that the cartridges have been packed in accordance with the packing rules of this country."

Importation Rules.

Rule 15. The disposal of the explosive until the sample has been examined should be regulated by a rule following the terms of the ninth condition of the form of English importation license which Colonel Majendie has sent. The rule might run: "All explosive of which samples are taken for examination shall be forthwith deposited in a duly licensed place or places of storage, and shall not be distributed for use until the importer has received from the licensing authority notice that it may be so distributed."

The Committee consider that authorized places of deposit must be provided by Government at ports where private storehouses licensed in this behalf do not exist.

(Bengal) Rules for Manufacture, Possession, and Sale.

Rule 1. *Class 7.*—For the definition of Fireworks may be substituted that which has been laid down in the English Order in Council, No. 1 (*a*), dated 12th December 1891 (page 249, Explosives Guide Book).

Rule 3. The supposed absence of a provision for forfeiture of the explosive has been already dealt with.

Rule 4. *Proviso 1.*—In view of the different circumstances in England and India respecting facility of supply, the Committee would not recommend any change in the rule permitting the specified quantities of explosive to be possessed for private use. In reference to the Police certificate mentioned by Colonel Majendie, they would observe that it is understood that the explosive, being "ammunition"

under the Arms Act, cannot be possessed (except by a person of the exempted classes) without a license under that Act.

Rule 4. *Proviso 3.*—The Committee agree with Colonel Majendie that it is advisable that the license for manufacture should specify the maximum quantity of the explosive which the licensee is allowed to possess. This proviso might then be deleted, since the licensee would have to comply with rule 4 and possess explosive only in accordance with the conditions of his license.

Rule 6. *Proviso.*—This, as the Committee understand, allows the sale of a small quantity of explosive by one private person to another. The provision seems to them appropriate.

Rule 27. This rule, as already observed, has been amended in Bengal and Bombay. The revised rule, under section 7 of the Indian Explosives Act, gives the necessary powers of seizure and sampling alluded to by Colonel Majendie. The Committee have above suggested the extension of the rule under section 7 to other parts of India.

Rule 28. The Committee recommend that for Rule 28 should be substituted two rules reproducing, with the necessary verbal changes, sections 46 and 47 of the English Explosives Act, 1875: the provisos to the sections being omitted.

Rule 34. It is believed that Inspectors of Explosives had not been appointed when this rule was drawn up. The words "any Inspector of Explosives or" should now be inserted in the rule before the words "any Magistrate."

Wednesday, January 9th, 1895.—Present, as before.

Rules for Manufacture, Possession, and Sale.

Schedule.—Form A (License to manufacture, sell and possess gunpowder, etc.).

As observed by Colonel Majendie, the third and fourth columns of the license are of no use (unless they are required for purposes connected with the Indian Arms Act). There should be a column specifying the quantities allowed under Rule 8. The Committee understand that the maxima prescribed in that rule necessarily limit the quantities to be manufactured as well as those to be possessed at any one time.

In the fourth condition of this license, the following changes should be made :—

For "substantially constructed," substitute "tent or any lightly constructed."

For "and detached" and the following words, substitute "and separated from any dwelling-house by the distance

(*a*) in the case of gunpowder, of 100 yards ;

(*b*) in the case of an explosive of the 1st division of the 6th (Ammunition) class or of the 7th (Firework) class, of 50 yards ;

and by the same distances from any highway, street, public thoroughfare, or public place."

Condition No. 7 should be altered as follows :—

For the words "such a building . . . condition 4," substitute "a substantially constructed uninflammable building, approved by such officer as the Local Government may prescribe."

For "outside . . . . public place," substitute "separated from any dwelling-house, highway, street, public thoroughfare, or public place by the distances laid down in condition No. 4, and"

To condition No. 8 *add*—

"And no one entering such building or place shall have any iron or steel in their possession, or attached to or on their boots or shoes.

In condition No. 9, after the words "iron or steel" *add* "(except machinery necessary for the manufacture)."

To condition No. 11 *add*—

"Explosives of the same class, however, may be kept together ; and gunpowder may be kept with safety fuzes."

The proposals which the Committee have made regarding Form A will, with the necessary adaptations, also meet Colonel Majendie's criticisms of Forms B and C. These forms, which are respectively to "sell and possess" and to "possess" explosive of the kinds covered by Form A, are merely reproductions of that license with the omission of the power to "manufacture" and to "manufacture and sell."

FORM D.

The maximum quantity of explosive that can be allowed to be possessed under this license is 60lb (*vide* Rule 14), but a less quantity may (it is understood) be prescribed by the licensing officer. The quantity permitted may, as suggested by Colonel Majendie, be shewn in the third column of the license, the words "and quantity" being inserted after "description" in the heading.

FORM E.

Full directions concerning the grant of this license are contained in Rule 17, and the rule and form of license will be considered together by the Committee.

The power to take samples from time to time from explosive in store has, as already remarked, been given by the orders appointing Inspectors of Explosives.

Regulations for the transport of Explosive within Ports.

In Rule F of the Bombay Port Rules, and the corresponding rule made for Aden and Karachi, the Committee would make the following changes :—

After the words "permit ammunition" *add* "belonging to the 1st division of the sixth class." Omit the words "when such cases . . . . number."

Sampling and Examination of Explosives.

In the first sentence of the Home Department Notification No. 1418, dated 24th June 1887, the Committee suggest that the word "certain" before "explosives" should be omitted, and that the following words should be added after "permitted," *viz.*, "and periodically during storage."

It is understood that in future periodical inspections of stores of explosive will be made by an Inspector of Explosives or other officer, and the Committee would only record that explosives containing nitro-glycerine, and also dry gun-cotton, should be inspected and tested at least once in every six months. And all nitro-glycerine gelatinous compounds, such as blasting gelatine, gelatine dynamite, gelignite, and other analogous preparations, should be tested at least once in every three months.

In the first sentence of Rule 1 published in the above-mentioned Notification, the words "and none others" may be omitted.

For clauses (1), (2), and (3) in Rule 1, substitute "All explosives of the third and fourth classes, whether in bulk or enclosed in cartridges or cases and therefore falling under class 6."

With reference to Colonel Majendie's remarks about Picric Acid, the Committee observe that Picrates and Picric Powder are covered by the rules under the Indian

Explosives Act. They are included in Division 2 of class 3.

This concludes the examination of Colonel Majendie's specific criticisms of the rules.

Saturday, January 12th, 1895.—Present as before.

The Committee, having considered the rules regarding Transport and Importation issued by the Government of India, offer remarks on the following points:—

Rule 1.—In Division 2 of class 3 of Explosives are included Picrates and Picric Powder: but the Committee understand that the question whether Picric Acid is an explosive under the Act has been considered doubtful at Bombay. Colonel Majendie has explained the dangers attending the manufacture and storage of Picric Acid. As this substance is used for dyeing, a question whether it is an explosive under the law [section 4 (1), Indian Explosives Act] arises as in England, and should, in the Committee's opinion, be met in the same way. It is recommended, therefore, that the Governor General in Council should, under section 17 of the Act, issue orders regarding Picric Acid and preparations made therefrom similar to those contained in the English Order in Council, No. 14 (page 303 of the Explosives Guide Book, seventh edition).

The Committee think that the following should be included in Division 1 of class 6 (Ammunition):—

Fuzes for shells, and tubes friction for guns, provided there be no more than 5 fuzes or 25 tubes in one package, and that the package be a hermetically sealed metal cylinder.

The limit of gauge for a safety cartridge should be determined, either by experiment or by reference to authorities at home, in view of the number of quick-firing machine-gun cartridges now brought to India.

Amorces or toy-caps should be included in "Manufactured Fireworks" (class 7, Division 2).

TRANSPORT.

(*a*) *Packing.*

Rule 2—III. This should be erased, and no exceptions made in favour of blasting powder.

IV (*d*). After "not exceeding 100lb" add "(or in the case of safety fuzes 200lb)."

With reference to the requirement in Rule IV(*a*) that gun-cotton shall be carried thoroughly saturated with water, the Committee observe that an exception in favour of small consignments of Government gun-cotton has been made by the Public Works Department Resolution No. XI, dated 24th July 1894. It is understood that the primers there referred to are coated with paraffin, and it might be as well to add this to the Resolution.

(*b*). *Mode of conveyance.*

Rule 5—I (ii). As it is believed that difficulties are caused at some places to passenger steamers, etc., conveying detonators even in accordance with this rule, the Committee consider that it would be well to make it clear to local authorities that detonators, complying with the rule, should be admitted into all ports without obstruction from Port Rules.

Rule 6—IX. This rule does not provide for the case of certificated explosive that may not all be despatched on one day. The following amendment therefore is suggested:—

After the words "a certificate" *insert* the words "or (provided the original is produced for verification) copy of a certificate."

In this rule after the words "in the case of dynamite" the words "blasting gelatine and gelignite" should be added.

XII. This rule is considered unnecessarily restrictive in the case of packages of rectangular form, and the following addition to the rule is recommended:—

"But if the packages of dynamite are in rectangular form, and are properly secured so as to prevent movement during transit, they may be in any number of layers, not exceeding five, and the gross load in any one wagon shall be limited to 5 tons."

XVI. The Committee think that the following should be substituted for the first sentence of this rule:—

"Five layers of packages in rectangular form and of uniform size (provided they are double packages, and are so secured as to prevent movement during transit) may be packed one above another. Otherwise, more than three layers of packages containing explosives shall never be packed one above another. But in the case of small-arms ammunition, packed in tin-lined service-pattern boxes, there is no restriction."

Wednesday, January 16th, 1895.—Present, as before.

TRANSPORT RULES.

Rule 6, clause X (relating to the marking and sealing of packages of dynamite). For this clause the Committee would substitute the following :—

X. In the case of explosives under classes III and IV, the outer packages shall be marked with the date of the manufacture of the explosives. The above-mentioned certificate shall contain sufficient information to admit of all packages being easily recognized.

The following remarks only, regarding the rules for manufacture, possession and sale, seem to the Committee to be required in addition to those which they have already made in connection with Colonel Majendie's criticisms.

In licenses in Form A (license to manufacture, sell and possess gunpowder, etc.), after condition No. 4 (a revised form of which has been recommended), the following condition should be inserted to regulate the operation of filling cartridges :—

"In the case of filling cartridges, the operation may only be carried out in a one-storeyed building, or in the upper room of any building : provided that no more than 5lb of gunpowder or 3lb of smokeless powder be in the room where the operation is being carried on."

In Rule 17, clause 3 (*f*) of these rules, the Committee recommend that the following be added :—

Provided that if the distance of the proposed magazine from any dwelling-house, highway, street, public thoroughfare, or public place be less than 200 yards, or if for any other reason it consider it advisable to do so, the Local Government shall, before granting the license, obtain the opinion of an Inspector of Explosives after inspection of the place by him.

In license Form E (license to possess explosives), to condition No. 5, add the words "which shall be tested at least once a year."

Saturday, January 19th, 1895.—Present, as before.

Reverting to the rules for transportation and import, the Committee recommend

that after clause III of Rule 6 a clause in the following terms should be added :—

"All powder under despatch or receipt by a Government arsenal, depôt, or factory, should be loaded or unloaded in the railway vans by Government servants, provided that such arsenal, depôt, or factory is within 5 miles from the Railway station of despatch or receipt. Each van used by the Railway for the transport of gunpowder shall be fitted with sufficient means for firmly securing the packages from movement during transit."

CALCUTTA PORT RULES.

The definition of "explosive" should be amended so that it may cover Picric Acid and Picric mixtures. The case of these substances has been dealt with in the Committee's remarks on Rule 1 of the Transport and Import Rules.

It has also already been recommended that fuzes for shells and tubes friction for guns should under certain conditions be included in Division 1 of class 6 (Ammunition). If this suggestion be accepted, it will be necessary to mention them in Rule 6 of the Calcutta Port Rules.

MADRAS PORT RULES.

In Rules (*c*) and (*h*) the technical meaning of the word "Ammunition" under the rules regarding explosives seems to have been overlooked. Colonel Majendie, with reference to one of the Bombay Port Rules, has pointed out that the word includes dynamite and other high explosives when made up into blasting cartridges. The Committee have above proposed the necessary amendment in connection with that rule (F of the Bombay Port Rules).

BOMBAY PORT RULES.

The only remark the Committee have to make is that if the above-mentioned recommendation regarding fuzes for shells and tubes friction for guns is accepted, they will have to be classed in these and all Port Rules with safety cartridges, safety fuzes for blasting, etc.

The remaining Port Rules appear to call for no special remark.

With reference to the Home Department Notification No. 1418, dated 24th June 1887, laying down tests for explosives, the Committee suggest that the tests as now in force in England should be adopted. (A copy of the paper setting them forth has been supplied by Mr. Harris.)

The question, mentioned in the Home Department letter to the Government of Bombay, No. 1301, dated 31st July 1894, as to what testing is required by those explosives falling under the 2nd division of class III which do not contain gun-cotton, will be disposed of if the amendment is made in Rule 1 of the Notification of 24th June 1887, which has already been proposed by the Committee (*vide* proceedings of 9th instant). Rule 3 should be amended by the insertion of the words "or any other nitrated compound" after the word "gun-cotton." It is noticed that the Chemical Analyser to the Government of Bombay said that certain explosives sent to him were not mentioned in any book of reference to which he had access. It is recommended therefore that the Chemical Examiners to Government should receive current and back numbers of the Annual Reports (which notice all new explosives) of Her Majesty's Inspectors of Explosives: the reports are at present supplied to Superintendents of Gunpowder Factories.

F. J. MORTIMER,
Colonel, R.A.

C. A. MUSPRATT WILLIAMS,
Captain, R.A.

JOHN HARRIS.

L. M. THORNTON.

G. I. C. P. O.—1036 H. D.—6-3-95.—350.—C. P.

Rules to regulate the transport and importation of explosives.

No. 1417 (Public), dated Simla, the 24th June 1887.

NOTIFICATION—By the Government of India, Home Department.

(1) In exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884, the Governor General in Council is pleased to make the following rules to regulate the transport and importation of explosives.

(2) These rules extend to the whole of British India, but the rules relating to the transport of explosives shall cease to apply to any port as defined in the Indian Ports Act, X of 1889, for which special rules made by the Local Government are for the time being in force, in so far as they are expressly superseded by, or are inconsistent with, such special rules.

Home Department Notification No. 1488, dated 2nd August 1890.

PRELIMINARY.

Section 14 of the Indian Explosives Act, IV of 1884:

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

(*a*) by order of the Government, or

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

1. For the purposes of these rules, explosives shall be classified as follows, namely,—

Class 1	Gunpowder.
Class 2	Nitrate-mixture.
Class 3	Nitro compound.
Class 4	Chlorate-mixture.
Class 5	Fulminate.
Class 6	Ammunition.
Class 7	Firework.

And when an explosive falls within the description of more than one class, it shall be deemed to belong exclusively to the latest of the classes within the description of which it falls.

CLASS 1.—*Gunpowder Class.*

The term "gunpowder" means exclusively gunpowder ordinarily so called.

CLASS 2.—*Nitrate-mixture Class.*

The term "nitrate-mixture" means any preparation, other than gunpowder ordinarily so called, formed by the mechanical mixture of a nitrate with any form of carbon or with any carbonaceous substance not possessed of explosive properties, whether sulphur be or be not added to such preparation, and whether such preparation be or be not mechanically mixed with any other non-explosive substance.

The nitrate-mixture class comprises such explosives as—

Pyrolithe,
Pudrolithe,
Poudre saxifragine,

and any preparation coming within the above definition.

CLASS 3.—*Nitro-compound Class.*

The term "nitro-compound" means any chemical compound possessed of explosive properties, or capable of combining with metals to form an explosive compound, which is produced by the chemical action of nitric acid (whether mixed or not with sulphuric acid) or of a nitrate mixed with sulphuric acid upon any carbonaceous substance, whether such compound is mechanically mixed with other substances or not.

The nitro-compound class has two divisions.

Division 1 comprises such explosives as—

Nitro-glycerine,	Dualine,
Dynamite,	Glyoxiline,
Lithofracteur,	Methylic nitrate,

and any chemical compound or mechanically mixed preparation which consists, either wholly or partly, of nitro-glycerine or some other liquid nitro-compound.

Division 2 comprises such explosives as—

Gun-cotton ordinarily so called,	Cotton gunpowder,
Gun-paper,	Schultz's powder,
Xyloidine,	Nitro-mannite,
Gun sawdust,	Picrates,
Nitrated gun-cotton,	Picric powder,

Tonite (or cotton-powder),

and any nitro-compound as before defined which is not comprised in the first division.

CLASS 4.—*Chlorate-mixture Class.*

The term "chlorate-mixture" means any explosive containing a chlorate.

The chlorate-mixture class has two divisions.

Division 1 comprises such explosives as—

Horsley's blasting powder,
Brain's blasting powder,

and any chlorate preparation which consists partly of nitro-glycerine or of some other liquid nitro-compound.

Division 2 comprises such explosives as—

Horsley's original blasting powder,	Hochstadter's blasting charges,
Erhardt's powder,	Reichen's blasting charges,
Reverley's powder,	Teutonite,

Chlorated gun-cotton,

and any chlorate-mixture as before defined which is not comprised in the first division.

CLASS 5.—*Fulminate Class.*

The term "fulminate" means any chemical compound or mechanical mixture, whether included in the foregoing classes or not, which, from its great susceptibility to detonation, is suitable for employment in percussion caps or any other appliances for developing detonation, or which from its extreme sensibility to explosion, and from its great instability (that is to say, readiness to undergo decomposition from very slight exciting causes), is especially dangerous.

This class consists of two divisions.

Division 1 comprises such compounds as the fulminates of silver and of mercury and preparations of these substances, such as are used in percussion-caps, and any preparation consisting of a mixture of a chlorate with phosphorus, or certain descriptions of phosphorus compounds, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture

of a chlorate with sulphur, or with a sulphurate, with or without carbonaceous matter.

Division 2 comprises such substances as the chloride and the iodide of nitrogen, fulminating gold and silver, diazobenzol, and the nitrate of diazobenzol.

CLASS 6.—*Ammunition Class.*

The term "Ammunition" means an explosive of any of the foregoing classes when enclosed in any case or contrivance, or otherwise adapted or prepared so as to form a cartridge or charge for small-arms, cannon, or any other weapon, or for blasting, or to form any safety or other fuze for blasting or for shells, or to form any tube for firing explosives, or to form a percussion-cap, a detonator, a fog-signal, a shell, a torpedo, a war-rocket, or other contrivance other than a firework.

The term "percussion-cap" does not include a detonator.

The term "detonator" means a capsule or case which is of such strength and construction, and contains an explosive of the fulminate-explosive class in such quantity that the explosion of one capsule or case will communicate the explosion to other like capsules or cases.

The term "safety fuze" means a fuze for blasting which burns and does not explode, and which does not contain its own means of ignition, and which is of such strength and construction and contains an explosive in such quantity that the burning of such fuze will not communicate laterally with other like fuzes.

The expression "safety cartridges" means cartridges for small-arms of which the case can be extracted from the small-arm after firing, and which are so closed as to prevent any explosion in one cartridge being communicated to other cartridges.

The ammunition class has three divisions.

Division 1 comprises exclusively—

Safety cartridges *of gauge not exceeding* .....*	Railway fog-signals,
Safety fuzes for blasting, *Fuzes for shells, and tubes friction for guns, provided there be no more than 5 fuzes or 25 tubes in one package, and that the package be a hermetically sealed metal cylinder.*	Percussion-caps.

Division 2 comprises any ammunition, as before defined, which does not contain its own means of ignition and is not included in division 1, such as—

Cartridges for small-arms, which are not safety cartridges,
Cartridges and charges for cannon, shells, mines, blasting, or other like purposes,
Shells and torpedoes containing any explosive,
Fuzes for blasting, which are not safety fuzes,
Fuzes for shells,
Tubes for firing explosives,
War-rockets,

which do not contain their own means of ignition.

Division 3 comprises any ammunition, as before defined, which contains its own means of ignition and is not included in division 1, such as—

Detonators,
Cartridges for small-arms, which are not safety cartridges,
Fuzes for blasting which are not safety fuzes,
Fuzes for shells,
Tubes for firing explosives,

which do contain their own means of ignition.

* "*The limit of gauge for a safety cartridge should be determined, either by experiment or by reference to authorities at home, in view of the number of quick-firing machine-gun cartridges now brought to India*" (*Committee's Report*).

By ammunition containing its own means of ignition is meant ammunition having an arrangement, whether attached to it or forming part of it, which is adapted to explode or fire the same by friction or percussion.

CLASS 7.—*Firework Class.*

The term "firework" comprises firework composition and manufactured fireworks.

Division 1.—The term "firework composition" means any chemical compound or mechanically mixed preparation of an explosive or inflammable nature, which is used for the purpose of making manufactured fireworks, and is not included in the former classes of explosives, and also any *star and any* coloured fire composition, *subject to the proviso hereinafter set forth.*

Division 2.—The term "manufactured firework" means any explosive of the foregoing classes and any firework composition, when such explosive or composition is enclosed in any case or contrivance, or is otherwise manufactured so as to form a squib, cracker, *toy-cap or amorce*, serpent, rocket (other than a war-rocket), maroon, lance, wheel, Chinese fire, Roman candle, or other article *specially* adapted for the production of pyrotechnic effects or pyrotechnic signals *or sound signals.*

Provided that a substantially constructed and hermetically closed metal case containing not more than 1lb. of coloured fire composition of such a nature as not to be liable to spontaneous ignition shall be deemed to be a "manufactured firework."

TRANSPORT.

(*a*) *Packing.*

2. The following general rules shall be observed with respect to the packing of explosives for conveyance:—

I.—Each class of explosive shall be separately packed.

II.—An explosive, not being an explosive of the 5th (fulminate) class, or of the 2nd and 3rd divisions of the 6th (ammunition) class, or of the 1st division of the 7th (firework) class, shall, if not exceeding 5lbs. in quantity, be contained in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the explosive from escaping.

III.—*Omitted.*

IV.—In every other case the explosive shall be contained in a double package. The inner package shall be a substantial case, bag, canister, or other receptacle made and closed so as to prevent the explosive from escaping, and the outer package shall be a box, barrel, or case of wood or metal or other solid material, and shall be of such strength, construction, and character that will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow the explosive to escape. Provided as follows:

(*a*) If the explosive is explosive of the 1st (or gunpowder) class, or is explosive of the 2nd (nitrate-mixture) class, or is gun-cotton or other explosive of the 2nd division of the 3rd (nitro-compound) class, the quantity of explosive in any one outer package shall not, in the case of explosive of the first two classes, exceed 100lbs., and in the case of the last, 50lbs.; and if the explosive be gun-cotton, it shall be carried thoroughly saturated with water.

(*b*) If the explosive belongs to the 1st division of the 3rd (nitro-compound) class or to the 4th (chlorate-mixture) class, the inner package shall be without any metal in its construction, and the inner or outer package, or both, shall be thoroughly waterproof.* No one of the inner packages shall contain more than 10lbs., and the aggregate quantity of the explosive in any one outer package shall not exceed 50lbs.

* *Note.—From the requisition that the package should be waterproof are excepted—*

(1) All explosives falling in the 2nd division of the 4th (chlorate-mixture) class.

(2) Those explosives, included in the 1st division of the 3rd (nitro-compound) class, which do not yield up their nitro-glycerine on contact with water, such as blasting gelatine, gelatine dynamite, and gelignite: provided that any other substance than those named has been certified to be of this character by a Chief Inspector of Explosives.

(*c*)—*1. If the explosive belongs to the 5th (Fulminate) class, and is of such character that it cannot be packed mixed with water, or that danger would arise from such mode of packing, it shall be packed in such manner as shall be specially directed by the Governor General in Council.*

2. Any other explosive of the Fulminate class shall be packed as follows: It shall be packed in bags or coverings of calico, canvas, or other material permeable to water, and containing each not more than 25lbs. of Fulminate, and so made and closed as to prevent any explosive from escaping. Such bags or coverings, shall be packed in a case containing sufficient water to ensure the explosive being kept constantly wet, and such case (hereinafter called the inner case) shall be packed in an outer case containing sufficient water constantly to surround the inner case; and the inner case and the outer case shall each be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow any Fulminate or water to escape; and the amount of explosive in any one outer case shall not exceed 200lbs., except with the consent of, and under conditions approved by, an Inspector of Explosives.

3. Every package whenactually used for the packing of one Fulminate shall not be used for the packing of any other Fulminate or for any other purpose.

4. On the outer case there shall be affixed in conspicuous characters by means of a brand or securely attached label or other mark the word "explosive," with the name of the explosive, followed by the words "Fulminate, Division 1" (or 2, as the case may be) and the name and address of the owner or sender.

(*d*)—*1. If an explosive belongs to the 1st Division of the 6th (Ammunition) class, it shall be contained in a box, barrel or case of wood, metal, other solid material, and of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow any explosive to escape.*

2. If the explosive belongs to the 2nd Division of the 6th (Ammunition) class, the following rules shall apply, viz.,—

(*i*) *A shell or torpedo containing any explosive material, whether such shell or torpedo be separate or form part of a rocket or other appliance, shall be packed in such manner as may be specially directed by the Governor General in Council with reference to such explosive.*

(*ii*) *Any explosive material when made up into a cartridge or charge for cannon, shells, mines, blasting, or other like purposes, shall be packed in the manner required for the same explosive material when not so made up: provided that where a double package is required, the enclosing case of such cartridge or charge, if it satisfies the conditions required for the inner package, may be held to be such inner package.*

(*iii*) *Any other explosive of the 2nd Division shall be packed in a box, barrel, or case of wood, metal, or other solid material, and of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow any explosive to escape: and any one such package shall not contain more than 100lbs. of ammunition, except with the consent of, and under conditions approved by, an Inspector of Explosives.*

(*e*) If the explosive belongs to the 3rd division of the 6th (ammunition) class, it shall be packed in a double package. The inner package shall not contain more than 2lbs. of such explosive, and no more than 50lbs. shall be contained in the outer package.

(*f*) If the explosive belongs to the 1st division of the 7th (firework) class, it shall be contained in a double package. The inner package shall be a substantial canister, case, or other receptacle hermetically closed, and containing no more than 1lb. of explosive, and no more than 20lbs. shall be contained in the outer package; and

(*g*) If the explosive belongs to the 2nd division of the 7th (firework) class, it shall be contained in a box, barrel, or case of wood, metal, or other solid material, and of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow any explosive to escape, and the quantity of explosive in any one package shall not exceed 100lbs.

V.—Whatever be the amount of the explosive, and to whatever class or division of a class it belongs, the following conditions shall be observed:—

(*a*) The interior of every package, whether single or double, shall be kept free from grit and otherwise clean;

(*b*) every package, whether single or double, when actually used for the packing of explosive, shall not be used for the packing of any other explosive of the same or any other class or for any other purpose, *except with the consent of, and under conditions approved by, an Inspector of Explosives*;

(*c*) there shall not be any iron or steel in the construction of any such single package or inner or outer package unless the same is effectually covered with tin, zinc, or other suitable material;

(*d*) on the outermost package there shall be affixed, in conspicuous characters, by means of a brand or securely attached label or mark, the word "Explosive," followed by the name of the explosive or other description of the contents and the name and address of the owners or sender; and

(*e*) the amount of explosive in any single package, or, if there is a double package, in any one outer package, shall not exceed the amount specified in the foregoing rules, except with the consent of, and under conditions to be approved by, an officer appointed by the Local Government in this behalf.

3. If any person commits a breach of any of the foregoing rules relating to the packing of explosives for conveyance, he shall be punished with fine which may extend to ₹1,000.

(*b*) *Mode of conveyance.*

4. The following general rules shall be observed with respect to the conveyance of explosives:—

I.—No explosive shall be conveyed from place to place unless packed in the manner provided for in the foregoing rules.

II.—There shall not be conveyed in any carriage or vessel, which is being used for the conveyance of an explosive, any explosive of a different class and division, of whatsoever nature, which contains its own means of ignition, unless it be sufficiently separated therefrom to prevent any fire or explosion which may take place in one such explosive being communicated to another.

III.—Except in the case of small consignments carried by public railway, which may be unloaded at any time, explosives shall be loaded or unloaded only between sunrise and sunset. For the purposes of this rule no consignment of more than half wagon load booked to one station shall be deemed to be a small consignment.

Home Department Notification No. 2365, dated 30th December 1892.

IV.—Whilst the explosive is being loaded on or unloaded out of any carriage or vessel, no fire or artificial light, nor any article which is liable to cause or communicate fire or explosion (such as charcoal, lucifer-matches, articles for striking a light, petroleum to which the Petroleum Act or any Act repealing or amending the same applies, or any spirit or oil or substance that gives forth an inflammable vapour at a temperature below 100° Fahrenheit) shall be, or shall be allowed to be, brought, had, or used dangerously near to such carriage, ship, or boat, and no smoking shall be allowed in, on, or dangerously near to, the same: provided that when the use of a light for the purpose of such loading or unloading is unavoidable, a lamp of such construction, position, or character as not to cause any danger from fire or explosion may be used; and no person, while handling any explosive (except* explosive of division 1, class 6, or explosive of class 7, if packed in accordance with the packing rules), shall wear boots or shoes with iron or steel nails, heels, or tips.

V.—In loading or unloading any explosive, the casks and packages containing the same shall be passed from hand to hand and not rolled upon the ground; they shall not be thrown or dropped down, but shall be carefully deposited and stowed.

VI.—The explosive shall not be conveyed except in the interior of a carriage so enclosed on all sides with wood or metal, or in the hold of a ship or boat having a close deck, so closed as effectually to protect the explosive against accident by fire from without. If the explosive cannot be so secured, it shall be completely covered with plainted cloth, tarpaulin, or other suitable material so as to effectually protect it against communication of fire.

VII.—There shall not be any iron or steel in the interior of the portion of the carriage or vessel with which the case containing the explosive is in contact, unless the same be effectually covered with leather, wood, cloth or other suitable material.

VIII.—In the stowing of explosive, due precautions shall be taken by means of a partition or otherwise, and by careful stowing to secure such explosive from being brought into contact with, or endangered by, any other article or substance conveyed in such carriage or vessel which is liable to cause fire or explosion; and if the explosive is dangerously affected by water, due precautions shall be taken to exclude water from coming into contact with such explosive.

IX.—The amount of explosive conveyed in any one carriage or vessel at any one time shall not exceed 2,000lbs., unless the carriage be so enclosed on all sides with wood or metal, or the vessel have a close deck so closed as effectually to protect the explosive against accident by fire from without, in which case the amount of explosive conveyed shall not exceed the following:—

	Tons.
In any one carriage on a railway	10
In any one other carriage	2
In any one vessel	20

NOTE.—This rule must, in the case of dynamite conveyed by railway, be read subject to paragraph XII of Rule 6.

X.—Nothing in the foregoing rules (except Rule I) shall apply to any explosive of the 1st division of the 6th (ammunition) class, provided all due precautions are taken for the prevention of accidents.

5. The following rules shall be observed with respect to the conveyance of explosives otherwise than by public railway:—

I.—No explosive shall be conveyed in a carriage or boat whilst carrying or plying for public passengers, unless the quantity be less than 5lbs., and notice has been given beforehand to the person in charge of such carriage or boat: provided that there shall not be conveyed in any such carriage or boat any explosive of the 5th (fulminate) class, or any explosive of the 3rd division of the 6th (ammunition) class, or of the 1st division of the 3rd (nitro-compound) class, except—

(*i*) dynamite which may be carried in the form of cartridges up to the limit of 5lbs., provided that no detonators are carried in the same compartment; and

* "Gunpowder" omitted.

(*ii*) detonators to the number of 200, provided that the amount of fulminate of mercury in the package or packages containing the detonators shall in no case exceed in the aggregate 3oz. (a certificate to this effect being given by the Agent of the Company by whom the detonators are tendered for transport); provided also that no dynamite is carried in the same compartment.

(N. B.—The Committee wished it brought to the notice of Port authorities that passenger steamers are allowed to carry detonators complying with this condition.)

II.—With respect to the conveyance by carriage or vessel of explosive of the 5th (fulminate) class, or of the 3rd division of the 6th (ammunition) class, or of the 1st division of the 7th (firework) class, or of larger quantities than 5lbs. of any other explosive, the following regulations shall be observed :—

(1) The person in charge of the carriage or vessel shall not drive or conduct the same in a dangerous or reckless manner, and shall take all due precautions to avoid fire and explosion, and no person shall do any act or thing in relation to the explosive which tends to cause fire or explosion, and is not reasonably necessary for the conveyance of the explosive or for work immediately connected with such conveyance; and a person who is intoxicated shall not have charge of any carriage or vessel conveying explosive, and shall not be permitted to be in, or on, or attending the same.

(2) A person shall not forward to any warehouseman or carrier a consignment of explosive, unless he has given notice to such warehouseman or carrier beforehand, stating the name and quantity of the explosive proposed to be conveyed, and the name and address of the proposed consignee, and has had an intimation that the warehouseman or carrier is prepared to receive the consignment; and a warehouseman or carrier shall not make such an intimation, nor receive such consignment, unless he is prepared to receive it, and forthwith to despatch the same, or to deposit it in a magazine or at a place at which a person is licensed to possess the same.

(3) The carriage or vessel conveying the explosive shall be in charge of, and constantly attended by, some competent person, or by a sufficient number of competent persons, and such persons shall not, if the amount of the explosive conveyed exceed 100lbs., stop or delay for a longer time that may be reasonably necessary, or stop unnecessarily at any place where such stopping would be attended with special public danger.

6. The following rules shall be observed with respect to the conveyance of explosives by public railway :—

I.—No person shall send for carriage upon any railway any consignment of an explosive, unless he has given to the officer in charge of the railway station previous notice in writing which, at the option of the Railway Administration, may extend to 48 hours, of his intention to send such consignment, and stating the true name, description, quantity, and mode of packing of the explosive proposed to be conveyed, and his own name and address, and also the name and address of the proposed consignee, and unless he has had an intimation in writing from an authorized officer of the railway that such consignment will be received.

II.—No explosive which a Railway Administration shall, by any notice or regulation for the time being in force, notify that they will not receive, shall be brought, sent, or forwarded to, or upon, any railway of the said Railway Administration.

III.—Consignments of explosives shall be sent to the forwarding station and shall be received by the railway servants, only at such times, between sunrise and sunset, as the Railway Administration may appoint; and every

package containing any explosive proposed to be conveyed on any railway shall immediately on arrival at the station be unloaded and placed in a safe place under the special direction of the officer in charge of the station.

All powder under despatch or receipt by a Government arsenal, depôt, or factory, should be loaded or unloaded in the railway vans by Government servants, provided that such arsenal, depôt, or factory is within 5 miles from the railway station of despatch or receipt. Each van used by the railway for the transport of gunpowder shall be fitted with sufficient means for firmly securing the packages from movement during transit.

IV.—An explosive must be removed by the consignee from the receiving station during the twelve hours of daylight after arrival: if this condition is not strictly complied with, the Railway Administration may return the consignment to the consignor at his risk and expense. And such packages shall in the meanwhile be kept as far away from the station buildings as possible, in the wagon they were conveyed in, or, if unloaded, shall be completely covered with tarpaulins or other suitable material, and, if necessary, shall be protected by a police guard.

V.—The Railway Administration may refuse to receive any packages which they suspect to contain any explosive packed or sent in contravention of these regulations. And in case any package, which the Railway Administration suspect, shall be upon any Railway, they may open, or require to be opened, any such package, to ascertain the fact, at the risk and expense of the consignor, and may return the explosive contained in the package to the consignor at his risk and expense, keeping the packages, pending such return, in the manner prescribed in the preceding rule.

VI.—Subject to the exception provided for in clause (*e*), no explosive shall be conveyed by passenger train except of the kinds and in the manner hereinafter specified in this rule:

Home Department Notification No. 1191, dated the 20th June 1890.

(*a*) Safety cartridges and percussion-caps and safety-fuze (for blasting) also fog-signals for railway use which may be conveyed in ordinary wagons or carriages.

(*b*) Dynamite which may be carried in the form of cartridges up to the limit of 5lbs., provided that no detonators are carried in the same compartment.

(*c*) Detonators which may be carried to the number of 200, provided that in no case the amount of fulminate of mercury in the package or packages containing the detonators exceeds in the aggregate 3 oz. (a certificate to this effect being given by the Company, firm or person tendering the detonators for transport or by its or his agent), provided also that no dynamite is carried in the same compartment.

(*d*) Sporting gunpowder or non-safety cartridges packed in double cases as before provided, so long as the gunpowder is contained in one-pound tin canisters packed in a stout wooden case with an outer covering of tin or zinc completely spark-proof, or in metal-lined cases of a pattern approved by the Railway Administration. But no outer case shall contain more than 25lbs. of gunpowder, and the total consignment of gunpowder or non-safety cartridges by one train shall not exceed 80lbs.

(*e*) Explosives may be carried by mixed trains on any line on which goods trains are not running, subject to the conditions that not more than one vehicle containing explosives is forwarded at any one time by a mixed train; that the precautions prescribed for conveyance by goods trains are observed; and that directly a wagon containing explosives arrives at a section on which goods trains are running, it is detached from the mixed trains.

VII.—Not more than five carriages containing explosives shall be loaded or unloaded at any railway station, or be conveyed by any one train at any one

time; and the quantity of explosive to be contained in any one carriage shall not exceed two-thirds of the normal load, unless the carriages shall be specially built and approved of by the Government of India for the conveyance of explosives. But nothing in this clause shall be held to apply to separate consignments of small-arms ammunition.

VIII.—There shall not be conveyed in the same carriage with any explosive any lucifer or other matches, fuzees, pipelights, acids, naptha, paraffine, petroleum to which the Petroleum Act or any Act repealing or amending the same applies, or any other volatile spirit or substance liable to give off an inflammable vapour or liable to spontaneous ignition, or to cause or communicate fire or explosion.

IX.—The consignor shall attach to the consignment note a certificate *or (provided the original is produced for verification) copy of a certificate*, signed by an officer authorized by the Local Government in this behalf that the explosive, if it is *an explosive of class 3 or 4*, is of the standard purity; and further, in the case of dynamite, *and all nitro-glycerine compounds, that there are* no signs of exuded nitro-glycerine. The consignor shall also certify that the cartridges have been packed in accordance with the packing rules *of this country*.

X.—In the case of *explosives under classes 3 and 4* the outer packages shall be marked with the date *of the manufacture of the explosives. The above mentioned certificate shall contain sufficient information to admit of all packages being easily recognized.*

XI.—The certificate referred to in Rule IX shall be valid for six months after date, if the examination has been made between the 15th October and 31st March; but any Railway Administration which accepts dynamite for transport may demand a fresh certificate for dynamite presented for conveyance between 1st April and 15th October (both inclusive).

XII.—Packages containing dynamite shall be stowed in one layer only and secured so as to prevent movement during transit. The gross load in any one wagon shall not exceed 3 tons.

But if the packages of dynamite are in rectangular form, and are properly secured so as to prevent movement during transit, they may be in any number of layers not exceeding five, and the gross load in any one wagon shall be limited to 5 tons.

XIII.—No explosive belonging to the 5th (fulminate) class or to class VI, division 3, shall be carried in the same train with dynamite, or with any other explosive belonging to class III, division I.

XIV.—Wagons used for the carriage of explosives shall be examined to see that they are spark-proof, and have been cleaned out before they are loaded. Hair cloth, hides, or other suitable materials shall be spread on the floor of the wagon and between each layer of packages, except when the packages are covered with gunny or felt, or contain small-arms ammunition packed in tin-lined service-pattern boxes.

XV.—Wagons containing explosives shall be loaded and unloaded on sidings distant as far as possible from the station buildings.

XVI.—*Five layers of packages in rectangular form and of uniform size (provided they are double packages, and are so secured as to prevent movement during transit) may be packed one above another. Otherwise* more than three layers of packages containing explosive shall never be packed one above another.

Home Department Notification No. 2365, dated the 30th December 1892.

But in the case of small-arms ammunition packed in tin-lined service-pattern boxes, *there is no restriction.* Subject to the provisions of Rule 4 (III), the loading and unloading of explosives when once begun shall be diligently proceeded with until the same is completed.

XVII.—When the train is being marshalled, wagons loaded with explosives may be shunted by a locomotive, provided that they are separated from the engine by not less than three wagons containing no explosive nor easily inflammable substance; this precaution is not necessary with wagons specially constructed for the carriage of explosive. The speed of these

movements will be restricted to 5 miles an hour; they will be superintended by a duly authorized officer, who will be held responsible for the observance of these orders. Flying shunts are strictly prohibited.

XVIII.—Wagons containing explosives shall be placed at the end of the train away from the locomotive, and shall be close coupled to one another, as well as to the adjoining wagons, and must be preceded and followed by three wagons not loaded with explosive or other traffic of an inflammable nature.

XIX.—If the wagons employed in the transport of explosive are provided with brakes, the brakes thereon shall on no account be worked while the wagons are running with a train, nor shall brakes, other than iron brakes, on vehicles immediately adjoining such wagons, be worked while such wagons are so running.

Home Department Notification No. 12, dated the 4th January 1894.

XX.—Wagons must in every case be locked when loaded with explosives.

XXI.—All operations connected with the transhipment of explosives at junction stations shall take place during daylight.

7. If any person commits a breach of any of the foregoing rules relating to the mode of conveyance of explosives, he shall be punished with a fine which may extend to ₹1,000.

Importation.

8. An explosive shall not be imported by sea into British India, except under, and in accordance with, conditions of a license to import the explosive granted under these rules:

Provided that any explosive other than an explosive specified in Rule 11 may, previous to the grant of an importation license, if certified to be of British manufacture or, if not of British manufacture, if imported from the United Kingdom and covered by the certificate granted by one of Her Majesty's Inspectors of Explosives in England, be landed in accordance with such regulations as the Local Government may prescribe in this behalf, and be stored in a place set apart by the Local Government for this purpose. The Governor General in Council may extend this privilege to any such explosive not of British manufacture regarding which he is satisfied that it has been manufactured under adequate official supervision.

Before any explosive is landed under the proviso to this rule, the consignee shall give to the Chief Customs Officer of the Port such undertaking, with or without security, as the said officer thinks sufficient, to obey, in the event of the explosive failing to satisfy the prescribed tests, such directions as to its disposal as the Local Government may see fit to prescribe.

9. If any person imports an explosive in contravention of Rule 8, he shall be punished with fine which may extend to three thousand rupees.

10. An explosive shall not be imported by sea except at the ports of Calcutta, Madras, Bombay, Rangoon, Calicut, Karachi, and Aden; but a license to import an explosive by sea from Rangoon into the ports of Akyab, Moulmein, Sandoway, Kyouk-Phyoo, Tavoy, and Mergui may be granted by the Magistrate of the Districts in which these ports are respectively situated. The fee payable in respect of each such license shall be one rupee, and the license shall be in Form A in the Schedule hereto annexed.

11. If the explosive is gunpowder or an explosive of the 1st division of the 6th (ammunition) class or an explosive of the 7th (firework) class, the license to import the same may be granted at the ports of Calcutta, Madras, and Bombay by the Commissioner of Police, and at the ports of Rangoon, Calicut, Karachi and Aden by the District Magistrate.

12. The fee payable in respect of each such license shall be ₹10, but if any explosive imported under a license into a British port is exported thence to another British port named in Rule 10, the necessary license for such re-import may be granted on payment of a fee of one rupee instead of ₹10.

Home Department Notification No. 1190, dated the 29th June 1889.

13. Licenses for the importation by sea of any explosive other than those specified in Rule 11 shall be granted by the Local Government or by some officer specially authorized by the Local Government in this behalf.

14. No license for the importation of any explosive of the description referred to in Rule 13 shall be granted unless samples of the explosive taken, as hereinafter provided, are certified by the Chemical Examiner, or some other officer appointed by the Local Government in this behalf, to pass the test which may from time to time be prescribed for such explosive by the Government of India.

15. On the arrival in any port at which importation of explosive is lawful of a ship having on board an explosive other than an explosive of the description referred to in Rule 11, such officer as the Chief Customs Officer authorizes in this behalf shall, as soon as may be, proceed on board and obtain samples of the explosive.

All explosive of which samples are taken for examination shall be forthwith deposited in a duly licensed place or places of storage, and shall not be distributed for use until the importer has received from the licensing authority notice that it may be so distributed.

The master of the ship shall give to the said officer, without charge, such samples as he may require. The said officer shall affix to each such sample the name of the ship and of the consignee and such other distinguishing marks as he may think necessary, and shall forward the same to the Chemical Examiner or officer, as aforesaid, for report.

The Chemical Examiner or officer as aforesaid, after testing the said samples, shall without delay forward to the licensing authority, through the Chief Customs Officer, a report under his signature certifying whether the explosive has satisfied the prescribed test.

15A. Explosives, other than those referred to in Rule 11, which have already undergone the test prescribed by Rules 14 and 15 at the port of Calcutta, Madras, Bombay, Rangoon, Calicut, Karachi or Aden, may be re-imported by sea into any other of those ports under a license granted under Rule 13, without re-testing, but subject, in the case of such explosives as are mentioned in Rule 6, Clause IX, to the production of the certificate prescribed in that clause.

Home Department Notification No. 427, dated 10th February 1892.

Such certificate shall be valid for six months after date, if the examination has been made between the 15th October and 31st March; but in the case of dynamite, a fresh certificate may be demanded if the consignment is imported between the 1st April and 15th October (both inclusive).

16. The period for which a license to import an explosive, granted under Rule 13, shall continue in force shall not exceed such period as may seem necessary to the authority granting the license.

17. The fee payable on a license granted under Rule 13 shall be R10, but, if any explosive imported under a license into a British port is exported thence to another British port named in Rule 10, the necessary license for such re-import may be granted on payment of a fee of one rupee instead of R10.

Home Department Notification No. 1190, dated the 29th June 1889.

18. Every license granted under Rules 11 and 13 shall be in Form A in the Schedule hereto annexed, and shall be subject to the conditions therein prescribed, and also to such additional conditions with respect to the time and place of unloading, landing, delivery, and conveyance of the explosive, and such other conditions as may in each case be thought by the licensing officer to be necessary for the public safety or in the interests of the State.

19. If any person commits a breach of any condition, subject to which a license under Rules 11 and 13 is granted, he shall be punished with fine which may extend to three thousand rupees.

GENERAL.

20. Every license granted under these rules shall be liable to be forfeited on breach of any of the conditions subject to which it is granted.

21. If a person licensed to import an explosive dies or becomes bankrupt or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or the rules made thereunder for acting under the license during such reasonable time as may be necessary to allow him to make an application to the authority granting the license for a new license in his own name during the currency of the unexpired portion of the original license. Such new license shall be granted on the payment of one rupee.

22. The fees leviable under these rules shall be taken in the shape of "impressed stamps." Ordinarily the applications for license or renewals of licenses shall, if not otherwise provided, be written on "impressed stamps" of value equal to the amount of fee leviable in respect of such licenses or renewals, the licenses themselves being issued on plain paper. But when the licenses themselves are written or printed on impressed stamps, the application may be on plain paper. When an application for license is written on an impressed stamp, and the license is refused, the value of the stamp will, on application, be refunded to the applicant.

23. When a license granted in accordance with these rules is lost, or accidentally destroyed, a duplicate may be granted to the licensee on payment of a fee of 8 annas.

24. Any person holding a license, or acting under a license granted in accordance with these rules, shall be bound to produce the same when called upon to do so by any Magistrate, or by any Police officer in charge of a Police station, or by any police officer of higher rank.

25. All Magistrates or other authorities acting under these rules will perform their duties, subject to the control of their executive superiors and of the Local Government.

26. Any authority empowered to grant a license under the foregoing rules may, if he thinks fit, direct by any order written on the license that it shall have the effect of a like license under the Indian Arms Act, 1878.

27. Any persons lawfully entitled under the Indian Arms Act, 1878, or the rules made thereunder, to possess any explosive coming under the head of ammunition, as defined in that Act, may possess or import without license under these rules any such explosive in reasonable quantities for his own private use: but when an explosive is so imported, the Collector of Customs or any other officer empowered by the Local Government in this behalf by name or by virtue of his office may at any time detain such explosive until he receives the orders of the Local Government thereon.

14

FORM A.

(See Rules 11, 13 and 18)

FEE TEN RUPEES IN STAMPS.

*License to import Explosives into the Port of*_____

Name, etc. and address of license-holder.	Number of packages.	Explosive. Description.	Weight.	Number.	Purpose for which required.	Destination.	Period for which the license is valid.
							From the _____th of _____ to the _____th of _____ 189 .

The _____ of _____ Seal.

189 .

(Signature)

_____ of _____

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2. This license becomes void after expiry of the period named thereon

3. This license is valid for importation only: if the articles named herein are to be transported to any place outside the Presidency Town, they must be protected by a transport license, to be issued in accordance with the rules framed under the Indian Arms Act, 1878.

4. On the outside of each package there shall be affixed in conspicuous characters by means of a brand or securely attached label or mark the word "Explosive," followed by the name of the explosive or other description of the contents and the name and address of the owners or senders.

Government of India Central Printing Office.—No. 1520 H. D.—26-3-95—350.—W. B. G.

45

FROM No. 4 Public 520

J. P. HEWETT, ESQ., C.I.E.,
Offg. Secretary to the Government of India,

TO

THE CHIEF SECRETARY TO THE GOVERNMENT OF MADRAS.

CHIEF SECRETARY'S DEPARTMENT OF MADRAS. 2 APR. 1895

Home Department.
Public.

Calcutta, the 28th *March 1895.*

SIR,

IN a Despatch No. 46, dated the 6th April 1893, the Secretary of State for India requested the Government of India to send to the India Office copies of the Rules which had been issued under the Indian Explosives Act, 1884, with a view to their being criticized by Her Majesty's Chief Inspector of Explosives (Colonel V. D. Majendie, C.B.). This request had been occasioned by the rules having come under Colonel Majendie's inspection in connection with a Report forwarded to the India Office by the Government of Bombay regarding the explosion of a magazine of dynamite which took place at Antop Hill at Matunga, Bombay, on the 28th December 1891. It was pointed out by the Chief Inspector of Explosives, through the Home Office, that the rules stood in need of revision in many respects, owing to changes in the manufacture of, and trade in, explosives. Copies of the rules were accordingly sent to England by the Government of India in October 1893. It was explained that the rules had been issued after consultation with the various Local Governments and Administrations, and that they were drawn up partly on the lines of the English Explosives Act, 1875, and the orders in Council issued thereunder, and partly with reference to the rules and practice under the Indian Arms Act, 1878. In reply the Secretary of State forwarded with his Military Despatch No. 3, dated the 11th January 1894, a memorandum by the Chief Inspector of Explosives on the subject of the rules issued by the Government of India and the Local Governments. It was determined by the Governor General in Council to refer Colonel Majendie's memorandum for consideration to a Committee (including certain experts), who should be authorized also to suggest any other amendments in the rules that might appear desirable. It did not prove practicable to assemble this Committee until the commencement of the present year; and the Government of India have only recently received the Committee's recommendations. A copy of these is enclosed for *the information of the Government of Madras* and I am also to forward a copy—

(*a*) of the rules issued by the Government of India for the transport and importation of explosives;

(*b*) of the rules issued by the Government of Bengal for the manufacture, possession, and sale of explosives (the rules in force in the other Provinces are framed on the same model);

with the alterations proposed by the Committee printed in italics. I am to ask that the proposed amendments may be considered by *His Excellency the Governor in Council* and *his* opinion regarding them be communicated to the Government of India as soon as possible. It is not

intended to alter, except where this is expressly mentioned, any rules which may have been sanctioned by separate and special orders for the whole or any part of the Madras Presidency.

I am to communicate remarks on the following points, which are either not disposed of by the recommendations of the Committee, or which seem to the Governor General in Council to require further consideration.

2. While it is not proposed to alter anything in Rule 1 (which is reproduced from an English Order in Council) it is recognized that a foot-note giving some supplementary information would probably be useful. Many of the substances mentioned in the rule are not likely to be met with in India: and on the other hand instances have already occurred of explosives being brought to this country of the classification or of the component materials of which the authorities at the place of importation had not been informed. In England a list of "authorized explosives" (*i.e.*, all those which may be imported or possessed) is kept up by the Inspectors of Explosives: a copy can always be obtained from them, and a copy, revised up to date, is printed as an annexure to their Annual Report. In India for the present at all events, Regulations seems to be required as to the explosives which can be imported. Besides the power of prohibition (section 6 of the Indian Explosives Act), the Government has power (section 5) to regulate and restrict the importation, etc., of explosives by rule. The rule regarding the importation of explosives, other than gunpowder, fireworks, safety cartridges, etc., is No. 13 (read with No. 8) of the rules issued by the Government of India. The explosive may not be imported by sea into British India except under a license to be granted by the Local Government or an officer authorized by it in this behalf. Rule 14 provides that the license may not be granted unless samples of the explosives have passed the prescribed tests, in cases where tests have been prescribed by the Government of India. The Notification (No. 1418, dated 24th June 1887) laying down the tests has been criticized by Colonel Majendie and the Committee, and the amendments necessary to meet the requirements of the present time will be made: but there will probably continue to be, as there are at present, some explosives which need not be tested. Under the provisions above noticed, the Local Governments have hitherto in practice declined to license the importation of any explosive that had not previously been brought to India, until its importation was expressly authorized by the Governor General in Council. If it be finally decided that it is desirable to have an official list of "authorized explosives" in India, it will probably be expedient to add in Rule 14 after the word "granted" the words "unless the explosive be a substance the importation of which has been authorized by the Government of India, and." A list (to be periodically revised) of all the authorized explosives, showing the classes in which they are included, would then be printed as a foot-note to Rule 1. The information thus given would, it is believed, be useful for purposes which are not served by the rule as it stands, and would obviate any doubts such as have been felt in some provinces in dealing with new explosives. I am to ask that the Government of India may be favoured with the opinion of His Excellency the Governor in Council on the above suggestion, and also with precise information as to the substances, being explosives falling under Rule 13 of the Importation Rules, which are at present permitted to be imported by the Government of Madras.

3. It will be observed that the Committee have recommended that Clause III of Rule 2 (relating to Transport) should be deleted and no exemption from the general rule as to packing contained in Clause IV be allowed in favour of blasting gunpowder. This suggestion appears to have been based upon the belief that much of the powder now used for blasting is as dangerous as any other kind of gunpowder. Some doubt is, however entertained whether there may not be practical difficulties in enforcing Clause IV (which prescribes a double package) everywhere in respect to blasting powder, and I am to enquire especially on this point. The Explosives Act, 1875 (section 33, clause 2), allows gunpowder in England to be contained either in a single package or a double package: but if it is contained in a single package, the case or barrel

must be of a pattern approved by a Government Inspector of Explosives. I am to ask that the expediency of a rule of this nature may be considered, if the rule proposed by the Committee is held to be too stringent.

4. It is proposed to append to Rule 3, as recommended by the Committee, a foot-note in the following terms—"Rules regarding search for, and detention of, explosives contravening regulations have been issued by the Local Governments."

5. Considerable changes have been recommended in Clause IX of Rule 6. The last sentence of this clause (requiring a certificate that dynamite cartridges have been packed in this country in accordance with the packing rules) is at present being partially held in abeyance, as it is impracticable to open and re-pack cases which have been carefully packed by expert workmen of leading firms in England. The Government of India are disposed to think that the last words (after "packing rules") should be "of England or this country." The Committee have taken the view that the rules of England and India are substantially identical: but this may cease to be the case, when, if the wording they propose were adopted, the present difficulty would probably recur.

6. With reference to the addition made by the Committee to Rule 15, it is presumed that there will be no difficulty in providing suitable places for temporary storage where they are required.

7. In 1887, on a reference from the Government of Bombay, the Government of India intimated that it was thought better to leave discretion to fix distances between magazines of explosives and other buildings to Local Governments, as they were in a better position to judge of the circumstances of each case. The Chief Inspector of Explosives, however, in his note communicated through the Home Office regarding the explosion at Antop Hill, advised that "safety zones," similar to those enforced in England, should be prescribed: and the Government of India are inclined to agree in this view, as regards the storage of explosives other than gunpowder. Gunpowder (of which the properties are well known, and which is not liable to explode from mere deterioration) is, it is believed, sufficiently provided for by the existing regulations. The manufacture of other explosives is as yet only carried on at one or two places in India; it can only be licensed by the Governor General in Council on a license specially prepared for the particular case; and it is, therefore, unnecessary at present to prescribe safety zones for factories by a general rule. The necessity for a general rule appears to exist at present only in regard to magazines for the storage of explosives other than gunpowder (chiefly imported explosives of the nitro-compound class). Such magazines are licensed under Rule 17 and the following rules, the license being in the Form E in the Schedule.

Rule 12 of the rules for manufacture, possession, and sale, as issued by the Government of Bengal.

As published by the Government of Bengal.

Rule 17 makes full provision for the requisite preliminary inspection and enquiry by the local officers. The license is granted by the Local Government, and the Committee have suggested an addition enabling the Local Government to cause an Inspector of Explosives to visit and report on the proposed site whenever this is considered necessary. The question on which the Government of India desire the opinion of His Excellency the Governor in Council is whether it is considered advisable also to lay down a scale of distances, as is done in England and has been recommended by Colonel Majendie. The English table of distances specifies numerous classes of "protected buildings" (classified according as they are frequented places of public resort, or occupied by important personages in the State, according as consent has been given by their owner, etc.), and requires varying distances to be observed from these classes, the distances of course varying also in proportion to the amount of explosive allowed to be stored in the magazine. It would be necessary thoroughly to revise this table with advertence to Indian conditions; and it is anticipated that a much less complicated scale would be sufficient; but the Governor General in Council thinks it probable that an authoritative table of this kind would be useful in dealing with applications to establish magazines in future.

As has been remarked in paragraph 2 above, in England a list is maintained of explosives which are allowed to be imported or possessed. In India at present the same explosives would probably be allowed both to be possessed and imported: but if it is decided to draw up a list of "authorized explosives," and the addition suggested in paragraph 2 is made in Rule 14 of the Importation Rules, it will apparently be advisable to amend Rules 14 and 17 of the Rules for manufacture, possession, and sale. In both these rules, after the words "if the explosive is" might be added the words "an explosive authorized to be possessed by the Government of India, and is."

8. A copy of the amended Rule 27, which has been issued, with the approval of the Government of India, by the Governments of Bombay and Bengal, is attached to this letter for the information of His Excellency the Governor in Council.

The Committee have recommended that a similar rule should be made by other Local Governments, as the powers conferred by the new rule may be required in all parts of India. It will be for the Government of Madras to decide what officers should be invested with the powers. As the Superintendent and Assistant Superintendent of the Government Gunpowder Factory at Kirkee, have been appointed respectively Chief Inspector and Inspector of Explosives, and may in that capacity be called on to perform duties in the Madras Presidency, it is expedient that these officers should be invested with the powers conferred by the new Rule 27 as issued by the Government of Bombay.

9. The columns in the licenses to manufacture, sell and possess gunpowder and certain other explosives (Forms A, B, and C in the Schedule) which show the total quantity allowed to be manufactured, or to be possessed or sold, during the year have been criticized as in no way conducing to security against accident from explosion. Such columns are not included in the other licenses granted under the Indian Explosives Act: but they were intentionally included in these licenses, which may be made by endorsement equivalent to licenses under the Indian Arms Act, 1878. I am to ask whether the Governor in Council concurs with the Government of India in thinking that they are required.

Vide paragraph 10 of Home Department Resolution No. $\frac{38}{1424-1436}$, dated the 14th August 1885.

10. The necessity for the inspection by a qualified Government officer of all existing stores of explosives, and for periodical visits of such an officer in future, has been strongly urged by Colonel Majendie. As above remarked, the Superintendents and Assistant Superintendents of the Gunpowder Factories at Kirkee and Ishapur have been appointed Inspectors of Explosives. In Colonel Majendie's opinion, magazines of the *gelatinous* nitro-glycerine preparations should be inspected at intervals of three months, and other magazines at intervals of six months. I am directed to invite the opinion of the Madras Government on the question whether the Government of India should issue instructions prescribing the maximum intervals at which inspection should be carried out by Inspectors of Explosives. Inspection by these officers is most imperative in the case of magazines licensed by the Local Governments under Rule 17 (and also factories, if any, licensed by the Governor General in Council under Rule 12). To enable the Government of India to judge of the amount of work which will be entailed by the periodical inspection of such magazines, I am directed to request that, with the permission of His Excellency in Council a statement may be submitted showing all the licenses under Rule 17 at present in force in the Madras Presidency. The statement should set forth the date of first issue of the license, the name of the license-holder, the location of the magazine, and the description and quantity of explosive permitted to be stored therein.

11. The Chief Inspector of Explosives has pointed out that dynamite and other high explosives, when they are made up (as they frequently are) into cartridges or charges for blasting, fall under class 6 and not under any other class of explosives mentioned in Rule 1. Certain provisions relating to ammunition in the rules for the transport and importation of explosives in the port of Madras, published under the Madras Government order No. 232 Marine,

dated 16th June 1894, appear not to be intended to apply to consignments of dynamite and high explosives; but under the present wording they would apply to them if they are in cartridges or cases. The Committee's recommendation would be carried out by adding in Rules (*c*) and (*h*) of the Port Rules of June 1894, before the words "class 6, Ammunition class" the words "the 1st Division of." "Division 1, class 6," would also be specified in the parenthesis at the beginning of rule (*i*). I am to ask whether the Government of Madras see any objection to making these amendments.

12. In conclusion, I am directed to refer to the letter from the Madras Government, No. 2914, dated 27th October 1886, and to ask whether the rules under the Explosives Act have yet been extended to a wider area than there specified, and, if not, whether there is any reason why they should not now be extended.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. Benett

Offg. Secretary to the Govt. of India.

50/
1645
Genl

From

the Govt. of India

Home

No. 4 Public / 520

Dated 28 - 3 - 95
Recd 2 - 4 - 95

Encls 4

Subject

Regd. that the opinion of H. E. the Governor in Council re the amendment proposed by the Committee appointed to suggest ~~them~~ certain amendments and alterations in the Indian Explosives Act, may be communicated to G. of I as soon as possible

✓ J.O. 763 : 11.4.95 Misd paper
✓ J.O. 2379/80 . 1.10.94 Misd paper
✓ J.O. 1794/94
Orig of J.O. 232/94 Mar.
✓ J.O. 1867 : 13.9.93 Mis
✓ J.O. 822 : 29.4.91 ✓ 140 : 29.1.90
✓ 337 : 20.2.91 ✓ 1981 : 20.11.89
✓ 1689 : 30.10.90 ✓ 26 : 11.1.89
✓ 882 : 23.5.90 1097 : 10.5.89
✓ 461 : 11.3.90
✓ 437 : 8.3.90
✓ 266 : 12.2.90
✓ 162 : 1.2.90
Papers reg. Explosive Rules

Licences under Rule 17 of the Rules.

For orders

G.
25.
600—5-3-95.

51

Judicial DEPARTMENT.

C. No. 1645/95.

From the Govt. of India,
Home Dept.

FOR ORDERS.

The explosion of a magazine of dynamite at Antop Hill at Matunga, Bombay, on the 28th Decr. 1891 having attra[cted] the attention of the Home authorities, the necess[ity] for the revision of the rules issued under [the] Indian Explosives Act, 1884, was recognised & copies of the rules issued by the various Local Govts. were obtained & placed bef[ore] H.M.'s Chief Inspector for criticism. The Govt. of India thereupon referred his criticism for consideration to a committee of certain experts whose recommendations a[re] now forwarded to us along with a copy of i the rules issued by the Govt. of ~~India~~ Benga[l] for the manufacture, possession, & sale [of] explosives & ii the rules issued by the G. I. for the transport & importation of explosives with the alterations proposed by the Committ[ee] printed in italics.

The Govt. of India asks that the propo[sals]

endments may be considered & the opinion
this Govt. com^d.. as soon as possible.
It is explained that it is not the intention
alter, except where this is expressly
entioned, any rules which may have been
sanctioned by separate & special orders for
the whole or any part of this Presidency.
Information is also invited on the following
points :—

I (i) Whether an official list of "authorised explosives" in India is required to be printed as a footnote to Rule I; & if so,

(ii) whether it would not be expedient to add in rule 14 after the word "granted" the words "unless the explosive be a substance the importation of which has been authorised by the G. of India and".

(iii) As to the substances, being explosives falling under rule 13 of the Importation rules, which are at present permitted by this Govt.;

II (i) As to whether clause III of Rule 2 — relating to Transport should be deleted & no exemption from the general rule as to double packing contained in clause IV be allowed in favour of blasting gunpowder, as suggested by the Committee;

(ii) If the rule proposed by the Committee is considered to be too stringent, whether it would not be advisable to have a rule similar to the one obtaining in

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FOR ORDERS.

I should say "yes" to these two queries, but there is no harm in asking the Chem. Exam^r., pro forma.
BS

Rules;

53.

We must ask opinions about all these points
BS

~~Also~~ Hardly necessary to consult anyone about this. There is no one who has any special knowledge & I am clear, myself, that a table of distances sh^d. be prescribed. In fact, we have already prescribed it.
MS

Notes^d. 1794 / 20.7.94 play C.

Here also no ref^ce. seems needed. The answer is clear, "Yes".
BS

England, that if gunpowder is contained in a single package, the case or barrel must be of a pattern approved by a Govt. Inspector of explosives.

III Whether a footnote may be appended to rule 3. as recommended by the Committee, indicating that "rules regarding search for & detention of, explosives contravening regulations have been issued by the Local Govts."

IV On the Govt. of India's proposal to add to the last words in clause IX of rule 6, the words "of England or this country".

V Whether, with reference to the proposed add^n. (in italics) to rule 15 of the Import Rules, there is any difficulty in providing suitable places for temporary storage of explosives of which samples are taken for exam^n..

VI. Whether it is considered advisable to lay down a scale of distances as is done in England & as has been recommended by Hm's Inspector. The G. I. thinks it probable that an authoritative table of this kind would be useful in dealing with applications to establish magazines in future.

VII. Whether in rules 14 & 17 of the rules for manufacture, possession & sale the words "an explosive authorized to be possessed by the G. I.; & is" might be added after the words "if the explosive is", if it is decided to draw up a list of "authorized explosives".

VIII Whether amended Rule 27 – for inspection, search etc. of explosives, issued by Bengal & Bombay may be adopted here, also as recommended by the Committee; & if so what officers should be invested with the necessary powers.

As the Supt. & Asst. Supt. of the Govt. Gunpowder Factory at Kirkee have been appointed respectively Chief Inspr. & Inspr. of Explosives & may in that capacity be called on to perform duties in this Presy. also, it is stated that it is expedient to invest these officers with the powers conferred by the new rule 27 as issued by Bombay.

Yes – As to inspection, so far as I know we have no one [illegible] who could do the work, unless the local I.G. of Ordnance (or if that is now his correct designation) can make arrangements – if not, we must fall back on Kirkee people. It will be for India to consider whether one or other of these two officers can be spared to come down to Madras every three months to inspect the gelatinous compounds which Arbuthnot & Co & Best & Co have at Korukapet. I am quite agreeable to employing them.
[illegible]

IX Whether this Govt. concurs with the G. I. in adding a new column in the licenses to manufacture, sell & possess gunpowder & certain other explosives (Forms A, B, C & D) showing the maximum quantity allowed to be manufactured, or to be possessed or sold during the year. These columns have been criticised as in no way conducing to security against accident from explosion; but they were, it is said, intentionally included in these licenses which may be made by endorsement equivalent to licenses under the Indian Arms Act, 1878.

Yes – I do agree
[illegible]

X Whether the G. I. should issue instructions prescribing the maximum intervals at which inspection should be carried out by Insprs. of Explosives? Inspection by these officers is said to be most imperative in the case of magazines

Yes. India had better do so. It is a general question.
[illegible]

licensed by the local Govts. under rule 17 & also factories, if any, licensed by the G. G. in Council under rule 12. To enable the G. I. to judge of the amount of work entailed by the periodical inspection of magazines a statement showing all the licenses under Rule 17 at present in force in this Presy. is also called for. The following statement sets forth, as desired by the G. I. & by the Hon: member in his note under cover of G.O. 27 11 ap. 95 No. 763, Judl, viz, the date of the 1st issue of the license & other particulars:–

	1. The date of first issue of the license.	2. The name of the license holder.	3. The location of the magazine	4. The description & quantity of explosives permitted to be stored therein.
(1)	10 May 1888 (G.O. No. 1097 Judl)	Messrs Andrew & Co. Calicut.	~~Calicut~~ Ferok Fort.	Dynamite: 600 cases = 30,000 lbs. Detonators: 1000 boxes = 100,000 No. Safety fuse: 50 barrels = 15,000 coils
2)	22 March 1889 (G.O. 333).	Messrs Groves & Co. till 1890 & then Messrs Philip Thompson & Co. (vide G.O. 266 / 12.2.90)	Coonoor.	Dynamite: 5000 lbs. Blasting powder & compressed cartridges – 800. Detonators: 15,000. G.O. 1981 / 4.8.9[illegible]
~~3)~~	~~26 November 1889 (G.O. 2034)~~	~~Mr H. Lyon, Genl. manager of the Teviot Gold mining Co.~~	~~Calicut~~	~~Dynamite 1000 lbs. Detonators: 20,000 No. Fuse: 500 coils.~~
(4)	1st Feby. 1890 (G.O. 162)	Messrs Best & Co. Agents Nobel's Explosives Co. Ld. Madras.	Koorookapet Madras.	No. 1 Dynamite 200,000 lbs. Blasting gelatine 200,000 lbs. Gelignite 75,000 lbs. Gelatine Dynamite 50,000 lbs. Detonators 1,500,000 Nos. Safety fuse 120,000 coils. Electric fuses 10,000 coils. Blasting or sporting powders 325,000 lbs. G.O. 16 / 8.1.9[illegible]
5)	8th March 1890 (G.O. ~~437~~)	Messrs Parry & Co. Madras.	Koorookapet Madras.	Dynamite 20 tons. G.O. 68 / 12.1.9[illegible]
(6)	23 May '90 (G.O. 882)	Mr. A. D. Adams agent of Messrs Parry & Co. Devala.	Nambalkod amsam.	Dynamite 6 tons. Detonators 100647. Platinum wire detonators 3226. Fuse 9000 coils. G.O. 103 / 17.1.9[illegible]

There is only a renewal.
The orig. licence is being looked up still.

(7)	20 Febry 1891. (G.O. 337)	Messrs Arbuthnott & Co. Madras.	Koorookapet Madras.	Dynamite 30,000 lbs. Gelatine 5000 lbs. Blasting gelatine [illegible] lbs. Safety fuses. 30,000 coils. Detonators: 300,000. no. — G.O. 68 12-1-95
(8)	29 April '91 (G.O. 822)	Messrs Spencer & Co. Ootacamund.	Ootacamund village.	Gunpowder 500 lbs. Nitro compound 500 lbs. Cartridge & Cartridge Cases. 70,000. Caps. 40,000.
(9)	Do	Messrs Oakes & Co. Ootacamund.	Do.	Gunpower 1000 lbs. Caps. 500 boxes. Loaded cartridges 25000. Dynamite 500 lbs. Detonators. 500. Fuse: 1000 Coils. — G.O. 104 17-1-95

Vide Commr's letter gr no. 3990/95

86

Ask Marine
WD

This matter will have to be reconsidered, at least as far as regards N. Arcot. There is now a Gold Mining Compy working in the Kangundi estate — I am not sure of the name, but that does not matter — and a good deal of one or more of these high explosives is probably used there. The D.M. should be called on to report on the subject. In addn. to this I would send a brief O.M. to all D.Ms asking if the use of Dynamite & other high explosives is becoming common & if so, if it is necessary to bring their possession & sale under regulation, further to keep the public safety. I imagine these articles must be a good deal used now, or people would not take out licenses to import & store such large quantities. Arbt. & Co are of course supplying the Kolar Mines under the contract which they initiated in walking some time ago with the Nobel Company at home. — BS

XI. Whether there is any objection to making certain amendments by adding in rules (c) + (h) of the Madras Port rules contained in G.O. of 16 June 1894 No. 232, Marine, so that they may apply to consignments of dynamite & high explosives; & lastly

XII (a) Whether the rules under the Explosives Act have yet been extended to a wider area than that specified in G.O. of 27 Octr. 86 No. 2914 Judl, vizt, Madras Town, Coimbatore, Malabar & Nilgiris districts; &

(b) Whether there is any reason why they should not now be extended?

It will be seen that the question of extending these rules under the Act to the N. Arcot Dt. was considered in G.O. of 20 March 94 No. 710, Judl, mis & given up as unnecessary — vide G.O. of 17 July 1894 No. 1748, Judl, mis.

Govt. is not in a position to give answers to the various questions asked by "India" without first gathering information and the point for decision at this stage is to whom India's letter should be referred for report or remarks. Seven spare copies of the letter & enclosures have been received & the individuals, whose remarks would probably be of most service, are among the following:

WD 23-1-95

1. The Commissioner of Police
2. The District Magistrate of Malabar
3. " " " Nilgiris
4. " " " Coimbatore
5. The Chemical Examiner
6. Messrs. Best & Co.
7. Messrs. Arbuthnot & Co.
8. Messrs. Parry & Co.

Nos. 1 & 2 are the individuals authorized by Govt. to issue licenses for the importation of explosives; 3 & 4 are the magistrates of the two districts besides Malabar to which the Explosives Act has been extended; 5 is the only expert in the Presidency except the I.G. of Ordnance; 6, 7 & 8 are the most extensive dealers in explosives whose practical knowledge should be of value.

Of all these, nos. 3 & 4 probably can know give least information on the subject; Govt. is itself in possession of the reasons which led to the extension of the act to the districts of the Coimbatore & Nilgiris, & the magistrates of those districts could probably give no extra information which could not equally well be obtained from nos. 6, 7 & 8. It is submitted therefore that it will

509—20-6-01.

DEPARTMENT.

No.

From

Dated 189 ,

FOR ORDERS.

suffice to call for a report from nos. 1, 2, 5, 6, 7, & 8. - They might be asked to submit any remarks they think fit upon any of Sadia's proposals; but besides this it would be necessary to ask particular individuals to report specially with regard to certain points. - The following instructions might perhaps meet the needs of the case.

The Chemical Examiner to report specially upon

(a) I (i) - the proposal to have an official list of "authorised explosives"

(b) II - the question whether & what special precautions should be adopted in packing explosives.

(c) VII - whether it is desirable to lay down a scale of distances - to secure a "safety zone" for magazines.

The Commissioner of Police & Dist. Magte of Malabar to report specially as to

(a) I (iii) the explosives at present permitted to be imported

(b) V the difficulty of providing suitable places for temporary storage of explosives of which

I do not know that this is desirable

Yes - Subject to remarks above

WS

samples are taken for examination
-
It would further desirable to communicate to the Marine Dept for remarks proposal no. XI that certain changes should be made in the Port Rules:-

BD

One spare copy would then be available for communication to the Lieut. General Commanding the Forces who would be able to obtain for Govt. any remarks which the I.G. of Ordnance might wish to make on the proposed change in the ~~law~~ rules

BD

H.M.

A.S. will see that this letter is practically in continuation of that disposed of in G.O. of 11 April 1895 No 763.- Query VIII in the note - relating to the proposed appointment of inspectors of Explosives - shews that India did not, after all, intend to appoint inspectors for the Madras Presidency without consulting this Govt.- In the notes in order in G.O. of 11 April 1895 No. 763 H.M. directed that information should be collected with a view to addressing the Govt. of India as to the appointment of Inspectors of Explosives. It is presumed that there is no need to send a separate letter on the subject as it can be more appropriately dealt with in the reply to this later reference on the whole question of Explosives Rules.

BD 7/5/95

This current was received in Madras shortly before the move to the Hills & the referencing took a considerable time with the result that it only reached me two or three days since.- It has been marked urgent owing to this delay & to the

Amendment of Explosives Rules

E

marked urgent as India desires a reply "as soon as possible"

request of the Govt. of India that a reply may be communicated "as early as possible" The spare copies of the letter re were moreover sent later than the original letter.

D 3.5.95

4/5/95

G.
24.
600—8-3-95.

Judicial DEPARTMENT.

Papers to be read in proceedings :—

Again G.O., dated 189 , No.

Again G.O., dated 189 , No.

Current No. of 189 , dated from

(P) Current No. 1645 of 1895, dated 28 March from the Govt. of India, Home Dept.

Office W.C.
Get it printed of here urgently

ORDER. 14th May 1895, No. 1013.

P.S. ~~Mis~~

The foregoing letter from the Govt. of India, with its enclosures, will be communicated to the Commr. of Police, Madras, the D.M. of Malabar, the Chemical Examiner, Messrs Best & Co., Messrs Arbuthnott & Co. & Messrs Parry & Co., Madras with the request that they will favour Govt. as soon as possible, with their opinion as ~~any remarks they may think fit upon India's proposals & specially upon~~ to the following points in connection with the proposed amendments of the rules:-

(1) ~~As to~~ Whether clause III of Rule 2 (relating to ~~the~~ Transport) should be deleted & no exemption from the general rule as to double packing contained in clause IV be allowed in favor of blasting gunpowder, ~~as suggested by the Committee~~;

(2) If this rule ~~proposed by the Committee~~ is considered to be too stringent, whether it would not be advisable to prescribe ~~have~~ a rule similar to that ~~the one~~ obtaining in England, viz: that if gunpowder is contained in a single package

th

samples are taken for examination

the case or barrel should be of a pattern approved by a Govt. Inspector of Explosives;

(3) Whether a footnote should be appended to rule 3 ~~as recommended by the Committee~~ indicating that "rules regarding search for and detention of, explosives contravening regulations have been issued by the Local Govts.";

(4) On the Govt. of India's proposal to add to the last words in clause IX of rule 6, the words "of England or this country".

(5) Whether, with reference to the proposed addition (in italics) to rule 15 of the Import Rules, there is any difficulty in providing suitable places for temporary storage of explosives of which samples may be taken for examination; ~~+ (6) As to the substances, being explosives falling under Rule 13 of the Importation Rules, which are at present permitted by this Govt. to be imported.~~

3. The Chemical Examiner will also report his opinion (a) as to whether any official list of "authorized explosives" in India is required ~~to be printed~~ as a footnote to Rule I; + if so (b) whether it would not be expedient to add in rule 14 after the word "granted" the words "unless the explosive be a substance the importation of which has been authorised by the Govt. of India, and".

2. The Commissioner of Police, + the ~~Malabar Dist.~~ Magte. of Malabar will be requested to ~~report~~ furnish information ~~specially~~ as to the substances being explosives falling under Rule 13 of the Importation Rules which are at present permitted to be imported into the Presidency.

4. ~~The Marine Dept. will favour with remarks on~~ The following proposed changes in the Port Rules will be referred to the Marine Dept. for remarks:

"The Chief Inspector of Explosives has pointed out that dynamite and other high explosives, when they

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for 6 DEPARTMENT.

[G. / 25.]
800 8-3-95.

~~C. No.~~

~~FOR ORDERS~~.

"they are made up (as they frequently are) "into cartridges or charges for blasting, fall "under class 6 and not under any other class of "explosives mentioned in rule 1. Certain provisions "relating to ammunition in the rules for the transport "+ importation of explosives in the port of Madras, "published under the Madras Govt. order No. "232 Marine, dated 16 June 1894, appear not "to be intended to apply to consignments of dynamite "+ high explosives; but under the present wording "would apply to them if they are in cartridges or "cases. The Committee's recommendation would "be carried out by adding in rules (c) and (h) "of the Port rules of June 1894, before the words "class 6, Ammunition class" the words "the "first division of". "Division I, class 6", would "also be specified in the parenthesis at the beginning of rule (i). ~~I am to ask whether the Govt. of Madras see any objection to making these amendments~~."

~~Annexure~~

5 ~~4~~. The Lieut. General Commanding the forces will ~~also~~ be requested to ~~obtain for~~ forward Govt. with any remarks which the I.G. of Ordnance ~~might~~ may wish to make on the proposed changes in the rules.

D
8.5.95

~~(Form orders)~~.

~~6. No copies of Col. Majendie's original Memorandum referred to in para 1 of the letter from the Govt. of India have been furnished to Govt. received but that Govt. has been requested to supply~~

To

The Commr. of Police.
" D.M. Malabar.
~~" Chemical Examr.~~
Messrs. Best & Co.
" Parry & Co.
" Arbuthnot & Co.
The Chemical Examiner. Paras (1 + 2) do.
The Marine Dept. (For Para 2 only)
The Lt. General Commanding the forces Madras. Para 4 on sc with encls.

~~Para (1) on sc. with a copy of each of encls: to each.~~

Despd with S. Copy Govt. of India Letter
17/5

MR
7.V.95

Note.

Please see separate draft G.O. subd. re the extension of the rules under the Explosives Act, to all Dts:-

FOR ORDERS.

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