Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No 1884-85

Dated 7th Sept 1895

INDEXED.

[Despatch Abstract.]

EXPLOSIVE RULES.

Directing that the Government of India be addressed regarding the proposed alterations in the---; and requesting the District Magistrates of South Canara, Cuddapah and Nellore to give more definite information as to the quantities of explosives possessed or used in their districts to enable Government to decide whether the application of the---should be extended to those districts.

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Govt. of {1895} Madras.

JUDICIAL.

Issued

Recd. Encl.

G.O., &c., Nos. 1884, 1885, 7th September 1895.

SEPTEMBER.

Explosives Rules.

Directing that the Government of India be
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GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

Read—again the following paper :—

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

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

Read—also the following papers :—

G.O., No. 193, Marine, dated 2nd July 1895.

Read—the following papers :—

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

Read—letter 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—No. 1013, Judicial, dated 14th May 1895.

* * * *

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 beginning of Rule (*i*)."

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Marine Department.

No. 1114.

Referred to the Chairman, Harbour Trust Board, for remarks with advertence to paragraph 4 of the order.

(By order.)

Ootacamund,
23rd May 1895.

(Signed) C. G. TODHUNTER,
Ag. Assistant Secretary.

From W. J. H. LE FANU, Esq., I.C.S., Chairman, Harbour Trust Board, to the Chief Secretary to Government, dated Madras, 31st May 1895, No. 900.

I have the honour to acknowledge the receipt of G.O., Judicial, No. 1013, dated May 14th—Current No. 367, Marine Department, herewith returned—forwarded under endorsement, No. 1114, dated 23rd idem, for remarks with reference to paragraph 4.

2. It is noted that, in the opinion of the Chief Inspector of Explosives, dynamite, when made up into charges for blasting, falls under Class 6, the ammunition class, and he suggests that an addition to Rule (*c*) should be made compelling vessels carrying "Division 2—ammunition class" to anchor one mile north of the harbour as provided in that rule.

3. When these rules were framed the Trustees of this harbour objected to gunpowder being landed or shipped inside the harbour, and to dynamite and allied explosives entering it at all.

4. The objection to dynamite still continues; but, consequent upon a correspondence with the Right Honourable the Secretary of State, regarding the exclusion from the harbour of the S.S. *Rewa* in December 1891, the objection to gunpowder has been withdrawn.

5. It is now customary to permit gunpowder to be landed and shipped inside the harbour under the provisions of Rules (*j*) and (*k*), though doing so is in direct opposition to Rule (*c*), which precludes this being done inside the harbour.

6. Under these circumstances, and, as the proposed alteration in the rules would still exclude gunpowder from being landed or shipped inside the harbour under Rule (*c*), while allowable under (*j*) and (*k*), I submit a revised draft of Rule (*c*) intended to bring that rule into harmony with the existing practice. This rule, as amended, now provides that any explosives, other than Classes 2, 3, 4, 5 and Division I of Class 7, or Class 6 charged with or containing explosives of Classes 2, 3, 4 or 5 may be landed and shipped inside the harbour. In other words, gunpowder, the properties of which are perfectly well known, ammunition of all kinds, unless charged with or containing explosives of Classes 2, 3, 4 or 5 and manufactured fireworks may be admitted to and landed or shipped inside the harbour. All other classes of explosives are excluded.

7. To bring Rule (*h*) into harmony with (*c*) a slight alteration, as noted in italics, has been made, which has also the advantage of simplifying the rule.

8. With regard to Rule (*i*), the Trustees are of opinion that the whole of "Class 6—ammunition class" may be excluded from the operation of this rule; as, although dynamite in charges for blasting is ruled as coming under that class, this does not necessitate smoking being prohibited and all fires extinguished on board on that account. Rule (*i*) might therefore remain unaltered.

9. The Trustees would take this opportunity of requesting that Rule (*g*) may be modified. When a large quantity of dynamite is being landed between the old and new stone revetments, serious delay occurs if only one boat is permitted to approach the beach at a time: two boats are now therefore allowed to beach simultaneously, and as, when once the cases come to the shore the more expeditiously they are removed the better, permission might be granted for the two which are allowed to beach together also to unload at the same time.

ENCLOSURE.

EXTRACT of Proceedings of the Trustees of the Harbour of Madras at a Meeting held at the offices of the Board on Friday, the 31st day of May 1895.

* * * * *

5. Read endorsement, No. 1114, dated 23rd May 1895, from the Chief Secretary to Government, forwarding G.O., No. 1013, Judicial, dated 14th idem, for remarks, with reference to paragraph 4, regarding suggested alterations in the rules for the landing and shipment of explosives at the port of Madras.

Read draft reply.

Resolution.—Approved.

* * * *

Order—dated 2nd July 1895, No. 193, Marine.

The following notification will be published in the *Fort St. George Gazette*:—

NOTIFICATION.

In accordance with section 18 (1) and (3) of Act IV of 1884, the Indian Explosives Act, the following proposed amendments in the rules to regulate the transport and importation of explosives in the port of Madras, which were promulgated for guidance with the *Fort St. George Gazette* of the 26th June 1894, are published for the information of persons likely to be affected thereby, and notice is hereby given that these amendments will be taken into consideration at or after the fifteenth day of August 1895.

For rules (*c*), (*g*) and (*h*) substitute the following:—

Rule (*c*).—Every vessel entering the port of Madras, having on board explosives of classes 2, 3, 4 or 5, or Division 1 of class 7 (as defined under the rules made by the Governor-General in Council under section 5 of the Indian Explosives Act, 1884), or having on board explosives of "class 6—ammunition class" charged with or containing explosives of classes 2, 3, 4 or 5 in excess of 100 lb. in weight, shall, on arrival at the port, proceed to a distance of not less than one mile north of the North Arm, and half-a-mile off-shore outside the harbour, and shall not be permitted to enter the harbour until all such explosives have been discharged; after which, provided the requirements of rule (*e*) as regards the security of explosives remaining on board have been met, the vessel may be permitted to enter the harbour, and to discharge or ship therein other explosives not being of classes 2, 3, 4 or 5, or ammunition containing or charged with explosives of classes 2, 3, 4 and 5, or fireworks composition class 7, Division 1. Whilst any explosives shall remain on board, such vessel shall have a red flag kept flying at the foremast head between sunrise and sunset and one red light at the ensign staff or peak in addition to the usual anchor light between sunset and sunrise, and the Master or Chief Officer shall remain on board of her until the explosives intended for the port of Madras shall have been discharged.

Rule (*g*).—All barges, lighters and boats having any explosives on board shall remain off-shore until orders are received from the officer directing the landing to approach the beach. Not more than two such barges lighters or boats shall be permitted to unload at a time, and such unloading shall take place either between the old and new stone revetments protecting the foreshore beyond Royapuram and Casimode or at the north end of the new revetment according to the state of wind and current.

Rule (*h*).—With the sanction of the Chairman of the Harbour Trust Board, which will be accorded only on production of the required special permit from the Collector of Sea Customs, explosives not prohibited under rule (*c*) if properly packed as required by rule 2 of the rules issued by the Governor-General in Council under section 5 of the Indian Explosives Act, 1884, may be shipped on board, or landed from, a vessel lying at the ordinary moorings within the harbour. Shipment of any such explosives shall be effected under the precautions and conditions mentioned and contained in these rules, and such explosives must be taken on board the vessel for which they are intended immediately after the boat by which such explosives are taken off to such vessel has come alongside the same, and no cargo boat or other vessel having fire on board shall be allowed to lie near such vessel during the time that any explosives are being shipped on board the same.

[Here enter letter, dated 2nd July 1895, No. 194, Marine.]

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Presidency Port Officer.
" the Chairman, Harbour Trust Board.
" " Chamber of Commerce.
" " Madras Trades Association.
" the Judicial Department.
" Messrs. Arbuthnot & Co.
" " Binny & Co.
" " Parry & Co.
" " Best & Co.
Gazette.

From the Commissioner of Police, Madras, to the Chief Secretary to Government, dated 22nd May 1895, No. 42.

With reference to G.O., No. 1013, Judicial, dated 14th May 1895, directing me to express my opinion regarding the proposed amendments of the rules under the Explosives Act, I have the honour to report that—

(i) *and* (ii).—In the case of blasting gunpowder I would insist upon either double packing or the use of cases or barrels of a pattern approved by a Government Inspector of Explosives, leaving to the licensee the option of deciding which of these two methods of packing he will employ.

(iii).—The foot-note should be appended and the rules alluded to published with the general rules under the Explosives Act for the information of licensees and others concerned.

(iv).—The necessity for the proposed addition to Clause IX of rule is not very obvious; the rule as it stands is sufficiently explicit.

(v).—There would be considerable difficulty in providing a suitable place for the temporary storage of explosives unless the Ordnance Department will consent to the powder magazine attached to the old Gunpowder Factory being used for the purpose. The Ordnance Department allowed this building to be occupied by this department while the merchants' magazine was under repair, and has from time to time received into it gunpowder for which there was no room in the merchants' magazine. There has been no recent occasion for this.

2. Licenses have been issued for the importation into Madras of the following substances, being explosives falling under Rule 13 of the Importation Rules, viz.—

Dynamite.	Carbonite.
Gelignite.	Stonite.
Blasting Gelatine.	

Of the two last only one consignment has been received. This was in November 1893; the quantities were 200 lb. and 1,800 lb. respectively.

(Signed) H. W. H. COX, Colonel,
Commissioner of Police.

From the Chemical Examiner, to the Chief Secretary to Government, dated Madras, 27th May 1895, No. 580.

With reference to G.O., No. 1013, Judicial, dated 14th May 1895, I have the honour to submit the following remarks:—

2. *Clauses (i) and (ii) of paragraph* 1.—As far as I know, there is no reason for exempting blasting gunpowder from the general rule as to double packing. In the event of there being practical difficulties in enforcing the rule in the case of blasting gunpowder, it would be advisable to prescribe an approved pattern of a single packing case or barrel.

3. *Clause (iii) of paragraph* 1.—It seems advisable to indicate the existence of rules relating to the search, seizure and detention of explosives which contravene regulations, and to add a foot-note to Rule 3 to this effect in the terms proposed.

4. *Clause (iv) of paragraph* 1.—The words "of England or this country" should be added to Clause IX of Rule 6.

5. *Clause (v) of paragraph* 1.—I do not know whether there would be any insurmountable difficulties in providing suitable places for temporary storage of explosives during examination of the samples. As a matter of fact, my certificates in the case of explosives which cannot be landed until they have passed the test, are issued on the same day as the samples reach me. An occasional exception to this rule of practice occurs in the case of explosives manufactured by Nobels' Company, which are permitted to be landed prior to my examination, by G.O., No. 2586, Judicial, of the 24th September 1885. In these cases the certificate is sent the next day, the explosives having in the meantime been landed and stored by Messrs. Best & Co.

6. With reference to paragraph 3, I have the honour to state that in my opinion it is very desirable that an officially-classified list of "authorised explosives" should be added as a foot-note to Rule 1 and that it would also 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."

(Signed) J. L. VanGEYZEL, Surgn.-Major,
Chemical Examiner.

From Messrs. BEST & Co., to the Chief Secretary to Government, dated Madras, 8th June 1895.

We have the honour to acknowledge the receipt of—

(1) Government Order, No. 1013, Judicial, dated 14th May, handing us a copy of a letter and enclosure received by the Government of Madras from Mr. J. P. Hewett, C.I.E., Officiating Secretary to the Government of India, Home Department (Public), dated 28th March 1895, No. 4, Public—520, and requesting to be favoured as soon as possible with our opinion as to certain points in connection with the proposed amendments to the Explosives Rules.

(2) Government Order, No. 1179, Judicial, dated 31st May 1895, communicating, in continuation of the above Government Order, particulars of a memorandum made to the Government of India by Colonel V. D. Majendie, Her Majesty's Chief Inspector of Explosives, dated 16th December 1893, regarding the rules regulating the transport, importation, manufacture, possession, sale, sampling and examination of explosives in India.

2. In reply to G.O., No. 1013, Judicial, dated 14th May 1895, we have pleasure in submitting our opinion on the points in question as follows:—

(i) We are of opinion that clause III of Rule 2 (relating to transport) should be deleted, and that no exemption from the general rule as to double packing contained in clause IV be allowed in favour of blasting powder.

(ii) We do not consider the above rule to be too stringent, blasting powder imported into this country, so far as we are aware, being invariably packed in stout canvas bags enclosed in wooden kegs or barrels, which method of packing, we take it, fully complies with the requirements of clause IV.

(iii) We see no objection to a foot-note being appended to Rule 3 indicating that "rules regarding search for, and detention of, explosives contravening regulations have been issued by the Local Governments."

(iv) Our opinion is entirely favourable to the proposal of the Government of India to add to the last words in clause IX of Rule 6 the words "of England or this country."

(v) With reference to the proposed addition (in italics) to Rule 15 of the Import Rules, we are entirely in accord with same, we finding no difficulty in providing suitable accommodation for the temporary storage of explosives of which samples have been taken for examination.

3. In conclusion, we would take this opportunity of drawing the attention of Government to the serious delay that oft times occurs during the landing of large shipments of dynamite, blasting gelatine and gelignite, through the fact that only one boat is allowed to unload at a time, and we would suggest some modification be made to the Port Rules allowing, with due precautions, two or more boats to unload at once as the more expeditiously the explosives are unloaded and removed to a place of safety the better.

(Signed) BEST & Co.

From Messrs. PARRY & Co., to the Chief Secretary to Government, dated Madras, 8th June 1895.

We have the honour to acknowledge receipt of G.O's., No. 1013 of 14th May 1895, and No. 1179 of 31st idem, with their respective enclosures, referring to certain points in connection with the proposed amendment of the Explosives Rules, and in reply thereto we beg to state as under :—

(i) *and* (ii).—As we do not import blasting powder, we regret we cannot offer an opinion.

(iii).—In our opinion there is no objection to the suggestion that 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).—We would approve of 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).—With reference to the proposed addition (in italics) to Rule 15 of the Import Rules, we beg to say that we have our own licensed magazine in which explosives awaiting examination may be temporarily stored. We wish to point out, however, that apparently the addition contemplates only such explosives as, under Rule 8 (Importation), may be landed previous to examination, and we would submit that where the consignees are the possessors of a licensed magazine suitable for the reception and storage of explosives pending examination, permission to land previous to examination may be conceded even in the case of explosives other than those of British manufacture, provided always that the consignees do give to the Chief Customs Officer of the port such undertaking, with security if required, 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.

(Signed) PARRY & Co.

From the Lieutenant-General Commanding the Forces, Madras, dated 6th July 1895, No. 1207-M.W.

ABSTRACT.—Stating that a reply to G.O., No. 1013, dated 14th May 1895, will be sent on receipt of a report from the Inspector-General of Ordnance.

From Messrs. ARBUTHNOT & Co., to the Chief Secretary to Government, dated Madras, 9th July 1895.

With reference to Judicial Proceedings, No. 1013, dated 14th May 1895, regarding proposed amendments of the rules under the Explosives Act, we have the honour to report as follows, viz.—

Paragraph 1 (i).—We are of opinion that clause III of Rule 2 (relating to transport) should be deleted and no exception from the general rule as to double packing, contained in clause IV, be allowed in favour of blasting powder. Our experience, however, is that blasting powder is always packed in double packing, viz., a stout canvas bag and a strong wooden barrel.

(ii).—The foregoing remarks reply to this clause also.

(iii).—We see no objection to the proposed foot-note being added to Rule 3.

(iv).—Nor do we see any objection to 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."

Paragraphs 2, 3, 4 *and* 5.—No doubt, the officials referred to in these paragraphs will supply the information asked for.

(Signed) ARBUTHNOT & Co.

From the Inspector-General of Ordnance, Madras Command, to the Deputy Adjutant-General, Madras Command, Ootacamund, dated Fort St. George, 6th July 1895, No. 5646-O.

Your No. 947-M.W., dated 24th May 1895, and No. 1013-M.W., dated 1st June 1895.

In returning the enclosures received with the above, I have the honour to offer the following remarks.

Rule IV (*a*) gives the maximum weight of gunpowder in a barrel at 100 lb. There are certain natures of gunpowder which are packed 110 lb. and 125 lb. in a barrel. I would suggest that the rule may be altered accordingly.

(Signed) T. WALKER, Colonel, R.A.,
Inspector-General of Ordnance.

No. 1229-M.W.

Forwarded, for information, with reference to Orders of Government, 14th and 31st May last. I regret the delay, but the file has only just been returned by the Inspector-General of Ordnance of this Command.

(Signed) C. M. CLARKE, Lt.-Genl.,
Commanding the Forces, Madras.

10*th July* 1895.

To the Chief Secretary to Government.

From the Acting District Magistrate, Malabar, to the Chief Secretary to Government, dated Calicut, 15th July 1895, No. 1171-Magl.

I have the honour to reply to G.O., No. 1013, Judicial, dated 14th May 1895.

2. I asked Mr. D'Rose, of Messrs. Andrew & Co., who are the local agents for Messrs. Nobels and who have a dynamite magazine at Ferok, to look through the papers and to let me have his opinion as to the proposed amendments. I enclose a copy of his reply.

3. I will now give my opinion *seriatim* on the five points mentioned in paragraph 1 of the Government Order under reply :—

(i).—Clause III of Rule 2 (relating to transport) should be deleted, and no exemption from the general rule as to double packing be allowed in favour of blasting gunpowder. *Reasons.*—If a barrel covered with gunny or wax-cloth and containing blasting gunpowder is knocked against anything sharp, both the gunny and the barrel might be cut and the gunpowder escape. The chance of gunpowder escaping would be minimised if the gunpowder were placed in a bag, canister or other closed receptacle, and that in its turn placed inside a strong box or barrel.

(ii).—I do not think that the rule is too stringent. In this country, wood, however well seasoned, is liable to warp or crack. Hence it is necessary to have an inner package.

(iii).—A foot-note may be appended to Rule 3 as suggested.

(iv).—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" may be adopted.

(v).—There is no suitable place at present in Calicut for the temporary storage of explosives unless the Military authorities will allow the magazine at the barracks to be used for the purpose. The Police magazine is in the heart of the town, and therefore not a suitable place. A magazine could easily be built on the beach near the Sea Customs House.

(Signed) H. MOBERLY,
Ag. District Magistrate.

Enclosure.

From Messrs. ANDREW & Co., to the Collector of Malabar, dated Calicut, 8th July 1895.

[*Proposed amendment of the Rules under the Explosives Act.*]

As requested, we would beg to state our views with reference to points submitted as follow :—

(i).—In our opinion clause III of Rule 2 might very well be deleted and blasting gunpowder brought under clause IV with reference to transport. This removes the gunny from the outside to the inside of the package, and this in view of possible rough handling during carriage seems desirable in a country like this.

(ii).—We are in some doubt if the case or barrel might not get warped or cracked in some parts of India with the excessive heat of the sun and therefore think it would be advisable to have the gunpowder packed in a substantial bag, placed inside, as provided for in clause IV, and so be secured independent of the outside package.

(iii).—We think the foot-note as suggested might be appended to Rule 3.

(iv).—Seeing that dynamite and other explosives arrive in this country packed in England and are usually transported throughout India in their original packing, it seems desirable to add the words "of England or this country" to clause IX of Rule 6.

(v).—With reference to this point, we do not think there is any suitable place for the temporary storage of explosives at this port. We do not, however, anticipate much inconvenience from this, for explosives brought here are mostly re-exports from Bombay, where they will doubtless have been submitted to the necessary chemical analysis, and this, we think, might be accepted here.

As far as regards direct importations there seems no help for it but to allow the explosives to remain on board the vessel (which should be anchored at a safe distance) until the Chemical Examiner's report has been obtained. This, however, should not entail a longer delay than three to four days, the result of the examination being communicated by wire. If the words "or remain on board the vessel as may be directed by the Chief Customs officer" were inserted after the words "or places of storage" it might put this point right.

We are the local agents for Messrs. Nobels, and import through Bombay their dynamite, detonators and fuses.

We beg to return herewith the papers you left with us on Friday afternoon, and to thank you for a perusal of same.

(Signed) ANDREW & Co.

From the District Magistrate, South Canara, dated 26th June 1895, No. 205-Magl.
" " Cuddapah, dated 6th June 1895, No. 463-Magl.
" " Nellore, dated 2nd July 1895, No. 768-Magl.

ORDER—No. 1884, Judicial, dated 7th September 1895.

The Government of India will be addressed.

2. The District Magistrates of South Canara, Cuddapah and Nellore will be requested to give more definite information as to the quantities of explosives possessed or used in their districts in order to enable Government to decide whether it is advisable to extend the application of the Explosives Rules to those districts.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the District Magistrate, South Canara.
" " Cuddapah.
" " Nellore.

LETTER—to the Secretary to the Government of India, Home Department, No. 1885, Judicial, dated 7th September 1895.

I am directed to acknowledge the receipt of Mr. Hewett's letter, dated 28th March 1895, No. 4-Public—520, forwarding, for the opinion of His Excellency the Governor in Council, copies of the rules issued by the Government of India for the transport and importation of explosives and of the rules issued by the Government of Bengal for the manufacture, possession and sale of explosives, with the alterations proposed by the Committee to which Colonel Majendie's memorandum on the subject was referred for consideration.

2. In reply I am to state that this Government generally approves the proposed alterations in the rules. With reference to those matters to which special attention is drawn in Mr. Hewett's letter, I am to express the opinions which His Excellency the Governor in Council has formed after consultation with the Inspector-General of Ordnance, the Commissioner of Police, Madras, the Chemical Examiner, certain District Magistrates and those mercantile firms which have the most extensive dealings in explosives.

3. With reference to paragraph 2 of Mr. Hewett's letter, it is considered that it would be desirable to print an official list of authorized explosives as a foot-note to Rule No. 1 and consequently 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". The substances, being explosives falling under Rule 13 of the Importation Rules which are at present permitted by the Government of Madras, are Dynamite, Gelignite, Blasting Gelatine, Carbonite and Stonite, besides the ordinary detonators and fuses the nature of the explosives employed in making which has not been specifically reported.

4. The Government agrees with the recommendation of the Committee that clause 3 of Rule 2 relating to transport should be deleted and no exemption from the general rule as to double packing contained in clause 4 be allowed in favour of blasting gunpowder.

5. The Governor in Council approves the proposal to append to Rule 3 a foot-note stating that rules regarding search for, and detention of, explosives contravening regulations have been issued by the Local Governments.

6. With reference to paragraph 5 of Mr. Hewett's letter, it is considered that the last words in clause IX of Rule 6 should be "of England or this country."

7. With regard to paragraph 6 of the letter under reply, the Government is of opinion that no serious difficulty will be found in providing suitable places for the temporary storage of explosives of which samples may be taken for examination.

8. In paragraph 7 of Mr. Hewett's letter, enquiry is made as to whether it is considered advisable to lay down a scale of distances between magazines of explosives and other buildings in order to secure a zone of safety. In reply I am to state that such a course has already been adopted by this Government, the table of distances in use in England having been communicated to all District Magistrates and the Commissioner of Police, Madras, for their information and guidance—*vide* G.O., No. 1794, dated 20th July 1894 (copy enclosed).

9. If it is decided to draw up a list of authorized explosives, it appears desirable to amend Rules 14 and 17 relating to the manufacture, possession and sale by the addition after the words "if the explosive is" of the words "an explosive authorized to be possessed by the Government of India and is".

10. With reference to paragraph 8 of Mr. Hewett's letter, the Government accepts the proposal to issue a rule similar to amended Rule 27 as issued by the Governments of Bombay and Bengal and approves the proposed appointment of the Superintendent and Assistant Superintendent of the Government Gunpowder Factory at Kirkee to be respectively Chief Inspector and Inspector of Explosives in all parts of the Madras Presidency. A draft amended rule is, accordingly, appended to this letter, and I am to state that His Excellency the Governor in Council would be glad if arrangements could be made to depute either the Chief Inspector or the

Inspector to visit the Madras Presidency once a quarter. As was pointed out in my letter, No. 3149, dated 20th December 1894, it is most desirable that an early inspection should be made of certain magazines situated in the vicinity of Madras City, the safety of which is by no means free from doubt. I am further instructed to enquire what contribution towards the allowances payable to the Inspectors of Explosives will be required of the Government of Madras.

11. His Excellency the Governor in Council concurs with the Government of India in thinking it expedient to retain a column in the licenses to manufacture, sell and possess gunpowders and certain other explosives (Forms A, B, C and D in the schedule) to show the total quantity allowed to be manufactured or to be possessed or sold during the year.

12. With reference to paragraph 10 of Mr. Hewett's letter, it appears desirable that the Government of India should issue instructions prescribing the maximum intervals at which inspections should be carried out by Inspectors of Explosives. The amount of work which will be entailed by the periodical inspection of magazines in this Presidency may be inferred from Enclosure B to this letter, which gives the particulars required by the Government of India.

13. Paragraph 11 of Mr. Hewett's letter has already been replied to in my letter, No. 194, Marine, dated 2nd July 1895, accepting the recommendations made in regard to the amendment of Rules (*c*) and (*h*) of the Port Rules published in G.O., No. 232, Marine, dated 16th June 1894. The draft amended rules have been approved by the Government of India—*vide* letter, No.1207, dated 19th August 1895—and have now been taken into consideration and finally sanctioned.

14. In reply to the concluding paragraph of Mr. Hewett's letter, I am to state that the rules under the Explosives Act have not yet been extended to a wider area than that specified in G.O., No. 2914, Judicial, dated 27th October 1886, viz., the districts of Madras, Coimbatore, Malabar and Nilgiris.

15. As to the desirability of extending the application of the rules, there is a general consensus of opinion among District Magistrates that the use of explosives is as yet not sufficiently common to warrant it. In the district of North Arcot, however, a Mining Company is working at Bisanatham, in the Kangundi zemindari, and uses in its operations a large quantity of blasting gelatine and detonators. The District Magistrate considers that the precautions which the Company already observes are practically sufficient but that, though the introduction of the Explosives Rules is not absolutely necessary, it would still be desirable to be in a position to exercise control. For this reason he recommends the application of the rules to the locality in question. The Government agrees in his views and I am therefore to enclose a draft notification for the purpose of giving effect to them.

(Signed) J. F. PRICE,
Chief Secretary.

APPENDIX A.

Draft amended (Madras) 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 of Madras, seizes, detains or removes any such explosive, he shall report the fact to the District Magistrate or the Commissioner of Police, Madras, 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 of Madras, shall destroy any such explosive without the previous sanction of the District Magistrate or the Commissioner of Police, Madras, 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 of Madras	The Commissioner of Police, Madras. All Police officers of rank not below that of Inspector, if specially deputed in that behalf by the Commissioner of Police.

APPENDIX B.

Statement showing all the Licenses under Rule 17 at present in force in this Presidency.

No.	The date of first issue of the license.	The name of the license holder.	The location of the magazine.	The description and quantity of explosives permitted to be stored therein.
1	10th May 1888 ..	Messrs. Andrew & Co., Calicut.	Ferok Fort, Malabar district.	Dynamite, 600 cases = 30,000 lb. Detonators, 1,000 boxes = 100,000. Safety fuses, 50 barrels = 15,000 coils.
2	22nd March 1889.	Messrs. Philip Thompson & Co.	Coonoor, Nilgiri district.	Dynamite, 5,000 lb. Blasting powder and compressed cartridges, 800. Detonators, 15,000.
3	1st Feb. 1890 ..	Messrs. Best & Co., Agents, Nobel's Explosives Company, Limited, Madras.	Koorookapet (Madras).	No. 1 dynamite, 200,000 lb. Blasting gelatine, 200,000 lb. Gelignite. 75,000 lb. Gelatine dynamite, 50,000 lb. Detonators, 1,500,000. Safety fuses, 120,000 coils. Electric fuses, 10,000 coils. Blasting or sporting powder, 25,000 lb.
4	8th March 1890.	Messrs. Parry & Co., Madras.	Do. do.	Dynamite, 20 tons.
5	23rd May 1890 ..	Mr. A. D. Adams, Agent of Messrs. Parry & Co., Devala.	Nambalkod Amshom, Nilgiri district.	Dynamite, 6 tons. Detonators, 100,647. Platinum wire detonators, 3,226. Fuse, 9,000 coils.
6	9th Jan. 1888 ..	Messrs. Arbuthnot & Co., Madras.	Koorookapet (Madras).	Dynamite, 30,000 lb. Gelatine, 5,000 lb. Blasting gelatine, 5,000 lb. Safety fuses, 30,000 coils. Detonators, 300,000.
7	29th April 1891 ..	Messrs. Spencer & Co., Ootacamund.	Ootacamund (Nilgiri district).	Gunpowder, 500 lb. Nitro compound, 500 lb. Cartridge and cartridge cases, 70,000. Caps, 40,000.
8	29th April 1891 ..	Messrs. Oakes & Co., Ootacamund.	Do. do.	Gunpowder, 1,000 lb. Caps, 500 boxes. Loaded cartridges, 25,000. Dynamite, 500 lb. Detonators, 500. Fuse, 1,000 coils.
9	13.6.96	Mr. Angus agent of [illegible] Expl Co	Koorookapet Madras	

ENCLOSURE C.

Draft Notification.

In exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884, the Governor in Council is pleased, with the previous sanction of the Governor-General in Council, to make the rules published at pages 16–31 of the *Fort St. George Gazette* Supplement, dated 25th May 1887, to regulate the manufacture, possession and sale of explosives, applicable to the local areas comprised within the villages of Bisanatham and Adinatham in the Kangundi zamindari, in the district of North Arcot.

G./8 300—24-7-94.

Read - also the follg paper

CURRENT No. 2579

No. 42

City Police Office.

Madras, 22nd May 1896

From
Colonel J. J. W. H. Cox
The COMMISSIONER OF POLICE,
MADRAS,

To
The Chief Secretary to Government
With the Governor
Stonehouse Hill

Sir,

With reference to G.O. dated 14th May 1895 No. 1013, Judicial, directing me to express my opinion regarding the proposed amendments of the rules under the Explosives Act I have the honor to report that

(i) & (ii) In the Case of Blasting Gunpowder I would insist upon either double packing or the use of Cases or barrels of a pattern approved by a Government Inspector of Explosives leaving to the Licensee the option of deciding which of these two methods of packing he will employ.

(iii) The foot note should be appended and the rules alluded to, published with the general rules under the Explosives Act for the information of Licensees and others concerned.

(IV) The necessity for the proposed addition to clause IX of rule is not very obvious. The rule as it stands is sufficiently explicit

(V) There would be considerable difficulty in providing a suitable place for the temporary storage of Explosives unless the Ordnance Department will consent to the Powder Magazine attached to the Old Gunpowder Factory being used for the purpose. The Ordnance Department allowed this building to be occupied by this Department while the Merchants' Magazine was under repair, and has from time to time received into it Gunpowder for which there was no room in the Merchants' Magazine. There has been no recent occasion for this.

2 —— Licenses have been issued for the importation into Madras of the following substances being Explosives falling under Rule 13 of the Importation Rules, viz:-

Dynamite
Gelignite
Blasting Gelatine
Carbonite
Stonite.

Of the two last only one consignment has been received. This was in November 1893: the quantities were 200 lb and 1800 lb respectively.

I have the honour to be
Sir
Your most obedient Servant

Col
Commissioner of Police

Judicial Department.

CURRENT NO. 2579

G.O. 1013: 14.5.95 mis S.C. [illegible]

From

The Commissioner of Police
Madras.

To

The Chief Secretary to Govt.
with the Governm
Stonehouse Hill

CHIEF SECRETARIAT
24 MAY 1895
GOVERNMENT OF MADRAS

Dated 22nd
Received 24" } May 1895.
Regd. 24"
Em: "

No. 42

Explosives Rules

Submitting his opinion as to certain points in connection with the proposed amendment of the ______

[illegible]

To await other replies.

WR
24/5/95

25-5-95

CURRENT NO. 2648.

CHEMICAL EXAMINER'S OFFICE,

No. 580

Madras, 27th May 1895.

From
Surgeon-Major J. L. Van Geyzel M.B.C.M. F.C.S.
the CHEMICAL EXAMINER,
Madras,

To

THE Chief Secretary to Government
Judicial Department
Ootacamund

SIR,

With reference to G.O. No: 1013 Judicial dated 14th May 1895, I have the honor to submit the following remarks:—

2. Clauses I and II of para 1.— As far as I know, there is no reason for exempting blasting gunpowder from the general rule as to double packing. In the event of there being practical difficulties in enforcing the rule, in the case of blasting gunpowder, it would be advisable to prescribe an approved pattern of a single packing case or barrel.

Clause

3. clause III of para 1. It seems advisabl to indicate the existence of rules relating to the search, seizure and detention of explosives which contravene regulations, and to add a footnote to rule 3 to this effect in the terms proposed.

4. Clause IV of para 1. The words "of England or this country" should be added to clause IX of rule 6.

5. clause V of para 1. I do not know whether there would be any insurmountabl difficulties in providing suitable places for temporary storage of explosives during examination of the samples. As a matter of fact, my certificates in the case of explosives, which cannot be landed until they have passed the test, are issued on the same day as the samples reach me. An occasional exception to this rule of practice occurs in the case of

Explosives manufactured by Nobel's Company which are permitted to be landed prior to my examination, by G.O. No: 2586 judicial of 24th September 1885. In these cases the certificate is sent the next day, the explosives having in the meantime been landed and stored by Messrs Best & co.

6. With reference to para 3 I have the honor to state that in my opinion it is very desirable that an officcally classified list of "authorised explosives" should be added as a foot-note to Rule 1 and that it would also 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".

I have the honor to be,

Sir

your most obedient servant

W. Vaughan M.B. C.M. F.C.S.

F.I.C

Surgeon Major

Chemical Examiner

CURRENT NO. 2648

Judicial 1895. Deptt

From

THE CHEMICAL EXAMINER,

MADRAS,

To

THE Chief Secretary to Govt.
Judicial Deptt.
Ootacamund

CHIEF SECRETARY
No. 580
29 MAY 1895
GOVERNMENT OF MADRAS

Dated 27 }
Received 29 } May 1895.
Regd. 30"

ENCLOSURE. nil

Subject.

Offering opinions with regard to certain points in connection with the proposed amendments of the Explosives Rules.

Jud/
1014/5. 14.5.95

Judicial Deptt.

Form H. A. Nicholson Esquire
Dt. Magistrate
The ~~Collector~~ of

CURRENT NO. 2791

Anantapur

To 748/94

The Chief Secretary
to Government,
Fort Saint George.

CHIEF SECRETARY
8 JUN 1895
GOVERNMENT OF MADRAS

Dated 5th }
Received 8th } June 1895.

Report No 461
Despatched 5th June 95

Subject

Reporting that it is not necessary to bring the possession and sale of high explosives in his District under regulations by extending the Explosives Act

Dt. Magistrate's
Anantapur ~~Collector~~'s Office,

Reform No. 461
Magisterial

Dated 5th June 1895.

Enclosure nil

CURRENT NO. 2791.

From H. A. Nicholson Esquire,
Dt. Magistrate
The ~~Collector~~ of
Anantapur.

To

The Chief Secretary
to Government,
Fort Saint George.

Sir,

Adverting to Government Order, No. 1015, Judicial, dated 14th May 1895, calling for report whether the use of high explosives is or is not becoming common, I have the honor to state that, during 1894, only one licence was issued in this District for a dozen seers of high explosives (dynamite) and that therefore no action need be taken, so far as this District is concerned, to bring their possession &c., under the rules of the Explosive Act.

I have the honor to be
Sir,
Your most obedient Servant
For Dt. Magistrate

200
4/6

CURRENT NO. 2797

MAGISTERIAL DEPARTMENT.

Dis

No. 463/Magl

Cuddapah District MAGISTRATE'S OFFICE,
Camp, Voyalpaud dated
6th June 1895.

FROM
J. Hewetson Esquire
THE Ag District MAGISTRATE OF
Cuddapah

TO
THE Chief Secretary to Government
Judicial Department
Fort Saint George.

SIR,

Referring to G. O No. 1015 of the 14th ultimo, I have the honor to state that I think it advisable to extend the rules under the Explosives Act to this district. The use of dynamite in deepening wells is increasing.

I have the honor to be
Sir
Your most obedient Servant

J Hewetson
Ag District Magistrate

JCR

Judicial Deptt

CURRENT NO. 2797

Magisterial Department.

FROM

THE District MAGISTRATE OF

Cuddapah

TO

THE Chief Secretary to Government
Judicial Department

CHIEF SECRETARY * GOVERNMENT OF MADRAS *
8 JUN. 1895

Dated 6
Despatched -
Received 8 } June 1895.
Regd 10

Dis No. 463/Magl

ENCLOSURES. nil

SUBJECT.

Reporting that it is advisable to extend the rules under the Explosives Act to this district –

Cur. 2791 & 2797.

To await other replies.

Mc
10/6/95

[G/9]
2,000—23-1-95.

Current No. 2810

Judicial DEPARTMENT.

From Messrs Best & Co.
Madras

No. -

Dated 8th
Received 10th } June 1895

Enclosures -

SUBJECT.

Submitting their opinion on certain points in connection with the proposed amendments to the plosives Rules.

CURRENT No. 2810

BEST & Co

From Messrs Best & Co

Madras, 8th June 1895.

CHIEF SECRETARY
10 JUN. 1895
GOVERNMENT OF MADRAS

To
The Chief Secretary
Government of Madras
Ootacamund

Sir

We have the honor to acknowledge the receipt of

1.__________ G.O. Judicial No 1013, dated May 14th, handing us a copy of a letter and enclosures received by the Government of Madras from Mr J. P. Hewett, C.I.E, Officiating Secretary to the Government of India, Home Department (public), dated 28th March 1895 No 4 public 520, and requesting to be favored as soon as possible with our opinion as to certain points in connection with the proposed amendments to the Explosives Rules.

2.__________ G.O. Judicial No 1179 dated 31st May 1895, communicating in continuation of the above G.O, particulars of a memorandum made to the Government of India by Colonel V.D. Majendie, Her Majesty's Chief Inspector of Explosives, dated 16th December, 1893, regarding the rules regulating the transport, importation, manufacture, possession, Sale, sampling, and examination of explosives in India.

In reply to G.O. Judicial No 1013, 14th May 1895, we have pleasure in submitting our opinion on the points in question, as follows:-

(1). We are of opinion that clause III of rule 2 (relating to

Transport) should be deleted, and that no exemption from the general rule as to double packing contained in clause IV be allowed in favor of blasting powder.

(ii) - We do not consider the above rule to be too stringent, blasting powder imported into this country so far as we are aware being invariably packed in stout canvas bags enclosed in wooden kegs or barrels, which method of packing we take it fully complies with the requirements of clause IV.

(iii) - We see no objection to a foot note being appended to rule 3 indicating that "rules regarding search for and detention "of explosives contravening regulations have been issued by "the Local Governments".

(iv) - Our opinion is entirely favorable to the proposal of the Government of India to add to the last words in clause IX of rule 6 the words "of England or this country".

(V) - With reference to the proposed addition (in italics) to rule 15 of the Import Rules, we are entirely in accord with same, we finding no difficulty in providing suitable accommodation for the temporary storage of explosives of which samples have been taken for examination.

In conclusion we would take this opportunity of drawing the attention of Government to the serious delay that oftimes occurs during the landing of large shipments of dynamite, blasting Gelatine, and Gelignite, through the fact that only one boat is allowed to unload at a time, and we would suggest some modification be made to the Port Rules allowing, with due precautions two or more boats to unload at once, as the more expeditionsly the explosives are unloaded and removed to a place of safety, the better.

We have the honor to be,
Sir,
Your Most Obedient Servants,

Best & Co

[G/9]
2,000—23-1-95.

Current No. 2834

Judicial DEPARTMENT.

From Messrs Parry & Co.
Madras.

No. -

Dated 8th }
Received 11th } June 1895
Regd. 12th }
Enclosures "

SUBJECT.

Submitting their opinion on certain points in connection with the proposed amendment [of] the Explosives Rules.

13½

PARRY & Co., MADRAS.
London House:
70, racechurch Street, E. C.

Madras 8th June 1895

From Messrs Parry & Co

CURRENT No 3834

12

CHIEF SECRETARY
11 JUN 1895
GOVERNMENT OF MADRAS

To

The Chief Secretary
to the Government of Madras,
Madras.

Sir,

We have the honor to acknowledge receipt of Government Orders No 1013 of 14th May 1895, and No 1179 of 31st idem, with their respective enclosures, referring to certain points in connection with the proposed amendment of the Explosives rules, and in reply thereto, we beg to state as under,-

I & II. As we do not import Blasting Powder, we regret we cannot offer an opinion.

III. In our opinion there is no objection to the suggestion that a foot-note should be appended to rule 3 indicating that "rules regarding search for, & detention of Explosives contravening regulations, have been issued by the Local Governments".

IV. We would approve of 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. With reference to the proposed addition (in italics) to rule 15 of the Import Rules, we beg to say that we have our own licensed magazine in

he honor to be
Sir,
Your most obedient Servant

14.6.95
Ag Dt magistr

in which Explosives awaiting examination may be temporarily stored. We wish to point out, however, that apparently the addition contemplates only such Explosives as, under rule 8 (Importation), may be landed previous to examination, and we would submit that where the consignees are the possessors of a licensed magazine suitable for the reception and storage of Explosives pending examination, permission to land previous to examination may be conceded even in the case of Explosives other than those of British manufacture, provided always that the consignees do give to the Chief Customs Officer of the Port such undertaking, with security if required, 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.

We have the honor to be,
Sir,
Your most obedient servants,
Parry & Co

Sir.
Your most obedient Servant
14.6.95
Ag Dr [illegible]

at Arcot

CURRENT NO. 2923

Dis No. 453/Mag of 95

ENCLOSURES

Kurnool Magistrate's Office,

DATED KURNOOL 12th June 1895.

FROM

A. C. Tate Esq

Ag DISTRICT MAGISTRATE OF
KURNOOL,

TO

THE Chief Secretary to Government
Judicial Depart
Madras.

SIR,

With reference to G. O. No 1015 dated 14. 5. 95, I have the honor to state that the use of Dynamite and other high explosives is not common in this District and that it is consequently not necessary to extend the application of the rules under the Explosives Act to this District.

I have the honor to be
Sir
Your most obedient Servant

A C Tate
14. 6. 95
Ag Dt Magte

Urgent

1895
Judicial Deptt
Correspondence Department,

CURRENT NO. 2925

FROM A. C. Tate Esq

Ag DISTRICT MAGISTRATE OF
KURNOOL.

TO

THE Chief Secy to Govt.
Judicial Deptt.
Madras

DATED 12 } June 1895
RECEIVED

Despd 15
Recd 18.

Dis No. 453 of 95

CHIEF SECRETARY
13. JUN. 1895
GOVERNMENT OF MADRAS

Mag

ENCLOSURES nil

SUBJECT.

Stating with reference to G.O No. 1015/14.5.95 that as no high explosives such as Dynamite are common in ~~the Dt~~ Kurnool, the rules under the Explosives Act need not be extended to the Dt.

K. C. O.—Rg. No. 158—8-8-94—Copies 500.

SOUTH ARCOT.

South Arcot
DISTRICT MAGISTRATE'S OFFICE,
Cuddalore.
21st June 1895

NO.

CURRENT NO. 3027

FROM

A E Castlestuart Stuart Esqre

Ag DISTRICT MAGISTRATE OF SOUTH ARCOT.

TO

THE CHIEF SECRETARY,
TO GOVERNMENT
Judicial DEPARTMENT.
MADRAS.

SIR,

I have the honour to acknowledge the receipt of Government order No 1015 Judicial dated 14-5-95 and to report that the use of dynamite and other high Explosives is reported to be uncommon in this District and that it is therefore unnecessary to extend the rules under the Explosives act to this District

I have the honour to be
Sir
Your most obedient Servant
Krishnarao
For Ag District Magistrate

CURRENT NO. 3027

1895

Judicial Department.

From

The District Magistrate of

South Arcot.

To

The Chief Secretary

to Government

Madras.

Dated 21 }
Despatched 22 } June 1895.
Received 24" }

Rgd. 25th

CHIEF SECRETARY
24 JUN 1895
GOVERNMENT OF MADRAS

No 142 [illegible]

Enclosure nil

Subject.

Reporting that the use of dynamite and other high Explosives is reported to be uncommon in this District and that it is therefore unnecessary to extend the rules under the Explosives act to this District

F. NR

1.—F. No. 105—91.

Jud/ Judicial Dept

CURRENT NO. 3125

1895.

From,

The ~~Dt. Collector~~ Magistrate of

South Canara.

To,

The Chief Secretary to Government,

Judicial Department,

Fort St. George.

Dated 26th June 1895.

Received 1 JUL 1895

CHIEF SECRETARY GOVERNMENT MADRAS

Rgd 2.7.95

Despatch No. 205/Magl of 1895

ENCLOSURES Three only

Subject.

Explosives Act. Recommending the extension of the application of the Rules under the —— to South Canara District.

NR

F. file.
2/7

In the Court of the General Duty Deputy Magistrate of South Canara.

Monday the 12th day of November 1894.

Present: Dewan Bahadur A Pinto.

Cal: Case No. $\frac{68}{1890}$.

1. Charge. Possession of dynamite &c without license Section 19 Clause f of Act XI of 1878.

2. Name. Hammade Beary

3. ~~Finding.~~ Not proved

4. Order. Discharged under Section 253 C.P.C.

Judgment.

The case is that accused at Charmady was found in possession of dynamite and percussion caps in contravention of the provisions of Section 19 f of the Indian Arms Act

tion Witness is a Police Constable

Act

Constable. He states that he found Accused coming down by the road from Charmady to Beltangadi; and that he had a cloth knot with him which when examined was found to contain 13 Cartridges of dynamite and 20 percussion caps.

3. He swears that Accused is the man so found and states that he had a burn mark on his left ribs. Accused has this mark.

4. Under date the 30th May 1894 and before the apprehension of the present Accused this witness gave certain description of the offender by which he could be identified. He did not then say a word about the burn mark.

5. In that description, witness said that the offender was of 25 years of age. This would naturally mean that he was of that age when found in possession of the ammunition which was on 15th July 1890. At that rate his age at the present moment would be about 30 years; in place of which the present Accused appears to be about 20 years old. This belies the identification of Accused by this witness.

6. In the said description Witness stated that the offender was 5' 6" high. When measured this day the present Accused was found to be 5' 11" high. This shows that the present Accused cannot be the man found in possession of the ammunition.

7. That description further stated that the offender could not walk properly: the description would mean that he was semilame in the legs. The present Accused is not so.

8. 2nd witness also states that the present Accused is the man found in possession of the ammunition. I cannot for similar reasons believe this witness also.

9. The prosecution dispenses with the 3rd witness. I therefore examined him as Court witness. He states that he never saw Accused and knows

nothing personally of the case.

10. Accused denies having ever been found in possession of ammunition.

11. I am not satisfied that Accused is the man found in possession of the dynamite and percussion caps. He is therefore discharged under Section 253 of the Criminal Procedure Code.

Puttar }
12. 11. 94 }

(Signed) A Pinto
Dy Magistrate

(True Copy)

For District Magistrate

27/6/95

Enclosure

In a letter from the District Magistrate of South Canara, to the Chief Secretary to Government, Judicial Department, Madras dated 26th June 1895 Disposal No $\frac{205}{\text{Magl.}}$ of 1895

Copy of Judgment in Cal. case No. $\frac{68}{1890}$ on the file of the General Duty Dy Magistrate, South Canara

5
Jud'l Dept.
Enclos. 1
To
3125

In the Court of the General Duty Deputy Magistrate of South Canara dated 30th April 1895.

Present. Dewan Bahadur A Pinto

Cal. Case No $\frac{\text{th}}{95}$

1. Charge. Possession of 6 dynamite cartridges, 12 caps and 3 fuses without license Section 19 Clause f of the Indian Arms Act $\frac{}{\text{XI}}$ of 1878.

2. Name. Hammade Beary

3. Finding. Not guilty

4. Order. Acquitted under Section 258 C. P. C.

6 Dynamite Cartridges, 12 caps and 3 bits of fuze were found in a box on accused's head on his way from Coorg to his Village in this District at a bridge between Sampajeh and Sulliah. He had no license to possess the same.

2. 3 Witnesses depose to this fact but they admit that the accused denied

ownership of the articles in question and said that he merely carried one Meyneh Beari's box on his head for hire. The witnesses further state that Meyneh admitted ownership of the articles.

3. Accused pleads not guilty. He at first called a witness but subsequently dispensed with him.

4. I do not think that the accused is responsible for the contents of a locked up box which he carried as a cooly. I acquit him under Section 258 of the Criminal Procedure Code and set him at liberty

Mangalore }
30. 4. '95 }

(Signed) A Pinto
Dy Magestrate

(True Copy)

For District Magistrate

Ch
27/6

Enclosure

In a letter from the District Magistrate of South Canara, to the Chief Secretary to Government, Judicial Department, Madras, dated 26th June 1895, Dis. No 205/Magl. of 1895

Copy of Judgment in Cal. Case No 14/95 on the file of the General Duty Dy Magistrate, South Canara

1895
Jul Dept.
Encloz. No 2
To
O. No. 3125

In the Court of the General Duty Deputy Magistrate of South Canara.

Wednesday the 1st day of May 1895.

Present: Dewan Bahadur A Pinto.

Cal. Case No 17/1895.

1. Charge. Possession of six dynamite cartridges, twelve caps and three fuses without license Section 19 Clause (f) of the Indian Arms Act xi of 1878.

2. Name. Maine Beary.

3 Finding Guilty

4. Sentence. To pay a fine of Rs 3-0-0 or in default to suffer one week's simple imprisonment.

Judgment.

The charge is that Accused had

in

Act

in his possession without license 6 dynamite cartridges, 12 caps and 3 fuses on the 18th February 1895.

2. Accused admits having possessed them but says that he did not know that he should have taken out a license.

3. His conduct in readily opening the box with his key and laying the contents open to inspection is in keeping with the alleged ignorance and I have no doubt that he did not wilfully contravene the law.

4. The law, however, must be asserted. I convict the accused under Section 19 f of the Act and sentence him to pay a fine of Rs 3 or in default of payment to suffer simple imprisonment for 1 week.

5. The subject of this offence will be confiscated..

1. 5. 95.

(Signed) A Pinto
Dy Magistrate

(True Copy)

For District Magistrate

Cu
27/6/95

Enclosure

In a letter from the Dt. Magistrate of South Canara, to the Chief Secretary to Government, Judicial Department, Madras, dated 26th June 1895, Disposal No $\frac{205}{\text{magl}}$ of 1895.

Copy of Judgment in Cal. Case No $\frac{17}{1895}$ on the file of the General Duty Dy Magistrate, South Canara.

1895
Judl. Dept.
Enclos. No 3
To
C. No 3125.

Z.—P. No. 151—91.

Disposal No $\frac{204}{\text{Magl.}}$ of 1895.

South Canara District Magistrate's Office,
Mangalore.
26th June 1895.

From,
W. H. Welsh Esquire,
District Magistrate of
South Canara.

To
The CHIEF SECRETARY to GOVERNMENT,
Judicial Department,
Fort St. George.

Sir,

With reference to endorsement dated 14th May, No 1015, Judicial, on G. O. No 1014, Judicial, of the same date, I have the honor to report that I recommend the extension of the Explosives Act to this District, as I am informed that no difficulty is found in working it in those districts where it is in force. Notification II published in G. O. 1468 dated 8th July 1887 would suit.

2. It is a pity that the illicit possession of dynamite is not cognizable by the police.

3. I enclose copies of the judgments of three trials under the Arms Act that have occurred in the past twelve months. The use of dynamite for destroying fish is

common, but the offenders are said to be very cunning in evading capture. Coolies returning from Mysore and Coorg are said to bring dynamite cartridges and detonators which were issued for Estate work but not utilized. They are fairly skilled in the use of this Explosive and instruct their friends.

I have the honor to be,
Sir,
Your most obedt. Servant
District Magistrate
W

CURRENT NO. 3212.

3

500-17-8-94.

Salem Collector's Office,
Camp Hosur 2nd. July 1895.

No. 1045/M. Despatched 6th July 1895

From
G. Stokes Esquire
Collr. & Dist. Magte. of Salem.

To
The Chief Secretary to Government,
Judicial Department,
Madras.

Sir,

With reference to G.O. dated 14th. May 1895 Nos. 1014 & 1015, I have the honor to state that demand for dynamite and other Explosives is no doubt increasing in this District and that if coal is got near Jolarpet the rules must be extended.

2. At present operations are being conducted for obtaining coal by Messrs Arbuthnot & Co., but no coal-field has as yet been found.

3. I have the honor therefore to report that there is no necessity to extend at present the rules under the Explosives Act

CURRENT NO. 3212

Judicial Department.

From the Collector

and District Magistrate,

Salem.

To

The Chief Secretary
to Government
Judicial Department
Ootacamund.

Dated 2nd July 1895

Despatched 4th July 1885
Recd 5th do
Regd 6th do **No.** 1045 M.

CHIEF SECRETARIAT JUL 189 GOVERNMENT OF MADRAS

Enclosure. nil

Subject.

Reporting that there is no necessity to extend at present the rules under the explosives Act.

I have the honor to be

Sir

Your most obedient Servant

District Magistrate

Copied by [illegible] 3-7-95.

Special & Miscellaneous

14 abstract

No. 1207 M.W.

Ootacamund. 6th July 1895.

CURRENT NO. 3237

From

The Lieutenant-General COMMANDING the FORCES, Madras.

To

The Chief secretary to the Government of Madras

CHIEF SECRETARIAT 6 JUL 1895 GOVERNMENT OF MADRAS

1st Reminder on G.O. 1013 14.5.95

Sir,

With reference to your memorandum of the 3rd Instant, I have the honor to inform you that G.O. No: 1013 of 14th May 1895, was forwarded on the 24th Idem to the Inspector General of Ordnance for remarks, and in reply to a reminder that Officer now states that the correspondence has been sent to the Rangoon Arsenal for report.

2. On receipt of the required report, an early reply will be sent to your communication quoted above.

ENCLOSURES.

I have the honor to be

Sir

...r obedient Servant

Elphinstone Begbie ...ral

Commanding the Forces

Madra

CURRENT NO. 3237

Judicial department.

G.O. 1013 : 14-5-94 Jc.

Abstract

From, The Lt. Genl Comdg
the Forces, Madras.

No. 1207 M.W.

Dated 6th }
Recd 6th } July 1895
Regd 8th }
Encl: "

Subject

Stating that a reply to G.O. No. 1013 of 14th May 1895 will be sent on receipt of a ~~certain~~ report from the I.G. of Ordnance to whom the G.O. was forwarded on the 24th May last for remarks.

Lodged.

D
9-7-95

No more reminders in this

CURRENT NO. 3238

Judicial Department.

FROM

The District Magistrate of
TANJORE.

To

The Chief Secretary
to Government,
Judicial Department,
MADRAS.

CHIEF SECRETARIAT GOVERNMENT OF MADRAS
7 JUL 1895

Dated 2nd }
Despatched } July 1895.
Received 7th }
Regd 8th

No. 591/Magl

ENCLOSURE. Nil

DESPATCHED
5 JUL. 95

Subject.

Reporting that it is unnecessary to extend the provisions of the Explosives Act so as to cover the possession and sale of high explosives.

MR
9/8

No more reminders in this

CURRENT NO. 3238

Tanjore, District Magistrate's Office.

No. 591/magl

Camp, Kumbakonam, 2nd July 1895.

From

Robert B. Clegg Esquire,
Acting District Magistrate,
TANJORE.

To

The chief Secretary to Government,
Judicial Department,
MADRAS.

Sir,

In reply to Government endorsement dated 14th May 1895. No. 1015, Judicial, I have the honour to report that the use of dynamite and other high explosives is not common in this District and do not consider it necessary to bring their possession and sale under regulation by extending the application of the rules under the Explosives Act.

2 The Superintendent of Police states that it would be well to extend the rules under the Explosives Act to this District, but he has assigned no reason for his opinion.

I have the honour to be,

Sir

Your most obedient servant,

For Ag. District Magistrate

8/7/95

No more reminders in this

CURRENT NO. 3240. 95

No 768/mag

Nellore Collector's Office,

Dated 2nd July 1895.

From ~~C. D. Macleane, Esq.,~~ K. C. Manavedan Raja Esq

Collector and District Magistrate

of Nellore.

To the Chief Secretary to Government.

Sir,

With reference to Endorsement dated 14 May 1895 No 1015, I have the honor to report as follows.

The working of Mica mines is being developed in the Rapur and Gudur Taluqs of the Head Assistant and Magistrates Division. Applications are being received for prospecting and Mining for Mica and there is every likelihood of the Enterprise being more fully developed.

2. In the interests of public Safety, I think it necessary to Extend the rules under the Explosive Act to that Division

I have the honor to be

Sir

Your most obedient servant

District Mag—

Judicial Depts

From the District Magistrate.

CURRENT NO. 3240.

of Nellore

To The Chief Secretary
to Government

CHIEF SECRETARY
7 JUL 1895
GOVERNMENT OF MADRAS

Dated 2nd July 1895
Recd 7th do
Regd 8th do
No. 768
Enc. "

Subject.

Requesting that the rules under the Explosive Act may be extended to the H.Q. Asst's Division

P.
MR
8/7/95

Jnd

Judicial Depts

CURRENT NO. 3275.

FROM

Dt.
THE MAGISTRATE OF
Chingleput,

To
Chief
THE SECY. TO GOVERNMENT,
Judicial DEPARTMENT,
Madras.

Dated 8th
Despatched 8th July 1895.
Received 9th
Regd 10th.

Dis No. 387/Magl

ENCLOSURE. nil

SUBJECT.

CHIEF SECRETARY
9 JUL 1895
GOVERNMENT OF MADRAS

Reporting that the use of dynamite and other high explosives is not common in the district and the extension of the rules under the act is not therefore necessary

R.
MR
10/7

CURRENT NO. 3275 | 1d

Dis No. 387/Magl

Chingleput Dt. Magistrate's Office,
Station, Saidapet,
8th July 1895.

From

C. H. Mounsey Esquire

Ag: District Magistrate of Chingleput,

To

The Chief Secretary to Government,
Judicial Department,
Madras.

Sir,

In reply to G. O., No. 1015 Judicial, dated 14th May 1895 as to the necessity of extending the rules under the "Explosives act 1884" to this district, I have the honour to report after consulting the Divisional officers, that the use of dynamite and other high explosives is not is common in this district and that it is not therefore necessary to bring their possession and sale under regulations by extending the rules under the act to this district.

I have the honour to be
Sir,
Your most obedient Servant
C.W. Mornsey
Ag: District Magistrate

Ar
8/7

[G/9]
2,000—2-4-35.

Abstract

Lodged at No 3237/95
G.O. 1179: 31.5.95 Ms
G.O. 1013. 14.5.95 Ge

Current No. 3297
Judicial DEPARTMENT.

Disposal in at No 3237/95

From The Lt. Genl. Comdg the Forces, Madras.

No. 1229 M.W.

Dated 10th
Received 10th } July 1895
Regd 11th
Enclosures "

SUBJECT.

Forwarding with reference to G.O. Nos $\frac{1013}{14.5.95}$ & $\frac{1179}{31.5.95}$, letter from the D.G. of Ordnance dated 6-7-95, No. C/5646 suggesting that Rule IV (a) may be altered.

P.S.
MR 12/7

17½

P. No. 61—A.

ORDNANCE DEPARTMENT.

No. O/5646

178

From
THE INSPECTOR GENERAL OF ORDNANCE,
MADRAS COMMAND.

To
The Deputy Adjutant General
Madras Command
Ootacamund

Fort. St. George, 6 July 1895.

Your No. M.W./947 dated 24th May 1895 and M.W./1013 dated 1st June 1895.

In returning the enclosures received with the above I have the honor to offer the following remarks.

Rule IV (a) gives the maximum weight of gunpowder in a barrel at 100 lbs. There are certain natures of gunpowder, which are packed 110 lbs and 125 lbs in a barrel. I would suggest that the Rule may be altered accordingly.

J Walker Colonel R.A.
Inspector General of Ordnance
Madras Command

QR. MR. GENERAL'S OFFICE.
RECEIVED 8 JUL 95
Dy. No. 1233 M.W.

44/8.7.95

No: 1229 M.W

D. A. G's Office
10th July 1895

CURRENT NO. 3297

Chief Secretary
to the Government of Madras.

CHIEF SECRETARY
10 JUL 1895
GOVERNMENT OF MADRAS

Forwarded for information with reference to orders of Govt 14th & 30th May last. I regret the delay, but the file has only just been returned by the S.G.O. of the command.

Chas. M. Clarke Lt-Genl
Comg the Forces. Madras

10 July 1895

× Nos 1013 + 1179.

[G/9]
2,000—2-4-95.

Current No. 3307

Judicial DEPARTMENT.

From Messrs Arbuthnot & Co
Agents Rhenish Dynamite Co
Madras.

No. –

Dated 9th
Received at Madras 10th
Regd 12th } July 1895
Enclosures 4

SUBJECT.

Forwarding their opinion re proposed amendments of the rules under the Explosives Act.

From Messrs Arbuthnot & Co

CURRENT No. 3307

ARBUTHNOT & CO.,
MADRAS.

LONDON HOUSE,
P. MACFADYEN & CO.,
WINCHESTER HOUS.
OLD BROAD STREET, E.C.

Madras, 9th July 1895

150

The Chief Secretary to the
Government of Madras
Madras

Sir,

With reference to judicial proceedings No. 1013 dated 14th May 1895 re proposed amendments of the rules under the explosive act, we have the honor to report as follows viz.

Para 1. (i) We are of opinion that clause III of rule 2 (relating to transport) should be deleted, and no exception from the general rule as to double packing, contained in Clause IV, be allowed in favor of blasting powder. Our experience however is that blasting powder is always packed in double packing viz. a stout canvas bag and a strong wooden barrel.

(ii) The foregoing remarks reply to this clause also.

(iii) We see no objection to the proposed foo
note being added to rule 3.

(iv) Nor do we see any objection to the Gover-
-ment of India's proposal to add, to the la
words in clause IX of rule 6, the word
"of England or this country."

Paras. 2 3 4 & 5. No doubt the officials referred to in thes
paras. will supply the information asked
for.

We have the honor to be,
Sir,
Your most obedient Servants

Agents Rhenish Dynamite Co.

CURRENT NO. 3308

BELLARY DT. MAGISTRATE'S OFFICE,

No. 164

Dated 9th July 1895.

FROM

H. Tremenheere Esquire

DISTRICT MAGISTRATE OF

BELLARY.

To

THE Chief secretary to Government
Judicial Department
Madras

SIR,

With reference to G.O no 1015 Judicial dated 14th May 1895, I have the honor to inform Government that the use of Dynamite and other high explosives is not becoming common in this district.

2. I nevertheless think that the present occasional use of such explosives should be brought under the rules printed in G.O no 1468 dated 8th July 1887. The explosion of 50 lbs of dynamite in the heart of the town of Bellary might be a serious matter and the rules alone ensure proper precautions.

I have the honor to be
Sir
Your most obedt Servt
C G Dunkott
For Dt Magte

G

Judicial Deptt.

CURRENT NO. 3308

MAGISTERIAL DEPARTMENT.

FROM

THE DISTRICT MAGISTRATE OF
BELLARY.

To

THE Chief Secretary to Govt.
Judicial Department
Madras

Md. Dely No. 164
9-7-95

Dated 9th July 1895.
Despatched
Received

CHIEF SECRETARY
11 JUL 1895
GOVERNMENT OF MADRAS

Regd 12.7.95.

Enclosures.

Abstract.

Reporting that use of Dynamite and other high explosives is not becoming common in this District.

12/7

Judicial Deptt.

CURRENT NO. 3309

From

The District Magistrate,
[illegible]

CHIEF SECRETARY
11 JUL 1895
GOVERNMENT OF MADRAS

To

The Chief Secretary
to Government of Madras
Judicial Department

Dated 4th July 1895

Despd 6th do
Recd 10th do
Regd 12th do

Disposal No. 476/Magl of 1895

Enclosures (nil)

Subject

Reporting that the rules under the Explosives Act need not be extended to this District.

12/7

Dis No 476/Magl of 1895 Kistna District Magistrate's Office
Dated Masulipatam, 4th July 189

CURRENT NO. 3309

From

J. N. Atkinson Esquire,
District Magistrate, Kistna

To

The Chief Secretary
to Government, Judicial
Department.

Sir,

In reply to endorsement dated 14th May 1895 No 1015 Judicial, I have the honor to state that there is no need to extend the rules under the Explosives Act to this District. No dynamite or other high explosives are used in this District, except in the Bezwada quarries, which have been worked for many years without the necessity for introduction of the Rules being felt.

I have the honor to be,
Sir,
Your most obedient Servant,

J. N. Atkinson
5/7
District Magistrate

C.H.
5.7.95

Cu
5/7

MADURA DISTRICT MAGISTRATE'S OFFICE,

Disposal No. 571/GENL. of 1895

10th July 1895

CURRENT NO. 3329

From

J. Twigg Esquire,
ag District Magistrate
Madura.

To

The Chief Secretary to Government
Judicial Department
Ootacamund.

Reference:—

Sir,

With reference to Government order No 1015, dated 14th May 1895, Judicial, I have the honor to state that the use of dynamite and other high explosives is not so common here as to call for extension of the rules under the explosives Act to this District.

I have the honor to be
Sir,
Your most obedient servant,
J. Twigg.
ag District Magistrate

Copied by
Examined by

Judicial Deptt.

CURRENT NO. 3329

From

The District Magte.

Madura.

To

The Chief Secretary to
Government
Judicial Department
With the Governor
Stone House Hill.

Dated 10th } July 1895.
Received 12th }

Disposal No. 571/Genl. of 1895

1895

Enclosures. nil

SUBJECT.

Stating that the use of dynamite and other high explosives is not so common in this district as to call for extension of the rules under the Explosives Act.

CURRENT NO. 3334

Tinnevelly District Magistrate's Office

Dated 10th July 1895.

From

A. W. B. Higgens Esquire,
District Magistrate of
Tinnevelly,

To

The Chief Secretary to
Government,
Judicial Department,
Fort Saint George

Sir,

In reply to Government Order dated the 14th May 1895, No. 1015, Judicial, I have the honor to state that the use of dynamite and other high explosives is not so common in this district as to make it advisable to bring their possession and sale under regulation by extending the application of the rules under the Explosives Act. In few cases dynamite has been used for blasting purposes, but its use is very limited.

I have the honor to be,
Sir,
Your most obedient servant,

Judicial Deptt

Urgent

Tinnevelly Dt Magistrate's office

CURRENT NO. 3334

From

The Dt Magistrate
Tinnevelly

To

The Chief Secretary
to Government
Judicial Deptt
Fort St George

Dated 10th July 1895

12 JUL 1895

Recd — No 1038 of 95

Encl: —

Submitting that the use of dynamite and other high explosives is not so common in this District as to make it advisable to bring their possession & sale under regulation.

11/7/95

G O 2

CURRENT NO. 3395

2ND JULY 1895, NO. 193, MARINE.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following papers :—

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

Read—the following letter 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.

* * * * *

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 beginning of rule (*i*)."

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Marine Department.

2 A

No. 1114.

Referred to the Chairman, Harbour Trust Board, for remarks with advertance to paragraph 4 of the order.

(By Order.)

OOTACAMUND,
23rd May 1895.

(Signed) C. G. TODHUNTER,
Ag. Assistant Secretary.

2 b

From W. J. H. LE FANU, Esq., I.C.S., Chairman, Harbour Trust Board, Madras, to the Chief Secretary to Government, dated 31st May 1895, No. 900.

I have the honour to acknowledge the receipt of G.O., Judicial, No. 1013, dated May 14th——current No. 367, Marine Department, herewith returned——forwarded under endorsement No. 1114, dated 23rd idem, for remarks with reference to paragraph 4.

2. It is noted that, in the opinion of the Chief Inspector of Explosives, dynamite, when made up into charges for blasting, falls under class 6, the ammunition class, and he suggests that an addition to rule (*c*) should be made compelling vessels carrying "division 2—ammunition class" to anchor one mile north of the harbour as provided in that rule.

3. When these rules were framed the Trustees of this Harbour objected to gunpowder being landed or shipped inside the harbour, and to dynamite and allied explosives entering it at all.

4. The objection to dynamite still continues; but, consequent upon a correspondence with the Right Honourable the Secretary of State, regarding the exclusion from the harbour of the S.S. "Rewa" in December 1891, the objection to gunpowder has been withdrawn.

5. It is now customary to permit gunpowder to be landed and shipped inside the harbour under the provisions of rules (*j*) and (*k*), though doing so is in direct opposition to rule (*c*), which precludes this being done inside the harbour.

6. Under these circumstances, and, as the proposed alteration in the rules would still exclude gunpowder from being landed or shipped inside the harbour under rule (*c*), while allowable under (*j*) and (*k*), I submit a revised draft of rule (*c*), intended to bring that rule into harmony with the existing practice. This rule, as amended, now provides that any explosives, other than classes 2, 3, 4, 5 and Division I of class 7, or class 6 charged with or containing explosives of classes 2, 3, 4 or 5 may be landed and shipped inside the harbour. In other words, gunpowder, the properties of which are perfectly well known, ammunition of all kinds, unless charged with or containing explosives of classes 2, 3, 4 or 5 and manufactured fireworks may be admitted to and landed or shipped inside the harbour. All other classes of explosives are excluded.

7. To bring rule (*h*) into harmony with (*c*) a slight alteration, as noted in italics, has been made, which has also the advantage of simplifying the rule.

8. With regard to rule (*i*), the trustees are of opinion that the whole of "class 6—ammunition class" may be excluded from the operation of this rule; as, although dynamite in charges for blasting is ruled as coming under that class, this does not necessitate smoking being prohibited and all fires extinguished on board on that account. Rule (*i*) might therefore remain unaltered.

9. The trustees would take this opportunity of requesting that rule (*g*) may be modified. When a large quantity of dynamite is being landed, between the old and new stone revetments, serious delay occurs if only one boat is permitted to approach the beach at a time: two boats are now therefore allowed to beach simultaneously, and as, when once the cases come to the shore, the more expeditiously they are removed the better, permission might be granted for the two, which are allowed to beach together, also to unload at the same time.

——

ENCLOSURE.

EXTRACT of Proceedings of the Trustees of the Harbour of Madras, at a Meeting held at the offices of the Board on Friday, the 31st day of May 1895.

* * * * *

5. Read endorsement No. 1114, dated 23rd May 1895, from the Chief Secretary to Government, forwarding G.O., No. 1013, Judicial, dated 14th idem, for remarks, with reference to paragraph 4, regarding suggested alterations in the rules for the landing and shipment of explosives at the port of Madras.

Read draft reply.
Approved.

* * * * *

(True Extract.)

(Signed) C. PINSENT,
Secretary, Harbour Trust Board.

ORDER—dated 2nd July 1895, No. 193, Marine.

The following notification will be published in the *Fort St. George Gazette* :—

NOTIFICATION.

In accordance with section 18 (1) and (3) of Act IV of 1884, the Indian Explosives Act, the following proposed amendments in the rules to regulate the transport and importation of explosives in the port of Madras, which were promulgated for guidance with the *Fort St. George Gazette* of the 26th June 1894, are published for the information of persons likely to be affected thereby, and notice is hereby given that these amendments will be taken into consideration at or after the fifteenth day of August 1895.

For Rules (*c*), (*g*) and (*h*) substitute the following :—

Rule (*c*).—Every vessel entering the port of Madras, having on board explosives of Classes 2, 3, 4 or 5, or Division 1 of Class 7 (as defined under the rules made by the Governor-General in Council under section 5 of the Indian Explosives Act, 1884), or having on board explosives of "Class 6—ammunition class" charged with or containing explosives of Classes 2, 3, 4 or 5 in excess of 100 lb. in weight, shall, on arrival at the port, proceed to a distance of not less than one mile north of the North Arm, and half-a-mile off-shore outside the harbour, and shall not be permitted to enter the harbour until all such explosives have been discharged; after which, provided the requirements of Rule (*e*) as regards the security of explosives remaining on board have been met, the vessel may be permitted to enter the harbour, and to discharge or ship therein other explosives not being of Classes 2, 3, 4 or 5, or ammunition containing or charged with explosives of Classes 2, 3, 4 and 5, or fireworks composition Class 7, Division 1. Whilst any explosives shall remain on board, such vessel shall have a red flag kept flying at the foremast head between sunrise and sunset and one red light at the ensign staff or peak in addition to the usual anchor light between sunset and sunrise, and the Master or Chief Officer shall remain on board of her until the explosives intended for the port of Madras shall have been discharged.

Rule (*g*).—All barges, lighters and boats having any explosives on board shall remain off-shore until orders are received from the officer directing the landing to approach the beach. Not more than two such barges, lighters or boats shall be permitted to unload at a time, and such unloading shall take place either between the old and new stone revetments protecting the foreshore beyond Royapuram and Casimode or at the north end of the new revetment according to the state of wind and current.

Rule (*h*).—With the sanction of the Chairman of the Harbour Trust Board, which will be accorded only on production of the required special permit from the Collector of Sea Customs, explosives not prohibited under Rule (*c*) if properly packed as required by Rule 2 of the rules issued by the Governor-General in Council under section 5 of the Indian Explosives Act, 1884, may be shipped on board, or landed from, a vessel lying at the ordinary moorings within the harbour. Shipment of any such explosives shall be effected under the precautions and conditions mentioned and contained in these rules, and such explosives must be taken on board the vessel for which they are intended immediately after the boat by which such explosives are taken off to such vessel has come alongside the same, and no cargo boat or other vessel having fire on board shall be allowed to lie near such vessel during the time that any explosives are being shipped on board the same.

[Here enter letter, dated 2nd July 1895, No. 194, Marine.]

(True Extract.)

C G Todhunter
for *Chief Secretary.*
12. vii. 95.

To the Presidency Port Officer.
" the Chairman, Harbour Trust Board.
" " Chamber of Commerce.
" " Madras Trades Association.
" the Judicial Department.
" Messrs. Arbuthnot and Co.
" " Binny and Co.
" " Parry and Co.
" " Best and Co.
Gazette.

Exd. A. Raitt.

Judicial Dept

CURRENT No. 3395.

Govt. of {1895} Madras.

MARINE.

Issued

Recd. 16-7-95 Encl. 4

G.O., 2nd July 1895, No. 193.

JULY.

Abstract

[illegible]

Indian Explosives Act.

Directing the publication in the *Fort St. George Gazette* of a notification relating to certain amendments in the rules to regulate the transport and importation of explosives in the port of Madras; and forwarding to the Government of India, for sanction, a draft of the amendments.

208

Calicut 8th July 1895.

To

The Collector of
Malabar

Sir,

Proposed amendment of the Rules under the Explosives Act.

As requested we would beg to state our views with reference to points submitted as follow:—

(I) In our opinion Clause III of rule 2 might very well be deleted and blasting gunpowder brought under clause IV with reference to Transport.

This removes the gunny from the outside to the inside of the package, and this in view of possible rough handling during carriage seems desirable in a country like this.

(II) We are in some doubt if the case or barrel might not get warped or cracked in some parts of India with the excessive heat of the Sun and therefore think it would be advisable to have the gunpowder packed in a substantial bag, placed inside, as

5
Jud
1
3417.

CURRENT NO. 3417

1171
Magl

Malabar District Magistrate's offi
Calicut. 15th. July 1895.

1188

From,

H. Moberly Esq.
~~the~~ Ag. District Magistrate
Malabar.

To.

The Chief Secretary
to Government, Judicial Departmen
Ootacamund

Sir,

I have the honor to reply to G.O. dated 14th May 1895, No 1013 Judicial.

2 I asked Mr. D'Rose of Messrs Andrew & Co. who are the local agents for Messrs Nobels, and who have a dynamit magazine at Ferokh to look through the papers, and to let me have his opinion as to the proposed amendments. I enclose a copy of his reply.

3. I will now give my opinion seriatim on the 5 points mentioned in para 1 of the G.O. under reply.

i. Clause III of rule 2 (relating to transport) should be deleted, and no exemption from the general rule as to double packin be allowed in favour of blasting gunpowder.

Reasons — If a barrel covered with gunny or wax cloth and containing blasting gunpowder is knocked against anything sharp both the gunny and the barrel might be cut and the gunpowder escape. The chance of gunpowder escaping would be minimised if the gunpowder were placed in a bag, canister or other closed receptacle, and that in its turn placed inside a strong box or barrel.

II. I do not think that the rule is too stringent. In this country wood, however well seasoned is liable to warp or crack. Hence it is necessary to have an inner package.

III. A foot note may be appended to rule 3 as suggested.

IV. 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" may be adopted.

V. There is no suitable place at present in Calicut for the temporary storage of explosives, unless the Military Authorities will allow the magazine at the barracks to be used for the purpose. The Police Magazine is in the heart of the Town, and therefore not a suitable place. A magazine could easily be built on the beach near the Sea Customs House.

I have the honor to be,
Sir,
Your most obedient Servant

Ag. District Magistrate

Judicial Deptt.

CURRENT NO. 3417

MSS. replies

From,

The ~~Dist~~ Magistrate
Malabar.

CHIEF SECRETARY
17 JUL 1895
GOVERNMENT OF MADRAS

To

The Chief Secretary
to Govt. Judl Deptt
Ootacamund

Encl - 1

Dated 15th July 1895
Despd 15 — 7 — 95
Recd — 17th — " —
Regd — 18 " 1171.

Subject

Explosives Rules

Reporting on certain points in connection with the proposed Amendments of the Explosives Rules.

700.]

RENT NO. 3500.

DEPARTMENT.

OM

THE ~~COLLECTOR~~ Magistrate OF VIZAGAPATAM.

To

The Chief Secretary to Govt.,
Judicial Department
Madras.

DMs replies to
G.O. 14 May 95 No. 1014/
re extension of the rules.

MSS.
Replies
from DMs

Dated 17 } July 1895.
Received 22nd }

CHIEF SECRETARY
22 JUL 95
GOVERNMENT OF MADRAS

~~Rc. C.~~ / Dis. No. 1008

ENCLOSURES. nil

Subject.

Reporting that it is not yet time to extend the provisions of the Explosives Act to this District.

22/7

Dis No. 1008

CURRENT NO. 3500

VIZAGAPATAM COLLECTOR'S OFFICE,
Dated 17th July 1895

From
L. C. Miller Esqre,
~~W. A. WILLOCK ESQR.~~
Ag Magistrate ~~Collector~~
Vizagapatam District.

To
The Honorable J. F. Price,
Chief SECRETARY TO ~~THE COMMISSIONERS OF~~ Government,
Judicial Department ~~LAND REVENUE~~,
MADRAS.

SIR,

Referring to G. O. dated the 14th May last No. 1015 Judicial regarding the extension of the Indian Explosives Act to this District I have the honor to report that from the reports of my Divisional officers I hear the use of Dynamite is only becoming common at the manganese mines at Kodur and that small quantities of Dynamite and gunpowder are occasionally used for blasting rocks on new roads or blasting quarries in the Agency tracts of the Special & Senior Asstt. Agents' Divisions. In these cases Dynamite is brought from Madras as it is not procurable locally and is used under the supervision of professional men and no accidents have ever been reported to me. In the Agency tracts where the Arms Act is not in force the permission of the Divisional Magistrates concerned is invariably obtained for using the explosives in question. In the ordinary tracts gunpowder is used to a small extent by the contractors under the Railway Department for bonafide blasting purposes for which blasting licenses under the Arms Act allowing possession of gunpowder not exceeding 50 lbs. at a time are issued by me. There have been no reports of accidents. No high explosives other than these are being used in this District. The possession and sale of gun powder are already sufficiently restricted by the Arms Act and no protective measures under the explosives Act are needed for them. As for Dynamite it is not sold locally and is not extensively used. No measures regarding its possession and sale seem to be therefore necessary at present. Under the circumstances I am of opinion that it is not yet time to extend the explosives Act to this District.

I have the honor to be
Sir
Your most obedient Servant,

for Ag Distt Magistrate.

CURRENT NO 3598 A.

Re Gov Cir no 571 Magl/95

North Arcot Magistrates Office
Camp Bisanattam 24th July 1895.

From
S. H. Wynne Esquire
District Magistrate of
North Arcot.

To
The Chief Secretary
to Government.
Judicial Department.

Sir,

I have the honor, in reply to G. O $\frac{1014\ Jud}{14\text{-}5\text{-}95}$ to report that the Mysore Reef Company working at Bisanattam in Kangundi use "blasting gelatine" and detonators in their work. The former is not Classified in the Rules under the Explosives Act but I understand it is a species of dynamite. Five hundred pounds is procured at a time but as it is obtained from Colar which is Close by and Connected by rail the maximum stock does not exceed 600 lbs. The gelatine is kept in boxes a magazine on a hillock about 100 yards from any building and quite isolated from the works. It consists of a tiled hut with stone walls the inside lining of which is a steel shell with steel door to prevent thefts. The detonators are kept in the ordinary store room. The magazine has no lightning conductor. No one enters it except the agent & the writer. I enclose a copy of the Company's + rules for the working of the dynamite.

+ will follow.

2 It will be seen that some alterations would be necessary to comply with a license under Rule 17 of the Rules under the Explosives Act were introduced. I cannot say hat the introduction of the rules is absolutely necessary, but it would perhaps be better to have the possession under control. If this is decided on it will be sufficient for the present to introduce the rules into the villages of Bisanattam & Adinattam and the Kangundi Zemindari.

3. I regret the delay in the submission of this report which was due to my desire to make a personal inquiry, delayed up till now by Jamabandi.

I have the honor to be
Sir
Your most obedient Servant
J. J. Wynne.
Dist. Magistrate.

Judicial Deptt.

CURRENT NO. 3598A

From

The Dist. Magistrate
North Arcot

To

The Chief Secretary to
Govt.
Judicial Depart.

Dated 24 July 1895

Despd ~~[illegible]~~
Recd
Regd 29.7.95.

Rep. on Cur No 571 May/95
Encl. ~~4.~~ one

Subject.

Reporting on the Extension of the rules under the Explosives Act to ~~this~~ North Arcot District.

CHIEF SECRE
29 JUL

R/
S.A. — Please see that the Subt. is pfld. in a week. } [illegible]

1st
29/7

Disposal No. 199 gg.
May

CURRENT NO. 3669

From

C. J. Weir Esquire
District Magistrate
Ganjam

To

The Chief Secretary to
Government Judicial Department
Madras.

Dated Chatrapur 27 July 1895

Sir, With reference to G. O. dated 14th May Cur No. 1015 Judicial, I have the honor to report that Dynamite has only been used in this district by the Department of Public Works in its various branches and that there has been no accident heretofore attending its use. As the heavy work on both the Railway and the Rushikulya Canal is nearly completed, Dynamite will be used comparatively rarely in future. I think the extention of the rules under the Explosives Acts to this district does not seem called for

I have the honor to be
Your most obedient Servt.

A. Thompson
for Dist

Judicial Deptt

CURRENT NO. 3669

From

The District Magistrate
Ganjam

To

The Chief Secretary to
Government Judicial
Department, Madras

Dated Chatrapur 27 July 1895
Recd — 1-8-95
Regd - 2-8-95
Enu. "

CHIEF SECRETARIAT
-1 AUG.-1895
GOVERNMENT OF MADRAS

Reporting that the extension of the rules under the Explosives Act to this district does not seem called for

MR 2/8

CURRENT NO. 3765

Trichinopoly District Magistrate's Office.
5 August 1895.

Dis No. 692 of 95

FROM

J. Andrew ESQUIRE.
Ag DISTRICT MAGISTRATE OF
TRICHINOPOLY.

To

THE CHIEF SECRETARY TO GOVERNMENT,
Judicial DEPARTMENT,
MADRAS.

SIR,

In reply to Government Endorsement dated 14th July 1895 No. 1015 Judicial, I have the honour to inform you that the use of dynamite and other high explosives is not, so far, becoming common in this District, and that it is not necessary to bring their possession and sale under regulations by extending the application of the rules under the Explosives Act.

I have the honour to be
Sir
Your most obedt Servant
A. Krishnaswamiayyar
For Ag: D. M.

Judicial Dept.

CURRENT NO. 3765

1895

Department.

FROM J. Andrew Esqre
~~The~~ Ag District Magistrate,
Trichinopoly.

To
The Chief Secretary to Government,
Judicial Department,
MADRAS.

Dated 5 }
Despd. 6th } August 1895
Recd. 8th }
Regd 9th Dis No. 692/95
Enclosures

CHIEF SECRETARY'S GOVERNMENT OFFICE
M
8 AUG 95

Reporting that it is not necessary to bring the possession and sale of high explosives under regulations by extending the Act.

CURRENT NO. 3842

Godavari District Magistrate's office

From
V. A. Brodie Esquire
Ag District Magistrate

To
The Chief Secretary to Government
Judicial Department.
Madras.

Sir,

In reference to G. O. No 1015 Judicial dated 14-5-1895, I have the honour to report that the use of dynamite and other explosives in this district has not become so common as to require the extension to it of the rules under the Explosive Act.

I have the honor to be,
Sir,
Your most obedient servant
(Sd) V. A. Brodie
Dt Magistrate

Ag District Magt

Judicial Dept

Magisterial (1895) Department

CURRENT NO. 3842

From

The District Magistrate
Godavari

To

The Chief Secretary to
Government, Judicial
Department.

No $\frac{490}{\text{magl}}$ of 1895

CHIEF SECRETARIAT
13 AUG 95
GOVERNMENT

Dated 2d
Despatched 7th } August 1895

Received 13th
Regd — 14th
Ent. "

Subject

Reporting that the use of dynamite and other Explosives in this district has not become so common as to require the extension to it of the rules under the Explosives Act.

14/8

[G/69]
1,000—18-3-95.

Judl DEPARTMENT.

CHIEF SECRETARIAT, MADRAS.

Memorandum. No. 1928
dated 17-8-95

DESPD

~~Read the following~~

The Commissioner of Police, Madras, is requested to report the date of the ~~1st~~ first grant ~~[illegible]~~ of the license to Messrs Arbuthnot & Co. Madras, under Rule 17 of the Explosives Rules for the possession & storage of explosives in their magazine at Korrukupet, Madras.

D
16.8.95

Despd 19/8

To
The Commr. of Police, Madras.

M
15-8-95

Note.

The Refg. dept. has not been able in spite of a long search, to find out the date of the original grant of license. G.O. of 20 Febry. 91, No. 337 Judl seems to be the first renewal: To clear up doubt

"Judicial department.

CURRENT NO. 3990

Refce No. 1928/95
337 of 20-2-91 Jud ✓
1445 d 29. 8. 90 " ✓
42 d 6. 2. 89 " ✓

E

From.

The Commissioner of Police
Madras.

To.

The Chief Secretary to
Government
Madras

Dated 20th August 1895
Received

CHIEF SECRETARY
21. AUG. 1895
GOVERNMENT OF MADRAS

No 72

Regd 22. 8. 95.
Exd " "

Explosives.

Reporting the date of the first grant of the licence to Messrs. Arbuthnot & Co under Rule 17 of the — Rule.

To await return of paper
from C.S.

W 22/8

G./8 300—24-7-94.

CURRENT No. 3990

No. 73.

City Police Office.

Madras, 20th August 1895

From

Colonel H. W. St. Fox

THE COMMISSIONER OF POLICE,
MADRAS,

To

The Chief Secretary to Government
With the Governor
Stonehouse Hill.

Sir,

In reply to your Memorandum No. 1928 Judicial Department dated 17th August 1895 I have the honour to inform you that the date of the first grant of the license to Messrs. Arbuthnot & Co. Madras under Rule 17 of the Explosives Rules for the possession and storage of Explosives in their Magazine at Korookoopett Madras was 9th January 1888.

2 — Messrs. Arbuthnot & Co applied for and obtained a license to deal in Explosives under the Indian Arms Act (Form VII) on 23rd January 1886. The Magazine at Korookoopett was opened in October 1886

1

under a license granted by the Municipality.

3 — At the beginning of 1887 a fresh license under Form III was granted by Commissioner of Police and no change was made at the time the Explosives Rules were published in July 1887.

4 — From 1888 to 1890 licenses were issued by the Commissioner of Police in Form E, Explosives Rules.

5 — In February 1891 when Messrs. Arbuthnot & Co applied for a renewal of their license the Commissioner of Police having become aware that he was not competent to grant it forwarded the application to Government and the license was renewed by G. O. dated 20th February 1891.

I have the honour to be
Sir
Your most obedient Servant
Col
Commissioner of Police

G.
25

DEPARTMENT.

C. No.

FOR ORDERS.

This file contains the replies to G.O.s of $\frac{1013}{14-5-95}$ ~~No. [illegible]~~ and $\frac{1015}{14-5-95}$

The following pages of this note contain a correct précis of the points upon which the Govt. of India desires information and the opinions expressed by the various officers & firms consulted.

2. Copies of Colonel Majendie's Memorandum which H.M. desired to see have been procured from the Govt. of India (vide G.O. of 31-5-95 No. 1179) & communicated to the officers & firms consulted.

3. I have ~~marked~~ numbered in consecutive order with blue pencil the several points in issue, in the letter from India in G.O. $\frac{1013}{14-5-95}$ & the same numbers are set against the portions of the G.O. & the printed proof of replies which rela to the several points, & also in the offi précis.

4. The replies to G.O. $\frac{1015}{14-5-95}$ are in MSS. but the note contains a correct précis, & it will consequently be unnecessary to refer to the originals

P.T.

5.

the replies received accept the suggestions of the Govt. of India in almost every case, & the only points which appear to require special consideration are.

(i) (V) The provision of suitable places for the temporary storage of explosives of which samples are taken for examination. — There will apparently be a little difficulty about this but it is certainly not insurmountable: there will be sufficient time to make the necessary arrangements after the Govt. of India has decided to alter Rule 15.

(ii) (XII) The extension of the rules to other mofussal districts. Dist. Magtes. generally consider extension unnecessary on the ground that the use of explosives ~~are~~ is not sufficiently common to warrant it. Special reasons for extension appear to exist in N. Arcot, S. Canara, Cuddapah & Nellore, but the reason assigned by the Dist. Magte. of Bellary is one which would apply to almost every other district.

3. The statistical information required by the Govt. of India is given in the note for orders in G.O. 1013/14-5-95, & the only other points which seems to call for remark is the necessity of asking India whether the Madras Govt., or the Govt. of India should formally appoint the Kirkee Supdt. Inspector of Explosives in this Presidency, what contribution towards his allowances should be made by Madras, & how soon it will be possible to arrange for him to visit dynamite magazines in Madras which require early inspection (vide G.O. of 11-4-95 No. 763.

D 21/8/95

FOR ORDERS.

WS

I think it will suffice to extend the Rules to N. Arcot for the present — As for S. Can., Cuddapah & Nellore, I should like more definite infn. as to the quantities possessed & used — It is hardly worth while, to take the S. Can. case, to extend the rules because a few coolies have dynamite cartridges in their possession & use them for killing fish — WS

WS
27/8/95

[G./25.]
600—8-3-95.

Judicial DEPARTMENT.

Read again G.O. of 14th May 1895, No. 1013 Judl ~~C. No.~~ & file of replies thereto.

FOR ORDERS.

Attention is solicited to the note for orders & orders in G.O. of 14 May 95, No. 1013 Judl. In that G.O. the Govt. of India's proposed amendments of the Explosives Rules were referred to certain officers & firms for their opinions; now that they have replied, the various points on which India requested ~~information~~ this Govt's opinion together with the information now received may be abstracted as follows :-

	Points on which G.I requested informn.	The opinion of this Govt: vide Hn's notes & orders in G.O. 1013/14.5.94	Opinions of the officers etc. consulted.
I	(i) Whether an official list of 'authorized explosives' in India is required to be printed as a foot note 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 authorized by the G. I., and".	Yes.	Chemical Examiner: alone was consulted on this point. He thinks it very desirable that an officially classified list of 'authorized explosives' should be added as a foot-note to Rule I & that it would also be expedient to add in rule 14 after the word "granted" the words proposed.
	(iii) Information as to the substances, being explosives falling under rule 13 of the Importation rules, which are at present permitted by this Govt.	..	Comr. of Police: states that licenses have been issued for the importation into Madras of the following substances falling under Rule 13 of the Impt. Rules, viz, Dynamite, Gelignite, Blasting Gelatine, Carbonite & Stonite. Dm Malabar: submits Messrs. Andrew & Co's letter in which they state that, as the local Agents for Messrs Nobels, they import dynamite, detonators & fuses.

Points	Opinion of this Govt	Opinions of Officers, &c. consulted.
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 favor of blasting gunpowder, as suggested by the Committee (ii) If this rule is considered to be too stringent, whether it would not be advisable to have 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 Govt. Inspr. of explosives;	Agree with the Commr.	Comr. of Police: In the case of blasting gunpowder he would insist upon either double packing or the use of cases or barrels of a pattern approved by a Govt. Inspr. of explosives leaving to the licensee the option of deciding ~~FOR ORDERS.~~ which of these two methods of packing he will employ. D. M. Malabar: states that cl. iii of Rule 2 should be deleted & that no exemption from the general rule shd. be allowed in favor of blasting gunpowder. His reasons are that if a barrel covered with gunny or wax-cloth & containing blasting gunpowder is knocked against anything sharp, both the gunny & the barrel might be cut & the gunpowder escape; & that the chance of gunpowder escaping wd. be minimised if the gunpowder were placed in a bag, canister or other closed receptacle & that in its turn placed inside a strong box or barrel. He does not think the rule to be too stringent. Chemical Examiner: "as far as I know" he says, "there is no reason for exempting blasting gunpowder from the general rule as to double packing. In the event of there being practical difficulties in enforcing the rule, in the case of blasting gunpowder, it would be advisable to prescribe an approved pattern of a single packing case or barrel." Messrs Best & Co.: are of opinion that clause III of rule 2 (relating to transport) should be deleted, & that no exemption from the general rule as to double packing be allowed in favor of blasting powder. They do not consider this rule to be too stringent, blasting powder imported into this country being, so far as they are aware, invariably packed in stout canvas bags enclosed in wooden kegs or barrels. Messrs Arbuthnot & Co.: are also of the same opinion. Messrs Parry & Co.: ~~offer~~ have no opinion to offer on these points as they do not import blasting powder.
III Whether a footnote should be appended to rule 3 indicating that "rules regarding "search for and detention of, explosives "contravening regulations have been "issued by the Local Govts.".	Agree	Comr. of Police: states that the footnote should be appended & the rules alluded to, published with the general rules under the explosives act for the information of licensees & others concerned. D. M. Malabar. says that a footnote may be appended to Rule 3 as suggested. Chemical Examiner: Considers it advisable to indicate the existence of rules relating to the search seizure and detention of explosives which contravene regulations, and to add a footnote to rule 3 to this effect in the terms proposed. Messrs Best & Co. see no objection to the footnote being appended to rule 3, ~~and~~ the words proposed. & Messrs Arbuthnot & Co. & Parry & Co. are also of the same opinion.
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";	Agree	Comr. of Police states that the necessity for the proposed addition is not very obvious & that the rule as it stands is sufficiently explicit. D. M. Malabar: says that the proposed addn. of words may be adopted. Chemical Exr. says that the proposed addition should be made. Messrs Best & Co. are entirely favorable to the proposed addn.; & Messrs Arbuthnot & Co. & Parry & Co. have also no objection to the G-I's proposal.

V

(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 examn.

We can get over this. JS

Comr. of Police: There would be, he says, considerable difficulty in providing a suitable place for the temporary storage of explosives unless the Ordnance Dept. will consent to the Powder magazine attached to the Old Gunpowder Factory being used for the purpose. The Ordnance Dept. allowed this building to be occupied ~~by the dept.~~ while the Merchants' Magazine was under repair, & has, it appears, from time to time received into it gunpowder for which there was no room in the Merchants' Magazine, tho' there has been no recent occasion for this.

D.M. Malabar: states that there is no suitable place at present in Calicut for the temporary storage of explosives unless the Mily. authorities will allow the magazine at the barracks to be used for the purpose & that the Police magazine is in the heart of the town & therefore not a suitable place. He thinks that a magazine could easily be built on the beach near the Sea Customs House.

Chemical Examiner: He does not know whether there would be any insurmountable difficulties in providing suitable places for temporary storage of explosives during examn. of the samples. As a matter of fact his certificates in the case of explosives, which cannot be landed until they have passed the test, are issued on the same day as the samples reach him. An occasional exception to this rule of practice however occurs in the case of explosives manufactured by Nobel's Coy., which are permitted to be landed prior to examn., by G.O. of 24 Septr. '85 No. 2586. ~~But in~~ In these cases the certificate is sent the next day, the explosives having in the meantime been landed & stored by Messrs Best & Co.

Messrs Best & Co.: are "entirely in accord with the proposed addition & they find no difficulty in providing suitable accommodation. But in this connection they draw the attention of Govt. to the serious delay that often occurs during the landing of large shipments of Dynamite, blasting gelatine & Gelignite through the fact that only one boat is allowed to unload at a time; & suggest some modification of the Port Rules, allowing, with due precautions, two or more boats to unload at once.

Orders of Govt.

Opinions of officers consulted.

Messrs Parry & Co.: report that they have their own licensed magazine in which explosives awaiting examn. may be temporarily stored. They point out, however, that apparently the addn. contemplates only such explosives as, under rule 8 (Importation) may be landed previous to examn. & suggest that where the consignees are the possessors of a licensed magazine suitable for the reception & storage of explosives pending examn., permission to land previous to examn. may be conceded even in the case of explosives other than those of British manufacture, provided always that the consignees give to the Chief Customs officer of the Port such undertaking, with security if required, as the said officer thinks sufficient, to obey in the event of the explosives failing to satisfy the prescribed tests, such directions as to its disposal as the local Govt. may see fit to prescribe.

Messrs Arbuthnot & Co. have not said anything on this point.

VI. Whether it is considered advisable to lay down a scale of distances as is done in England & as has been recommended by H.M's Inspector.

A table of distances should be prescribed; & has already been prescribed in G.O. of 20.7.94 Judl. No. 1794. JS

VII. Whether in rules 14 & 17 of the rules for manufacture, possession & sale, the words "an explosive authorised 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 authorised explosives.

Yes. JS

Points	Orders of Govt. thereon	Opinions of Officers Consulted
VIII. Whether amended Rule 27 – for inspection, search etc. of explosives, issued by Bengal & Bombay may be adopted here as recommended by the Committee; & if so what officers should be invested with the necessary powers?	Yes. India may be addressed to consider whether one or other of the Kirkee Inspectors can be spared to come down to Madras every 3 months? This Govt. is quite agreeable to employing them.	..
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 showing the maximum quantity allowed to be manufactured or to be possessed or sold during the year?	Yes.	..
X Whether the G. I. should issue instructions prescribing the maximum intervals at which inspection should be carried out by Inspectors of Explosives? In this connection the G. I. calls for a statement showing all the licenses under Rule 17 at present in force in this Presy., to enable them to form an estimate of the work entailed by the periodical inspections of magazines. It is submitted that there are at present only 8 licenses in force (3 in Madras & 4 in Nilgiris & 1 in Malabar) & the detailed statt. contained on pages 5 & 6 of the Note for orders in G.O. of 14 May '95, No. 1013 Jl. may be forwarded to India.	"Yes. India had better do so. It is a general question"	..
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 94, No. 232, Marine, so that they may apply to consignments of dynamite & high explosives?	The Marine Dept.: to which the point was referred, has issued revised drafts of the two rules, agreeably to the wishes of the G. I.: vide G.O. of 2.7.95 No. 193 Marine. So that it is subd. that Govt. of India may be informed accordingly & that there is no objection. The Marine Dept will now take into consideration the draft rules as the date fixed therefor has expired yesterday.	..
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 Oct. '86, No. 2914 Judl. – viz. Madras, Coimbatore, Malabar & Nilgiris Dts.?; or (b) whether there is any reason why they should not now be extended?	See above	

The answer to (a) is "No"; with refce. to (b) all D.Ms. except Coimbatore, Malabar & Nilgiris, have (as directed) been requested to report whether the use of dynamite & other high explosives is becoming common, and if so, whether it is not necessary to bring their possession & sale under regulations by extending the application of the rules under the Act: vide G.O. of 14 May '95, No. 1014, Judl. & the Endt. therein. It is observed that only the following D.Ms. recommend the extension of the Act to their districts or portions thereof: –

(1) D.M. N. Arcot: to the villages of Bisanatham & Adinatham and the Kangundi Zemindari.
(2) .. Bellary: Presumably to the whole Dt.
(3) .. S. Canara: to the whole district.
(4) .. Cuddapah: .. do ..
(5) .. Nellore: to the taluks of Gudur & Rapur Head asstt. mag's division only.

Orders are solicited as to whether the operation of rules may be extended to these places only? Attention is solicited to a précis of the D.M.s' reports put up.

The Lt.-General Commanding the Forces, Madras, who was also requested in para. 5 of G.O. of 14 May 95 No. 1013, to favor Govt. with any remarks which the D.G. of Ordnance

8.95

may wish to make on the proposed changes in the rules, forwards the I.G.'s letter in which that officer remarks that Rule IV (a) gives the maximum weight of gunpowder in a barrel at 100 lbs. & that as certain natures of gunpowder are packed 110 lbs. & 125 lbs. in a barrel, he would suggest that the rule may be altered accordingly.

Judicial Dept.

Precis of D.M.s' reports in reply to G.O. of 14 May 95 No. 1014/5 Judl. re the extensi of the rules under the Explosives Act to their Dt

D.M. of

(1) Anantapur: states that during 1894 only one license was issued in the district for a dozen seers of high explosives (dynamite) & that, therefore, no action need be taken to extend the appln. of the rules to his district.

(2) Arcot, North: reports that the Mysore Reef Company working at Bisanatham in Kangundi use blasting gelatine & detonators in their work & that the former is not classified in the Rules under the Exp. act but that he understands it to be a species of dynamite. It appears 500 lbs is procured at a time from Colar which is close by & connected by rail, the maximum stock not exceeding 600 lbs. The gelatine is kept in boxes in a magazine on a hillock about 100 yards from any building & quite isolated from the works. It is said to consist of a tiled hut with stone walls, the inside lining of which being a steel shell with steel door to prevent thefts. The detonators are kept in the ordinary store room. The magazine has no lightning conductor. No one enters it except the Agent & the writer. The D.M. ~~encloses~~ submits a copy of the Company's rules for the working of the dynamite. He says that some alterations would be necessary to comply with a license under Rule 17 if the rules under the act were introduced; though he does not

say that the introduction of the rules is absolutely necessary he yet thinks that it would perhaps be better to have the possession under control. And if this is decided on, he states that it will be sufficient for the present to introduce the rules into the villages of Bisanakam & Adinatham and the Kangundi Zemindari.

(3) S. Arcot. states that the use of dynamite & other high explosives is uncommon in the district & hence that it is unnecessary to extend the rules under the act.

(4) Bellary: That the use of dynamite & other high explosives is not becoming common in the dt. but, nevertheless that the present occasional use of such explosives should be brought under the rules. The explosion of 50 lbs of dynamite in the heart of the town of Bellary might, he says, be a serious matter & that the rules alone ensure proper precautions.

(5) Canara South: recommends the extension of the act to the district as he (Dm) is informed that no difficulty is found in working it in those districts where it is in force. Notifn. II published in G.O. 1468 of 8 July 87 is said to suit. The Dm. reports that it is a pity that the illicit possession f dynamite is not cognizable by the Police & submits opies of the judgments of 3 trials under the Arms act uring the past year. The use of dynamite for destroying fish is said to be common but that the offenders are very unning in evading capture. Coolies returning from Mysore Coorg, it appears, bring dynamite cartridges & detonars issued for estate work but not utilised & that they re fairly skilled in their use & also in instructing their friends.

(6) Chingleput: the use of dynamite & other high explosives is not common in the district & that, therefore, it is not necessary to extend the rules under the act.

(7) Cuddapah: that it is advisable to extend the rules under the act to the district as the use of dynamite in deepening wells is increasing.

(8) Ganjam: states that ~~the~~ dynamite has only been used in his district by the P.W.D in its various branches & that there has been no accident heretofore attending its use. As the heavy work on the Ry. & the Rushikulya Canal is nearly completed, the Dm. thinks that dynamite will be used comparatively rarely in future & that in consequence the extension of the rules is unnecessary.

(9) Godavari: reports that the use of dynamite & other explosives in the district has not become so common as to require the extension to it of the rules under the Explosives Act.

(10) Kistna: that there is no need to extend the rules. No dynamite & other high explosives are used in the district, except in the Bezwada quarries, which have been worked for many years without the necessity for introduction of the rules being felt.

(11) Kurnool: that the use of dynamite & other explosives is not common in the dt. & that it is consequently not necessary to extend the appln. of the rules.

(12) Madura: that the use of explosives is not so common in the dt. as to call for extension of the rules.

(13) Nellore: that the working of mica mines is being developed in the Rapur & Gudur taluks of the Head Asst. Magis. division, that applns. are being received for prospecting & mining for mica & that, owing to the great likelihood of the enterprise being more fully developed, it is necessary to extend the rules to the Head Asst. magistrate's division.

(14) Salem: that the demand for dynamite & other explosives is no doubt increasing in the district & that if coal is got near Jolarpet, the rules must be extended. At present, operations are, it appears, being conducted for obtaining coal by Messrs Arbuthnot & Co. but that no coal field has as yet been found. In these circumstances the D.M. reports that there is no necessity to extend the rules at present.

(15) Tanjore: that the use of explosives is not common in the district & that it is not necessary to extend the rules; also states that the Dt. Supt. of Police reports that it would be well to extend the rules to the district, but that he has assigned no reasons for his opinion.

(16) Tinnevelly: that the use of explosives is not so common as to make it advisable to bring their possession & sale under regulation; & that in the few cases in which dynamite has been used in the district for blasting purposes, its use is very limited.

(17) Trichinopoly: that the use of dynamite & other high explosives is not, so far, becoming common in the district & that it is not necessary to bring their possession & sale under regulations by extending the application of the rules under the Act.

(18) Vizagapatam: thinks that it is not yet time to extend the Act to the district. He says that the use of dynamite is only becoming common at the Manganese mines at Kodur & that small quantities of dynamite & gunpowder are occasionally used for blasting rocks on new roads or blasting quarries in the Agency tracts of the Special & Senior Asst. Agents' divisions. "In these cases" he adds, "dynamite is obtained from Madras as it is not procurable locally & is used under the supervision of professional men & no accidents have ever been reported. In the Agency tracts where the I. Arms Act is not in force the permission of the Divl. Magis. concerned is invariably obtained for using the explosives in question; in the ordinary tracts gunpowder is used to a small extent by the contractors under the Ry. Dept. for bona fide blasting purposes for which blasting licenses under the Arms Act allowing possession of gunpowder not exceeding 50 lbs at a time are issued by the Dt. Magistrate. There have been no reports of accidents. No high explosives other than these are being used in the district. The possession & sale of gunpowder are already sufficiently restricted by the Arms Act and no protective measures under the Explosives Act are needed for them. As f

Dynamite, it is not sold locally & is not extensively used; so that no measures regarding its possession & sale are needed at present."

Note for T.

Say "a file of [illegible]" in the tables.

Judicial Dept

2 numbers

Read letter from the Dm. S. Canara d/
26 June 95, No. 205/Mag.
Cuddapah d/ 6 June 95
No. 463/Mag.
Nellore d/ 2 July 95
No. 768/Mag.

ORDER 7th September 1895. No. 1884.
Mis.

The Govt. of India will be addressed.

2. The Dt. Magtes. of S. Canara, Cuddapah and Nellore will be requested to give more definite information as to the quantities of explosives possessed or used in their districts in order to enable Govt. to decide whether it is advisable to extend the application of the Explosives Rules to those districts.

(from orders)

D

To

The Dt. Magtes. of S. Canara,
Cuddapah and Nellore

desp. 12/9/95

[illegible] 9/9

18

Letter No. 1885.
P.J.

To

The Secretary to the Govt. of India,
Home Dept.

31 Copies Desp. 23/
with Cy. 80 to 179/9/
Revised Copies Desp. 26/9/9

Sir,

I am directed to acknowledge the receipt of Mr. Hewett's letter dated 28th March 1895, No. 4 Pub. /530, forwarding for the opinion of H.E. the

Governor in Council copies of the rules issued by the Govt. of India for the transport and importation of ~~the~~ explosives and of the rules issued by the Govt. of Bengal for the manufacture, possession and sale of explosives with the alterations proposed by the Committee to which Colonel Majendie's memorandum on the subject was referred for consideration.

2. In reply I am to state that ~~H.E. the Governor in Council~~ This Govt. generally approves the proposed alterations in the rules. With reference to those matters to which special attention is drawn in Mr. Hewett's letter, ~~I am to set out seriatim the~~ I am ~~and~~ to express the opinions which H.E. the Governor in Council has formed after consultation with the I.G. of Ordnance, the Commissioner of Police, Madras, the Chemical Examiner, certain Dt. Magtes. and those mercantile firms which have the most extensive dealings in explosives.

3. With reference to para 2 of Mr. Hewett's letter, ~~H.E. the Governor in Council considers that it~~ it is considered that it would be desirable to print an official list of authorised explosives as a foot-note to

to rule No. 1 and consequently 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". The substances, being explosives falling under rule 18 of the Importation rules which are at present permitted by the Govt. of Madras, are Dynamite, Gelignite, Blasting Gelatine, Carbonite, and Stonite, besides the ordinary Detonators and fuses the nature of the explosives employed in making which ~~have~~ has not been specifically reported.

4. The Govt. agrees with the recommendations of the Committee that clause 3 of rule 3 relating to transport should be deleted and no exemption from the general rule as to double packing contained in clause 4 be allowed in favour of blasting gunpowder.

5. ~~The Govt.~~ The Govr. ~~H.E.~~ in Council approves the proposal to append to rule 3 a footnote stating that rules regarding search for and detention of explosives contravening regulations have been issued by the Local Govts.

6. With reference to para 5 of Mr. Hewett's letter ~~the Govt.~~ it is considered that the last words in clause IX of

rule 6 should be "of England or this "country."

7. With regard to para 6 of the letter under reply the Govt. is of opinion that no serious ~~liability~~ difficulty will be found in providing suitable places for the temporary storage of explosives of which samples may be taken for examination.

8. In para 7 of Mr. Hewett's letter enquiry is made as to whether it is considered advisable to lay down a scale of distances between magazines of explosives and other buildings in order to secure a zone of safety. In reply I am to state that such a course has already been adopted by this Govt, the table of distances in use in England having been communicated to all Dt. Magtes. and the Commissioner of Police, Madras, for their information and guidance. vide G.O. d. 20th July 1894. No. 1794 (copy enclosed.

printed

9. If it is decided to draw up a list of authorised explosives it appears desirable to amend rules 14 and 17 relating to the manufacture, possession and sale by the addition after the words " if the "explosive is" of the words "an

explosive

"explosive authorised" to be possessed by "the Govt. of India and is "

10. With reference to para 8 of Mr. Hewett's letter, the Govt. accepts the proposal to issue a rule similar to amended rule 37 as issued by the Govts. of Bombay and Bengal and approves the proposed appointment of the Supt. and Asst. Supt of the Govt. Gun ~~Carriage~~ Powder Factory at Kirkee to be respectively Chief Inspector and Inspector of explosives in all parts of the Madras Presy. A draft amended rule is accordingly appended to this letter and I am to state that ~~the Govt~~ H.E. the Govr in C. would be glad if arrangements could be made to depute either the Chief Inspector or the Inspector to visit the Madras Presy. once a quarter. As was pointed out in my letter dated 30th December 1894, No. 3149, it is most desirable that an early inspection should be made of certain magazines situated in the vicinity of Madras City, the safety of which is by no means free from doubt. I am further instructed to enquire what contribution towards the allowances payable to the Inspectors of explosives will be required of the Govt. of Madras.

11. H.E. the Governor in Council

concurs

6

concurs with the Govt. of India in thinking it expedient to retain ~~to~~ ~~retain~~ a column in the licenses to manufacture, sell and possess gunpowder and certain other explosives (Forms A, B, C & D in the schedule) to show the total quantity allowed to be manufactured, or to be possessed or sold during the year.

12. With reference to para 10 of Mr.Hewett's letter, ch ~~I am to state~~ that ~~the Govt. considers it~~ appears desirable that the Govt. of India should issue instructions prescribing the maximum intervals at which inspections should be carried out by Inspectors of explosives. The amount of work which will be entailed by the periodical inspection of magazines in this Presy. may be inferred from enclosure B to this letter which gives the particulars required by the Govt. of India.

13. Para 11 of Mr.Hewett's letter has already been replied to in my letter No. 194 Marine dated 2 July '95 accepting the recommendations made in regard to the amendment of rules C and H of the Port rules published in G.O. dated

48

Letter d 19-8-95 No-1207

To be filled in when the papers return from the Press.

H.C.
This G.O. is 269 Marine 3/9/95 which is in the Press, I think. Please verify + fill in the blank
M.A.
7/9/95

For Press
please fill in the no + date of the letter from the G of I

dated 16th June 1894, No.282, Marine. The draft amended rules have been approved by the Govt. of India, vide

and have now been taken into consideration and finally sanctioned.

14. In reply to the concluding para of Mr.Hewett's letter I am to state that the rules under the Explosives Act have not yet been extended to a wider area than that specified in G.O. dated 27th October 1886, No.2914, Judl., viz. the districts of Madras, Coimbatore, Malabar and Nilgris.

15. As to the desirability of extending the application of the rules there is a general consensus of opinion among Dt. Magtes. that the use of explosives is as yet not ~~in~~sufficiently common to warrant it. In the District of N. Arcot however , a mining company is working at Bisanatham in the Kangundi Zemindari and uses in its operations a large quantity of blasting gelatine and detonators. The Dt. Magte. considers that the precautions which the Company already observes are practically sufficient and that though the introduction of the Explosive Rules is not absolutely necessary, it would still be desirable to be in a

position to exercise control. For this reason he recommends the application of the rules to the N. Arcot District. The Govt. agrees in his views and I am therefore to enclose a draft notification for the purposes of giving effect to them.

I have etc.

(from orders)

[illegible]

6.9-95

with copy of G.O. 1794 20-7-94

8/9/95

H.M.

Please see the draft notification which provides for the extension of the present rules to the whole of the N. Arcot Dist. The Dist. Magte. only recommends their application to the villages of Bisanatham & Adinatham & the whole of that Kangundi Zamindari. — H.M. ~~considers~~ it will be sufficient to extend the rules "to the North Arcot's" for the present.

9-9-95

May as well extend only to the places mentioned by the D.M.

7/9/95

Amendment of Explosive Rules

(FROM ORDERS)

Enclosure A.

5 8r

Draft amended (Madras) 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 Asst. Supt. of the Gunpowder Factory, Kirkee, or any magistrate subordinate to the Dt. Magistrate, or any Police officer of rank not below that of Inspector, if specially deputed in that behalf by the Commr. of Police in the Town of Madras, seizes, detains or removes any such explosive, he shall report the fact to the Dt. Magistrate or the Comr. of Police, Madras, as the case may be.

(2) Neither the Supt. nor the Asst. Supt. of the said Factory, nor any magistrate subordinate to the Dt. Magistrate, nor any Police officer of rank not below that of Inspector, if specially deputed in that behalf by the Comr. of Police in the town of Madras, shall destroy any such explosive without the previous sanction of the Dt. Magistrate or the Comr. of Police, Madras, as the case may be.

P.T.O

Areas.	Officers.
In all parts of the Presidency.	The Supdt. of the Gunpowder Factory, Kirkee. The asstt. Supdt. 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 Dt. Magistrate.
In the town of Madras	The Commissioner of Police, Madras. All Police Officers of rank not below that of Inspector, if specially deputed in that behalf by the Commr. of Police.

D
6.9.95

M
5.IX.95

Enclosure B.

Statement showing all the licenses under Rule 17 at present in force in this Presy:-

No.	The date of first issue of the license.	The name of the license holder.	The location of the magazine.	The description and quantity of explosives permitted to be stored therein.
1	10 May 1888.	Messrs Andrew & Co. Calicut.	Ferok Fort, Malabar District	Dynamite : 600 cases = 30,000 lbs. Detonators : 1000 boxes : 100,000. no. Safety fuse : 50 barrels = 15,000 coils
2	22 March 1889	" Philip Thompson & Co.	Coonoor, Nilgiri District	Dynamite : 5000 lbs. Blasting powder & compressed cartridges. 800. Detonators : 15,000.
3	1 Febry 1890.	" Best & Co. Agents Nobels Explosives Co. 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 no: Safety fuse : 120,000 Coils. Electric fuses : 10,000 coils. Blasting or sporting powder : 25,000 lbs.
4	8 March 90.	" Parry & Co. Madras.	Do.	Dynamite 20 tons.
5	23 May 90.	Mr. A. D. Adams Agent of Messrs Parry & Co. Devala.	Nambalkod amsham, Nilgiri District	Dynamite 6 tons. Detonators : 100647. Platinum wire detonators : 3226. Fuse : 9000 Coils.
6	9 Jany. 1888.	Messrs Arbuthnot & Co. Madras.	Koorookapet. (Madras)	Dynamite : 30,000 lbs. Gelatine : 5000 lbs. Blasting gelatine : 5000 lbs. Safety fuses : 30,000 coils. Detonators : 3,00,000.
7	29 April 1891	Messrs Spencer & Co. Ootacamund.	Ootacamund village.	Gunpowder : 500 lbs. Nitro compound : 500 lbs. Cartridge & Cartridge cases : 70,000. Caps. 40,000.
8	29 April 1891.	" Oakes & Co. Ootacamund.	Do.	Gunpowder : 1000 lbs. Caps. 500 boxes. Loaded Cartridges 25,000. Dynamite 500 lbs. Detonators 500. Fuse : 1000 coils.

L
6/9/95

D
6.9.95

M
5.IX.95

V.E

K.R. amend
notifn. C in
red ink & send
to me D/
7. 9. 95

Amended
notifn. sub.
[illegible]
7/9

1

782

Enclosure C.

Draft notification.

In exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884, the Govr. in Council is pleased, with the previous sanction of the Govr. General in Council, to make the rules published at pages 16–31 of the Fort St George Gazette Supplement of 25 May, 1887 to regulate ⊗ the manufacture, possession, and sale of explosives ~~within~~ in the district of North Arcot.

applicable to the local areas comprised within the villages of Bisanatham & Adinatham and the Kangundi Zemindari

D/ 6-9-95

[illegible] 6/9/95

D/ 7.9.95

Note/

Apparently you
mean "applicable to the
area comprised in the
villages of .... " &
come in here ⊕ or something
of the kind

JBB
7/9/95

Explosives Rules

V. E.

(For orders)

~~C~~ H.M.

for orders as to whether this Enclosure C. is correct

6-9-90

Several words apparently omitted

C7/9
12/9

The Mysore Reefs

RULES REGARDING THE USE

1. No contractor will be allow
than 50 lbs. of Dynar
Detonators, and 10 coi

2. A Box is supplied to each
mite and Gelatine Dy
smaller box for the st
Fuse. Should Detona
be found by the Agent
fine will be imposed of

3. The contractor or men in
carefully examine the
after blasting in order
charged and fired has
resumed. In the event
missed hole or holes c
mite or Gelatine cartri
tors will pay a fine of

4. No man is allowed to go t
ten minutes after an e
in charge of the shift
in order to see whethe

5. No cooly or ordinary labo
capping or fixing of D
the contractor or man

6. Each company of men are
Company's store with
respective Boxes; any
being damaged, are
at once for another lo
be found by the Agen
not properly secured
imposed

7. A leather bag is supplied
the Dynamite or Blas
underground to the
Dynamite or Blasting
be fined Rupees ten

8. The Explosives, Candles,
tors from the Compa
his working or contra
Reefs Company.

Any contractor or cooly w
concealed on his pers
his house or place of
Police and prosecuted

Mysore Reefs Company, Limited,
January 15th, 1890.

Kangundy Gold Mining

The Mysore Reefs Company, Limited.

RULES REGARDING THE USE AND STORAGE OF EXPLOSIVES.

1.	No contractor will be allowed to receive in one day more than 50 lbs. of Dynamite or Blasting Gelatine, 100 Detonators, and 10 coils of safety Fuse.	
2.	A Box is supplied to each company of men to store Dynamite and Gelatine Dynamite under ground. Also a smaller box for the storage of Detonators and safety Fuse. Should Detonators and Dynamite or Gelatine be found by the Agent or Foremen in the same box a fine will be imposed of Rupees ten	Rs. 10
3.	The contractor or men in charge of shifts of men must carefully examine their respective places of working after blasting in order to ascertain that all the holes charged and fired has exploded before work is again resumed. In the event of the Agents, Foremen, finding missed hole or holes charged with explosives or Dynamite or Gelatine cartridges in the working the contractors will pay a fine of Rupees ten	Rs. 10
4.	No man is allowed to go to his working in less time than ten minutes after an explosion. The contractor or man in charge of the shift of men to enter the working first in order to see whether all the holes fired has exploded.	
5.	No cooly or ordinary labourer to charge or fire holes, all capping or fixing of Detonators on Fuse to be done by the contractor or man in charge of the shift.	
6.	Each company of men are supplied on application from the Company's store with a padlock and two keys for their respective Boxes; any one losing their keys or the locks being damaged, are particularly requested to apply at once for another lock and key; should their Boxes be found by the Agents or Foremen without locks and not properly secured, a fine of Rupees ten will be imposed	Rs. 10
7.	A leather bag is supplied to every company of men to take the Dynamite or Blasting Gelatine from the store Box underground to the working. Any person carrying Dynamite or Blasting Gelatine about his person will be fined Rupees ten	Rs. 10
8.	The Explosives, Candles, Tools &c., served out to contractors from the Company's store or solely to be used in his working or contract whilst employed by the Mysore Reefs Company.	
	Any contractor or cooly with Explosives, Candles or Tools concealed on his person when leaving the Mine or in his house or place of abode will be handed over to the Police and prosecuted for theft.	

Mysore Reefs Company, Limited,
January 15th, 1890.

M. SCANTLEBURY,
Agent.

மைசூர் ரீவஸ் கோல்ட் மைனிங் கம்பனி லிமிடெட்.

மருந்து மற்றவைகளை பத்திரப்படுத்தவேண்டிய சட்டங்கள்.

முதலாவது ...	எந்த கண்டிராக்டர்களும் ஒரு நாளையில் ௫௰-பவுன் டைனமைட் மருந்தும் அல்லது ஜெல்டின் மருந்தும் ௱-டிடொனேடர் கேப்புகளும் ௰-சுருளை பியூஸ் வத்தி கயருக்கும் அதிகமாக வாங்கக் கூடாது.	
இரண்டாவது ...	ஒவ்வொரு கூட்டத்திற்கு அல்லது கம்பனிக்கு டைனமைட் மருந்து அல்லது ஜெல்டின் மருந்து வைத்து பத்திரப்படுத்த ஓர் பெட்டி கொடுத்திருக்கிறது தவிர டிடொனேடர் கேப்புகளும் பியூஸ் வத்திகளும் பத்திரப்படுத்த ஒரு சிறு பெட்டியும் கொடுத்திருக்கிறதால் இச்சிறு பெட்டியில் டிடொனேடர் கேப்புகளுடன் டைனமைட் மருந்து அல்லது ஜெல்டின் மருந்து கலந்து வைத்திருக்க ஏஜண்டாவது போர்மேனாவது கண்டு பிடித்தால் பத்து ரூபாய் அபராதம் விதிக்கப்படும்.	...ரூ. ௰
மூன்றாவது ...	கண்டிராக்டர்களும் அல்லது அந்த காங்கியின் மேல்பார்வையிலுமிருப்பவர்களும் வேலையை ஆரம்பிப்பதற்கு முந்தி மருந்து போட்டிருந்த குழிகளெல்லாம் சரியாக வெடித்திருக்கிறதாவென்று கவனமாக பரிசோதித்த பின்பு வேலையை ஆரம்பிக்க வேண்டியது. சிற்சமயம் ஏஜண்டுகளாவது அல்லது போர்மேன்களாவது அப்படி டைனமைட் மருந்து போட்டிருந்த குழி அல்லது குழிகள் வெடியாமலிருப்பதை வேலையில் கண்டால் பத்து ரூபாய் அபராதம் விதிக்கப்படும்.	...ரூ. ௰
நாலாவது ...	வெடிகள் தீர்ந்த பத்து நிமிஷத்திற்கு அவர்கள் வேலையினிடம் போகக்கூடாது; கண்டிராக்டர் அல்லது காங்கியின் மேல்பார்வையிலிருப்பவர்களும் முதல் இறங்கி உடனே நெருப்புவைத்த குழிகளெல்லாம் சரியாக வெடித்திருக்கிறதாவென்று பார்க்க வேண்டும்.	
ஐந்தாவது ...	கண்டிராக்டர் அல்லது அந்த காங்கியின் மேல்பார்வையிலிருப்பவர்களும் தவிர கூலியாளாவது அல்லது மற்ற வேலைக்காராவது பியூஸ் வத்திகளுக்கு டிடொனேடர் கேப்பு சேர்க்கவும், அல்லது குழிகளுக்கு மருந்துபோடவும், அல்லது குழிகளுக்கு நெருப்பு வைக்கவும் கூடாது.	
ஆராவது ...	ஒவ்வொரு கண்டிராக்டருக்கும் பூட்டு சாவிகள் தேவையானால் கம்பெனி ஸ்டோரில் கேட்டால் பூட்டு இரண்டு சாவியும் அவர்கள் மருந்து பெட்டிக்கு கொடுக்கப்படும். யாராவது அவர்கள் சாவியை போக்கடித்துவிட்டாலாவது அல்லது பூட்டு கெட்டுப்போனாலாவது மறுபடியும் வேற பூட்டு சாவி வாங்கிக்கொள்ளவேண்டியது. அப்படியாக பெட்டிக்கு பூட்டில்லாமலும் சரியானபிரகாரம் வைக்காமலுமிருப்பதை ஏஜண்டாவது போர்மேனாவது கண்டுபிடித்தால் பத்து ரூபாய் அபராதம் விதிக்கப்படும். ...	...ரூ. ௰
ஏழாவது ...	ஒவ்வொருவரும் தங்கள் மருந்து பெட்டியிலிருந்து வேலையினிடம் எடுத்துப்போவதற்கு ஒவ்வொரு தோல் பெட்டிகள் கொடுத்திருப்பதால் யாராவது அப்படிக்கில்லாமல் வேறெவ்வகையா எடுத்துப்போனாலும் பத்து ரூபாய் அபராதம் விதிக்கப்படும். ...	...ரூ. ௰
எட்டாவது ...	வெடிமருந்துகள், மெழுக்கு வத்திகள், சாமான்கள், மற்றதுகளும் கண்டிராக்டர்களுக்கு கம்பெனி ஸ்டோரிலிருந்து கொடுக்கப்படும் இதுகளை மைசூர் ரீவஸ் கம்பெனியில் அவர்கள் கண்டிராக்ட்டுக்கு அல்லது வேலைக்கு மாத்திரம்தான் உபயோகப்படுத்த வேண்டியது.	
	எந்த கண்டிராக்டாவது கூலியாளாவது வெடிமருந்து மெழுக்குவத்தி சாமான்கள் மற்றதுகளை அதின் இடம் விட்டு எடுத்துவந்தாலும் அல்லது ஒளித்து வைத்தாலும் அல்லது அவர்கள் விட்டில் வைத்திருந்தாலும் அல்லது ஜனங்கள் வாசஸ்தலத்திற்குக் கொண்டுவந்தாலும் போலீசாரிடம் ஒப்புவிப்பதுந் தவிர திருடினதாக குற்றமும் சாட்டப்படுவான்.	

மைசூர் ரீவஸ் மைனிங் கம்பனி
15௳ ஜனவரி௴. 189[illegible]

எம் – ஸ்காண்டில்பரி
ஏஜன்ட்.

Proof

7th September 1895, No. 1885, Judicial.

Alter & [illegible]
45 copies
[illegible]
23/9

JUDICIAL DEPARTMENT.

Letter—from

The CHIEF SECRETARY to the GOVERNMENT of
FORT ST. GEORGE;

To

The SECRETARY to the GOVERNMENT of INDIA,
Home Department.

Sir,

I am directed to acknowledge the receipt of Mr. Hewett's letter, dated 28th March 1895, No. 4-Public—520, forwarding, for the opinion of His Excellency the Governor in Council, copies of the rules issued by the Government of India for the transport and importation of explosives and of the rules issued by the Government of Bengal for the manufacture, possession and sale of explosives, with the alterations proposed by the Committee to which Colonel Majendie's memorandum on the subject was referred for consideration.

2. In reply I am to state that this Government generally approves the proposed alterations in the rules. With reference to those matters to which special attention is drawn in Mr. Hewett's letter, I am to express the opinions which His Excellency the Governor in Council has formed after consultation with the Inspector-General of Ordnance, the Commissioner of Police, Madras, the Chemical Examiner, certain District Magistrates and those mercantile firms which have the most extensive dealings in explosives.

3. With reference to paragraph 2 of Mr. Hewett's letter, it is considered that it would be desirable to print an official list of authorized explosives as a foot-note to Rule No. 1 and consequently 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". The substances, being explosives falling under Rule 13 of the Importation Rules which are at present permitted by the Government of Madras, are Dynamite, Gelignite, Blasting Gelatine, Carbonite, and Stonite, besides the ordinary detonators and fuses the nature of the explosives employed in making which has not been specifically reported.

4. The Government agrees with the recommendation of the Committee that clause 3 of Rule 2 relating to transport should be deleted and no exemption from the general rule as to double packing contained in clause 4 be allowed in favour of blasting gunpowder.

5. The Governor in Council approves the proposal to append to Rule 3 a foot-note stating that rules regarding search for and detention of explosives contravening regulations have been issued by the Local Governments.

6. With reference to paragraph 5 of Mr. Hewett's letter, it is considered that the last words in clause IX of Rule 6 should be "of England or this country."

7. With regard to paragraph 6 of the letter under reply, the Government is of opinion that no serious difficulty will be found in providing suitable places for the temporary storage of explosives of which samples may be taken for examination.

8. In paragraph 7 of Mr. Hewett's letter, enquiry is made as to whether it is considered advisable to lay down a scale of distances between magazines of explosives and other buildings in order to secure a zone of safety. In reply I am to state that such a course has already been adopted by this Government, the table of distances in use in England having been communicated to all District Magistrates and the Commissioner of Police, Madras, for their information and guidance—*vide* G.O., dated 20th July 1894, No. 1794 (copy enclosed).

9. If it is decided to draw up a list of authorized explosives, it appears desirable to amend Rules 14 and 17 relating to the manufacture, possession and sale by the addition after the words "if the explosive is" of the words "an explosive authorized to be possessed by the Government of India and is".

10. With reference to paragraph 8 of Mr. Hewett's letter, the Government accepts the proposal to issue a rule similar to amended Rule 27 as issued by the Governments of Bombay and Bengal and approves the proposed appointment of the Superintendent and Assistant Superintendent of the Government ~~Gun Powder~~ Gunpowder Factory at Kirkee to be respectively Chief Inspector and Inspector of Explosives in all parts of the Madras Presidency. A draft amended rule is, accordingly, appended to this letter, and I am to state that His Excellency the Governor in Council would be glad if arrangements could be made to depute either the Chief Inspector or the Inspector to visit the Madras Presidency once a quarter. As was pointed out in my letter, dated 20th December 1894, No. 3149, it is most desirable that an early inspection should be made of certain magazines situated in the vicinity of Madras City, the safety of which is by no means free from doubt. I am further instructed to enquire what contribution towards the allowances payable to the Inspectors of Explosives will be required of the Government of Madras.

11. His Excellency the Governor in Council concurs with the Government of India in thinking it expedient to retain a column in the licenses to manufacture, sell and possess gunpowders and certain other explosives (Forms A, B, C and D in the schedule) to show the total quantity allowed to be manufactured or to be possessed or sold during the year.

12. With reference to paragraph 10 of Mr. Hewett's letter, it appears desirable that the Government of India should issue instructions prescribing the maximum intervals at which inspections should be carried out by Inspectors of Explosives. The amount of work which will be entailed by the periodical inspection of magazines in this Presidency may be inferred from Enclosure B to this letter, which gives the particulars required by the Government of India.

13. Paragraph 11 of Mr. Hewett's letter has already been replied to in my letter, dated 2nd July 1895, No. 194, Marine, accepting the recommendations made in regard to the amendment of Rules (*c*) and (*h*) of the Port Rules published in G.O., dated 16th June 1894, No. 232, Marine. The draft amended rules have been approved by the Government of India—*vide* letter, dated 19th August 1895, No. 1207—and have now been taken into consideration and finally sanctioned.

14. In reply to the concluding paragraph of Mr. Hewett's letter, I am to state that the rules under the Explosives Act have not yet been extended to a wider area than that specified in G.O., dated 27th October 1886, No. 2914, Judicial, *viz.*, the districts of Madras, Coimbatore, Malabar and Nilgiris.

15. As to the desirability of extending the application of the rules, there is a general consensus of opinion among District Magistrates that the use of explosives is as yet not sufficiently common to warrant it. In the district of North Arcot, however, a Mining Company is working at Bisanatham, in the Kangundi zamindari, and uses in its operations a large quantity of blasting gelatine and detonators. The District Magistrate considers that the precautions which the Company already observes are practically sufficient but ~~and~~ that, though the introduction of the Explosives Rules is not absolutely necessary, it would still be desirable to be in a position to exercise control. For this reason he recommends the application of the rules to the ~~North Arcot district.~~ locality in question. The Government agrees in his views and I am therefore to enclose a draft notification for the purposes of giving effect to them.

[illegible] may [illegible] → certain [illegible] of the N. Arcot Dt.

I have the honour to be,
Sir,
Your most obedient servant,

OOTACAMUND,
7th September 1895.

Chief Secretary.

APPENDIX A.

Draft amended (*Madras*) *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 of Madras, seizes, detains or removes any such explosive, he shall report the fact to the District Magistrate or the Commissioner of Police, Madras, 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 of Madras, shall destroy any such explosive without the previous sanction of the District Magistrate or the Commissioner of Police, Madras, 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 of Madras	The Commissioner of Police, Madras. All Police officers of rank not below that of Inspector, if specially deputed in that behalf by the Commissioner of Police.

APPENDIX B.

Statement showing all the Licenses under Rule 17 at present in force in this Presidency.

No.	The date of first issue of the license.	The name of the license holder.	The location of the magazine.	The description and quantity of explosives permitted to be stored therein.
1	10th May 1888 ..	Messrs. Andrew & Co., Calicut.	Ferok Fort, Malabar district.	Dynamite, 600 cases = 30,000 lb. Detonators, 1,000 boxes = 100,000 No. Safety fuses, 50 barrels = 15,000 coils.
2	22nd March 1889.	Messrs. Philip Thompson & Co.	Coonoor, Nilgiri district.	Dynamite, 5,000 lb. Blasting powder and compressed cartridges, 800. Detonators, 15,000.
3	1st Feb. 1890 ..	Messrs. Best & Co., Agents, Nobel's Explosives Company, Limited, Madras.	Koorookapet (Madras).	No. 1 dynamite, 200,000 lb. Blasting gelatine, 200,000 lb. Gelignite, 75,000 lb. Gelatine dynamite, 50,000 lb. Detonators, 1,500,000 ~~No.~~ Safety fuses, 120,000 coils. Electric fuses, 10,000 coils. Blasting or sporting powder, 25,000 lb.
4	8th March 1890.	Messrs. Parry & Co., Madras.	Do. do. ..	Dynamite, 20 tons.
5	23rd May 1890 ..	Mr. A. D. Adams, Agent of Messrs. Parry & Co., Devala.	Nambalkod Amshom, Nilgiri district.	Dynamite, 6 tons. Detonators, 100,647. Platinum wire detonators, 3,226. Fuse, 9,000 coils.
6	9th Jan. 1888 ..	Messrs. Arbuthnot & Co., Madras.	Koorookapet (Madras).	Dynamite, 30,000 lb. Gelatine, 5,000 lb. Blasting gelatine, 5,000 lb. Safety fuses, 30,000 coils. Detonators, 300,000.
7	29th April 1891.	Messrs. Spencer & Co., Ootacamund.	Ootacamund ~~village~~. (Nilgiri district)	Gunpowder, 500 lb. Nitro compound, 500 lb. Cartridge and cartridge cases, 70,000. Caps, 40,000.
8	29th April 1891.	Messrs. Oakes & Co., Ootacamund.	Do. do.	Gunpowder, 1,000 lb. Caps, 500 boxes. Loaded cartridges, 25,000. Dynamite, 500 lb. Detonators, 500. Fuse, 1,000 coils.

ENCLOSURE C.

Draft Notification.

In exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884, the Governor in Council is pleased, with the previous sanction of the Governor-General in Council, to make the rules published at pages 16–31 of the *Fort St. George Gazette* Supplement, dated 25th May 1887, to regulate the manufacture, possession and sale of explosives applicable to the local areas comprised within the villages of Bisanatham and Adinatham ~~and~~ in the Kangundi zamindari, in the district of North Arcot.

Is this correct
Are Bisanatham & Adinatham
actually in, or only near the
Kangundi Zamindari
S
20.5

Exd. A. Raitt.

Govt. of {1895} Madras.

JUDICIAL.

Issued

Recd. Encl.

Letter, 7th Sept. 1895, No. 1885.

SEPTEMBER.

Explosives Rules.

Approving, with remarks, the proposed alterations in the —; and recommending the application of the rules to the North Arcot district.

A

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

Read—again the following paper :—

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

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

Read—also the following papers :—

G.O., dated 2nd July 1895, No. 193, Marine.

Read— the following papers :—

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

Read—the following letter 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.

* * * * *

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 beginning of Rule (*i*)."

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Marine Department.

No. 1114.

Referred to the Chairman, Harbour Trust Board, for remarks with advertence to paragraph 4 of the order.

(By order.)

Ootacamund,
23rd May 1895.

(Signed) C. G. TODHUNTER,
Ag. Assistant Secretary.

From W. J. H. LE FANU, Esq., I.C.S., Chairman, Harbour Trust Board, to the Chief Secretary to Government, dated Madras, 31st May 1895, No. 900.

I have the honour to acknowledge the receipt of G.O., Judicial, No. 1013, dated May 14th—Current No. 367, Marine Department, herewith returned—forwarded under endorsement, No. 1114, dated 23rd idem, for remarks with reference to paragraph 4.

2. It is noted that, in the opinion of the Chief Inspector of Explosives, dynamite, when made up into charges for blasting, falls under Class 6, the ammunition class, and he suggests that an addition to Rule (*c*) should be made compelling vessels carrying "Division 2—ammunition class" to anchor one mile north of the harbour as provided in that rule.

3. When these rules were framed the Trustees of this harbour objected to gunpowder being landed or shipped inside the harbour, and to dynamite and allied explosives entering it at all.

4. The objection to dynamite still continues; but consequent upon a correspondence with the Right Honourable the Secretary of State, regarding the exclusion from the harbour of the S.S. *Rewa* in December 1891, the objection to gunpowder has been withdrawn.

5. It is now customary to permit gunpowder to be landed and shipped inside the harbour under the provisions of Rules (*j*) and (*k*), though doing so is in direct opposition to Rule (*c*), which precludes this being done inside the harbour.

6. Under these circumstances, and, as the proposed alteration in the rules would still exclude gunpowder from being landed or shipped inside the harbour under Rule (*c*), while allowable under (*j*) and (*k*), I submit a revised draft of Rule (*c*) intended to bring that rule into harmony with the existing practice. This rule, as amended, now provides that any explosives, other than Classes 2, 3, 4, 5 and Division I of Class 7, or Class 6 charged with or containing explosives of Classes 2, 3, 4 or 5 may be landed and shipped inside the harbour. In other words, gunpowder, the properties of which are perfectly well known, ammunition of all kinds, unless charged with or containing explosives of Classes 2, 3, 4 or 5 and manufactured fireworks may be admitted to and landed or shipped inside the harbour. All other classes of explosives are excluded.

7. To bring Rule (*h*) into harmony with (*c*) a slight alteration, as noted in italics, has been made, which has also the advantage of simplifying the rule.

8. With regard to Rule (*i*), the Trustees are of opinion that the whole of "Class 6—ammunition class" may be excluded from the operation of this rule; as, although dynamite in charges for blasting is ruled as coming under that class, this does not necessitate smoking being prohibited and all fires extinguished on board on that account. Rule (*i*) might therefore remain unaltered.

9. The Trustees would take this opportunity of requesting that Rule (*g*) may be modified. When a large quantity of dynamite is being landed between the old and new stone revetments, serious delay occurs if only one boat is permitted to approach the beach at a time: two boats are now therefore allowed to beach simultaneously, and as, when once the cases come to the shore the more expeditiously they are removed the better, permission might be granted for the two which are allowed to beach together also to unload at the same time.

ENCLOSURE.

EXTRACT of Proceedings of the Trustees of the Harbour of Madras at a Meeting held at the offices of the Board on Friday, the 31st day of May 1895.

* * * *

5. Read endorsement, No. 1114, dated 23rd May 1895, from the Chief Secretary to Government, forwarding G.O., No. 1013, Judicial, dated 14th idem, for remarks,

with reference to paragraph 4, regarding suggested alterations in the rules for the landing and shipment of explosives at the port of Madras.

Read draft reply.

Resolution.—Approved.

* * * *

Order—dated 2nd July 1895, No. 193, Marine.

The following notification will be published in the *Fort St. George Gazette*:—

NOTIFICATION.

In accordance with section 18 (1) and (3) of Act IV of 1884, the Indian Explosives Act, the following proposed amendments in the rules to regulate the transport and importation of explosives in the port of Madras, which were promulgated for guidance with the *Fort St. George Gazette* of the 26th June 1894, are published for the information of persons likely to be affected thereby, and notice is hereby given that these amendments will be taken into consideration at or after the fifteenth day of August 1895.

For rules (*c*), (*g*) and (*h*) substitute the following:—

Rule (*c*).—Every vessel entering the port of Madras, having on board explosives of classes 2, 3, 4 or 5, or Division 1 of class 7 (as defined under the rules made by the Governor-General in Council under section 5 of the Indian Explosives Act, 1884), or having on board explosives of "class 6—ammunition class" charged with or containing explosives of classes 2, 3, 4 or 5 in excess of 100 lb. in weight, shall, on arrival at the port, proceed to a distance of not less than one mile north of the North Arm, and half-a-mile off-shore outside the harbour, and shall not be permitted to enter the harbour until all such explosives have been discharged; after which, provided the requirements of rule (*e*) as regards the security of explosives remaining on board have been met, the vessel may be permitted to enter the harbour, and to discharge or ship therein other explosives not being of classes 2, 3, 4 or 5, or ammunition containing or charged with explosives of classes 2, 3, 4 and 5, or fireworks composition class 7, Division 1. Whilst any explosives shall remain on board, such vessel shall have a red flag kept flying at the foremast head between sunrise and sunset and one red light at the ensign staff or peak in addition to the usual anchor light between sunset and sunrise, and the Master or Chief Officer shall remain on board of her until the explosives intended for the port of Madras shall have been discharged.

Rule (*g*).—All barges, lighters and boats having any explosives on board shall remain off-shore until orders are received from the officer directing the landing to approach the beach. Not more than two such barges lighters or boats shall be permitted to unload at a time, and such unloading shall take place either between the old and new stone revetments protecting the foreshore beyond Royapuram and Casimode or at the north end of the new revetment according to the state of wind and current.

Rule (*h*).—With the sanction of the Chairman of the Harbour Trust Board, which will be accorded only on production of the required special permit from the Collector of Sea Customs, explosives not prohibited under rule (*c*) if properly packed as required by rule 2 of the rules issued by the Governor-General in Council under section 5 of the Indian Explosives Act, 1884, may be shipped on board, or landed from, a vessel lying at the ordinary moorings within the harbour. Shipment of any such explosives shall be effected under the precautions and conditions mentioned and contained in these rules, and such explosives must be taken on board the vessel for which they are intended immediately after the boat by which such explosives are taken off to such vessel has come alongside the same, and no cargo boat or other vessel having fire on board shall be allowed to lie near such vessel during the time that any explosives are being shipped on board the same.

[Here enter letter, dated 2nd July 1895, No. 194, Marine.]

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Presidency Port Officer.
,, the Chairman, Harbour Trust Board.
,, ,, Chamber of Commerce.
,, ,, Madras Trades Association.
,, the Judicial Department.
,, Messrs. Arbuthnot & Co.
,, ,, Binny & Co.
,, ,, Parry & Co.
,, ,, Best & Co.
,, Gazette.

From the Commissioner of Police, Madras, to the Chief Secretary to Government, dated 22nd May 1895, No. 42.

With reference to G.O., dated 14th May 1895, No. 1013, Judicial, directing me to express my opinion regarding the proposed amendments of the rules under the Explosives Act, I have the honour to report that—

II (i) (ii) (i) *and* (ii).—In the case of blasting gunpowder I would insist upon either double packing or the use of cases or barrels of a pattern approved by a Government Inspector of Explosives, leaving to the licensee the option of deciding which of these two methods of packing he will employ.

III (iii).—The foot-note should be appended and the rules alluded to published with the general rules under the Explosives Act for the information of licensees and others concerned.

IV (iv).—The necessity for the proposed addition to Clause IX of rule is not very obvious; the rule as it stands is sufficiently explicit.

V (v).—There would be considerable difficulty in providing a suitable place for the temporary storage of explosives unless the Ordnance Department will consent to the powder magazine attached to the old Gunpowder Factory being used for the purpose. The Ordnance Department allowed this building to be occupied by this department while the merchants' magazine was under repair, and has from time to time received into it gunpowder for which there was no room in the merchants' magazine. There has been no recent occasion for this.

I (iii) 2. Licenses have been issued for the importation into Madras of the following substances, being explosives falling under Rule 13 of the Importation Rules, viz.—

Dynamite.
Gelignite.
Blasting Gelatine.
Carbonite.
Stonite.

Of the two last only one consignment has been received. This was in November 1893; the quantities were 200 lb. and 1,800 lb. respectively.

(Signed) H. W. H. COX, Colonel,
Commissioner of Police.

From the Chemical Examiner, to the Chief Secretary to Government, dated Madras, 27th May 1895, No. 580.

With reference to G.O., No. 1013, Judicial, dated 14th May 1895, I have the honour to submit the following remarks:—

(i) (ii) II (i) (ii) 2. *Clauses ~~I~~ and ~~II~~ of paragraph* 1.—As far as I know, there is no reason for exempting blasting gunpowder from the general rule as to double packing. In the event of there being practical difficulties in enforcing the rule in the case of blasting gunpowder, it would be advisable to prescribe an approved pattern of a single packing case or barrel.

III (iii) 3. *Clause ~~III~~ of paragraph* 1.—It seems advisable to indicate the existence of rules relating to the search, seizure and detention of explosives which contravene regulations, and to add a foot-note to Rule 3 to this effect in the terms proposed.

IV (iv) 4. *Clause ~~IX~~ of paragraph* 1.—The words "of England or this country" should be added to Clause IX of Rule 6.

(v) V 5. *Clause ~~V~~ of paragraph* 1.—I do not know whether there would be any insurmountable difficulties in providing suitable places for temporary storage of explosives during examination of the samples. As a matter of fact, my certificates in the case of explosives which cannot be landed until they have passed the test, are issued on the same day as the samples reach me. An occasional exception to this rule of practice occurs in the case of explosives manufactured by Nobels' Company, which are permitted to be landed prior to my examination, by G.O., No. 2586, Judicial, of the 24th September 1885. In these cases the certificate is sent the next day, the explosives having in the meantime been landed and stored by Messrs. Best & Co.

I (i) + (ii) 6. With reference to paragraph 3, I have the honour to state that in my opinion it is very desirable that an officially-classified list of "authorised explosives" should be added as a foot-note to Rule 1 and that it would also 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."

(Signed) J. L. VANGEYZEL, Surgn.-Major,
Chemical Examiner.

From Messrs. BEST & Co., to the Chief Secretary to Government, dated Madras, 8th June 1895.

We have the honour to acknowledge the receipt of—

(1) Government Order, Judicial, No. 1013, dated 14th May, handing us a copy of a letter and enclosure received by the Government of Madras from Mr. J. P. Hewett, C.I.E., Officiating Secretary to the Government of India, Home Department (Public), dated 28th March 1895, No. 4, Public—520, and requesting to be favoured as soon as possible with our opinion as to certain points in connection with the proposed amendments to the Explosives Rules.

(2) Government Order, Judicial, No. 1179, dated 31st May 1895, communicating, in continuation of the above Government Order, particulars of a memorandum made to the Government of India by Colonel V. D. Majendie, Her Majesty's Chief Inspector of Explosives, dated 16th December 1893, regarding the rules regulating the transport, importation, manufacture, possession, sale, sampling and examination of explosives in India.

2. In reply to G.O., Judicial, No. 1013, dated 14th May 1895, we have pleasure in submitting our opinion on the points in question as follows:—

(i) We are of opinion that clause III of Rule 2 (relating to transport) should be deleted, and that no exemption from the general rule as to double packing contained in clause IV be allowed in favour of blasting powder. II (i)

(ii) We do not consider the above rule to be too stringent, blasting powder imported into this country, so far as we are aware, being invariably packed in stout canvas bags enclosed in wooden kegs or barrels, which method of packing, we take it, fully complies with the requirements of clause IV. II (ii)

(iii) We see no objection to a foot-note being appended to Rule 3 indicating that "rules regarding search for, and detention of, explosives contravening regulations have been issued by the Local Governments." III

(iv) Our opinion is entirely favourable to the proposal of the Government of India to add to the last words in clause IX of Rule 6 the words "of England or this country." IV

(v) With reference to the proposed addition (in italics) to Rule 15 of the Import Rules, we are entirely in accord with same, we finding no difficulty in providing suitable accommodation for the temporary storage of explosives of which samples have been taken for examination. V

3. In conclusion, we would take this opportunity of drawing the attention of Government to the serious delay that ofttimes occurs during the landing of large shipments of dynamite, blasting gelatine and gelignite, through the fact that only one boat is allowed to unload at a time, and we would suggest some modification be made to the Port Rules allowing, with due precautions, two or more boats to unload at once as the more expeditiously the explosives are unloaded and removed to a place of safety the better.

(Signed) BEST & Co.

From Messrs. PARRY & Co., to the Chief Secretary to Government, dated Madras, 8th June 1895.

We have the honour to acknowledge receipt of G.O's., No. 1013 of 14th May 1895, and No. 1179 of 31st idem, with their respective enclosures, referring to certain points in connection with the proposed amendment of the Explosives Rules, and in reply thereto we beg to state as under :—

II (i)(ii) (i) *and* (ii).—As we do not import blasting powder, we regret we cannot offer an opinion.

III (iii).—In our opinion there is no objection to the suggestion that 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 (iv).—We would approve of 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 (v).—With reference to the proposed addition (in italics) to Rule 15 of the Import Rules, we beg to say that we have our own licensed magazine in which explosives awaiting examination may be temporarily stored. We wish to point out, however, that apparently the addition contemplates only such explosives as, under Rule 8 (Importation), may be landed previous to examination, and we would submit that where the consignees are the possessors of a licensed magazine suitable for the reception and storage of explosives pending examination, permission to land previous to examination may be conceded even in the case of explosives other than those of British manufacture, provided always that the consignees do give to the Chief Customs Officer of the port such undertaking, with security if required, 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.

(Signed) PARRY & Co.

From the Lieutenant-General Commanding the Forces, Madras, dated 6th July 1895, No. 1207-M.W.

ABSTRACT.—Stating that a reply to G.O., No. 1013, dated 14th May 1895, will be sent on receipt of a report from the Inspector-General of Ordnance.

From Messrs. ARBUTHNOT & Co., to the Chief Secretary to Government, dated Madras, 9th July 1895.

With reference to Judicial Proceedings, No. 1013, dated 14th May 1895, regarding proposed amendments of the rules under the Explosives Act, we have the honour to report as follows, viz.—

II (i) *Paragraph* 1 (i).—We are of opinion that clause III of Rule 2 (relating to transport) should be deleted and no exception from the general rule as to double packing, contained in clause IV, be allowed in favour of blasting powder. Our experience, however, is that blasting powder is always packed in double packing, viz., a stout canvas bag and a strong wooden barrel.

II (ii) (ii).—The foregoing remarks reply to this clause also.

III (iii).—We see no objection to the proposed foot-note being added to Rule 3.

IV (iv).—Nor do we see any objection to 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."

Paragraphs 2, 3, 4 *and* 5.—No doubt, the officials referred to in these paragraphs will supply the information asked for.

(Signed) ARBUTHNOT & Co.

From the Inspector General of Ordnance, Madras Command, to the Deputy Adjutant-General, Madras Command, Ootacamund, dated Fort St. George, 6th July 1895, No. 5646-O.

Your No. 947-M.W., dated 24th May 1895, and No. 1013-M.W., dated 1st June 1895.

In returning the enclosures received with the above, I have the honour to offer the following remarks.

Rule IV (*a*) gives the maximum weight of gunpowder in a barrel at 100 lb. There are certain natures of gunpowder which are packed 110 lb. and 125 lb. in a barrel. I would suggest that the rule may be altered accordingly.

x
[illegible] 4 of the Rules in G.O. 1013
14-5-95

(Signed) T. WALKER, Col., R.A.,
Inspector-General of Ordnance.

No. 1229-M.W.

Forwarded, for information, with reference to Orders of Government, 14th and 31st May last. I regret the delay, but the file has only just been returned by the Inspector-General of Ordnance of this Command.

(Signed) C. M. CLARKE, Lt.-Genl.,
Commanding the Forces, Madras.

10*th July* 1895.

To the Chief Secretary to Government.

From the Acting District Magistrate, Malabar, to the Chief Secretary to Government, dated Calicut, 15th July 1895, No. 1171-Magl.

I have the honour to reply to G.O., dated 14th May 1895, No. 1013, Judicial.

2. I asked Mr. D'Rose, of Messrs. Andrew & Co., who are the local agents for Messrs. Nobels and who have a dynamite magazine at Ferokh, to look through the papers and to let me have his opinion as to the proposed amendments. I enclose a copy of his reply.

3. I will now give my opinion *seriatim* on the five points mentioned in paragraph 1 of the Government Order under reply :—

(i).—Clause iii of Rule 2 (relating to transport) should be deleted, and no exemption from the general rule as to double packing be allowed in favour of blasting gunpowder. *Reasons.*—If a barrel covered with gunny or wax-cloth and containing blasting gunpowder is knocked against anything sharp, both the gunny and the barrel might be cut and the gunpowder escape. The chance of gunpowder escaping would be minimised if the gunpowder were placed in a bag, canister or other closed receptacle, and that in its turn placed inside a strong box or barrel. II (i)

(ii).—I do not think that the rule is too stringent. In this country, wood, however well seasoned, is liable to warp or crack. Hence it is necessary to have an inner package. II (ii)

(iii).—A foot-note may be appended to Rule 3 as suggested. III

(iv).—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" may be adopted. IV

(v).—There is no suitable place at present in Calicut for the temporary storage of explosives unless the Military authorities will allow the magazine at the barracks to be used for the purpose. The Police magazine is in the heart of the town, and therefore not a suitable place. A magazine could easily be built on the beach near the Sea Customs House. V

(Signed) H. MOBERLY,
Ag. District Magistrate.

ENCLOSURE.

From Messrs. ANDREW & Co., to the Collector of Malabar, dated Calicut, 8th July 1895.

[*Proposed amendment of the Rules under the Explosives Act.*]

As requested, we would beg to state our views with reference to points submitted as follow :—

(i).—In our opinion clause III of Rule 2 might very well be deleted and blasting gunpowder brought under clause IV with reference to transport. This II (i) removes the gunny from the outside to the inside of the package, and this in view of possible rough handling during carriage seems desirable in a country like this.

II (ii)

(ii).—We are in some doubt if the case or barrel might not get warped or cracked in some parts of India with the excessive heat of the sun and therefore think it would be advisable to have the gunpowder packed in a substantial bag, placed inside, as provided for in clause IV, and so be secured independent of the outside package.

III

(iii).—We think the footnote as suggested might be appended to Rule 3.

IV

(iv).—Seeing that dynamite and other explosives arrive in this country packed in England and are usually transported throughout India in their original packing, it seems desirable to add the words "of England or this country" to clause IX of Rule 6.

V (sic)

(v).—With reference to this point, we do not think there is any suitable place for the temporary storage of explosives at this port. We do not, however, anticipate much inconvenience from this, for explosives brought here are mostly re-exports from Bombay, where they will doubtless have been submitted to the necessary chemical analysis, and this, we think, might be accepted here.

regards/

As far as direct importations there seems no help for it but to allow the explosives to remain on board the vessel (which should be anchored at a safe distance) until the Chemical Examiner's report has been obtained. This, however, should not entail a longer delay than three to four days, the result of the examination being communicated by wire. If the words "or remain on board the vessel as may be directed by the Chief Customs officer" were inserted after the words "or places of storage" it might put this point right.

I (iii)

We are the local agents for Messrs. Nobels, and import through Bombay their dynamite, detonators and fuses.

We beg to return herewith the papers you left with us on Friday afternoon, and to thank you for a perusal of same.

(Signed) ANDREW ~~AND~~ Co.

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Exd. A. Raitt.

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