

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1668

Press

Mis.

Dated 28-7-1887

Not to be folded or roughly handled

Indian Exchanges Act

28TH JULY 1887, No. 1668, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again Notifications of the Government of India, in the Home Department, Nos. 1416-1417, dated 24th June 1887.

ORDER—dated 28th July 1887, No. 1668, Judicial.

By the first of the foregoing notifications, the Government of India have directed that the Indian Explosives Act shall come into force on the 1st July, and by the second notification they have framed rules under section 5 of the Act for the regulation of the transport and importation of explosives. Rule 10 of the foregoing rules permits the importation of explosives at the ports of Calicut and Madras only, and rule 6, clause IX, provides that a consignment of explosives, intended to be forwarded by public railway, must be accompanied by a certificate signed by an officer authorized by the Local Government in this behalf that the explosive, if it is guncotton, dynamite, or blasting gelatine, is of the standard purity and has undergone no deteriorations since its manufacture, and further, in the case of dynamite, that the cartridges have been examined and show no signs of exuded nitro-glycerine.

2. The Government are, accordingly, pleased to authorize the Chemical Examiner to give such certificates.

3. The District Magistrate of Malabar will report whether there will be any difficulty in sending the necessary samples from Calicut to the Chemical Examiner, and if so, whether the District Surgeon is in a position to apply the tests requisite to enable him to grant such certificates, as well as those referred to in rule 8, clause 14, and other parts of the Government of India's rules. His Excellency in Council is not aware whether explosives are ever imported at Calicut, and it is probable that such as are brought there will come from Bombay and be covered by a certificate from the Chemical Examiner of that Presidency. The District Magistrate will also report on this subject.

(True Extract.)

Ag. Chief Secretary.

To the Chemical Examiner.
" District Magistrate, Malabar.

Exd. A. Raitt.

Govt. of (1887) Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., 28th July 1887, No. 1668.

JULY.

Indian Explosives Act.

Passing orders for the appointment of certifying
officers under rules framed under the —.

No. 1416.

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

PUBLIC.

Simla, the 24th June 1887.

NOTIFICATION.

THE Governor-General in Council is pleased to direct, under section 2 of
"The Indian Explosives Act, 1884," that the said Act shall come into force on
the first day of July 1887.

A. P. MACDONNELL,
Secretary to the Government of India.

No. 1417.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

Simla, the 24th June 1887.

NOTIFICATION.

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

(2) These Rules extend to the whole of British India, but nothing in the Rules relating to the transport of explosives shall apply in any Port as defined in the Indian Ports Act, 1875, for which the Local Government may have made or may make special rules under the Indian Explosives Act, 1884, to regulate the transport of explosives therein.

PRELIMINARY.

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

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

(a) by order of the Government, or

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

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

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

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

CLASS 1.—Gunpowder Class.

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

CLASS 2.—Nitrate-mixture Class.

The term "nitrate-mixture" means any preparation, other than gunpowder ordinarily so called, formed by the mechanical mixture of a nitrate with

any form of carbon or with any carbonaceous substance not possessed of explosive properties, whether sulphur be or be not added to such preparation, and whether such preparation be or be not mechanically mixed with any other non-explosive substance.

The nitrate-mixture class comprises such explosives as—

Pyrolithe,
Pudrolithe,
Poudre saxifragine,

and any preparation coming within the above definition.

CLASS 3.—*Nitro-compound Class.*

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

The nitro-compound class has two divisions.

Division 1 comprises such explosives as—

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

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

Division 2 comprises such explosives as—

Guncotton ordinarily so called,	Cotton gunpowder,
Gunpaper,	Schultz's powder,
Xyloidine,	Nitro-mannite,
Gun sawdust,	Picrates,
Nitrated guncotton,	Picric powder,

Tonite (or cotton-powder),

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

CLASS 4.—*Chlorate-mixture Class.*

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

The chlorate-mixture class has two divisions.

Division 1 comprises such explosives as—

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

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

Division 2 comprises such explosives as—

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

Chlorated guncotton,

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

CLASS 5.—*Fulminate Class.*

The term "fulminate" means any chemical compound or mechanical mixture, whether included in the foregoing classes or not, which, from its great susceptibility to detonation, is suitable for employment in percussion-caps or any other appliances for developing detonation, or which from its

extreme sensibility to explosion, and from its great instability (that is to say, readiness to undergo decomposition from very slight exciting causes), is especially dangerous.

This class consists of two divisions.

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

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

CLASS 6.—*Ammunition Class.*

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

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

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

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

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

The ammunition class has three divisions.

Division 1 comprises exclusively—

Safety cartridges,	Railway fog-signals,
Safety fuzes for blasting,	Percussion-caps.

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

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

which do not contain their own means of ignition.

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

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

which do contain their own means of ignition.

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

CLASS 7.—Firework Class.

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

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

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

TRANSPORT.

(a) Packing.

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

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

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

III.—An explosive of the 1st (gunpowder) class, which is intended to be used for blasting purposes, may be carried in barrels covered with waxcloth or gunny.

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

- (a) If the explosive is explosive of the 1st (or gunpowder) class or is explosive of the 2nd (nitrate-mixture) class or is guncotton or other explosive of the 2nd division of the 3rd (nitro-compound) class, the quantity of explosive in any one outer package shall not, in the case of explosive of the first two classes, exceed 100lbs., and in the case of the last, 50lbs.; and if the explosive be guncotton, it shall be carried thoroughly saturated with water.
- (b) If the explosive belongs to the 1st division of the 3rd (nitro-compound) class or to the 4th (chlorate-mixture) class, the inner package shall be without any metal in its construction, and the inner or outer package or both shall be thoroughly waterproof. No one of the inner packages shall contain more than 10lbs., and the aggregate quantity of the explosive in any one outer package shall not exceed 50lbs.
- (c) If the explosive belongs to the 5th (fulminate) class, it shall be packed in such manner as the Governor-General in Council may specially direct.

- (d) If the explosive belongs to the 1st division of the 6th (ammunition) class or is any explosive of the 2nd division, an outer package shall not be required, but it may be contained in quantity not exceeding 100lbs., in a single package, which shall be a box, barrel, or case not less than $\frac{3}{4}$ ths of an inch in thickness, of such strength, construction, and character as will not be broken or accidentally opened or become defective or insecure whilst being conveyed, and will not allow the explosive to escape.
- (e) If the explosive belongs to the 3rd division of the 6th (ammunition) class, it shall be packed in a double package. The inner package shall not contain more than 2lbs. of such explosive, and no more than 50lbs. shall be contained in the outer package.
- (f) If the explosive belongs to the 1st division of the 7th (firework) class, it shall be contained in a double package. The inner package shall be a substantial canister, case, or other receptacle hermetically closed, and containing no more than 1 lb. of explosive, and no more than 20lbs. shall be contained in outer package; and
- (g) If the explosive belongs to the 2nd division of the 7th (firework) class, it shall be contained in a box, barrel, or case of wood, metal, or other solid material, and of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow any explosive to escape, and the quantity of explosive in any one package shall not exceed 100lbs.

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

- (a) The interior of every package, whether single or double, shall be kept free from grit and otherwise clean;
- (b) every package, whether single or double, when actually used for the packing of explosive, shall not be used for the packing of any other explosive of the same or any other class or for any other purpose;
- (c) there shall not be any iron or steel in the construction of any such single package or inner or outer package unless the same is effectually covered with tin, zinc, or other suitable material;
- (d) on the outermost package there shall be affixed, in conspicuous characters, by means of a brand or securely attached label or mark, the word "Explosive," followed by the name of the explosive or other description of the contents and the name and address of the owners or sender; and
- (e) the amount of explosive in any single package, or, if there is a double package, in any one outer package, shall not exceed the amount specified in the foregoing rules, except with the consent of, and under conditions to be approved by, an officer appointed by the Local Government in this behalf.

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

(b) Mode of Conveyance.

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

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

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

III.—No explosive shall be loaded or unloaded except between sunrise and sunset.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

III.—Consignments of explosives shall be sent to the forwarding station and shall be received by the railway servants, only at such times, between sunrise and sunset, as the Railway Administration may appoint; and every package containing any explosive proposed to be conveyed on any railway shall immediately on arrival at the station be unloaded and placed in a safe place under the special direction of the officer in charge of the station.

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

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

VI.—No explosive shall be conveyed by passenger train except of the kinds and in the manner hereinafter specified in this rule:

- (a) Safety cartridges and percussion-caps and safety-fuze (for blasting), also fog-signals for railway use, may be conveyed by passenger train, in ordinary wagons or carriages.
- (b) Dynamite may be carried in the form of cartridges up to the limit of 5lbs., provided that no detonators are carried in the same compartment.
- (c) Detonators to the number of 200 may be carried, provided that in no case the amount of fulminate of mercury in the package or packages containing the detonators exceeds in the aggregate 3oz. (a certificate to this effect being given by the Agent of the Company by whom the detonators are tendered for transport), provided also that no dynamite is carried in the same compartment.
- (d) Sporting gunpowder or non-safety cartridges packed in double cases as before provided, so long as the gunpowder is contained in one-pound tin canisters packed in a stout wooden case with an outer covering of tin or zinc completely spark-proof, or in metal-lined cases of a pattern approved by the Railway Administration. But no outer case shall contain more than 25lbs. of gunpowder, and the total consignment of gunpowder or non-safety cartridges by one train shall not exceed 80lbs.

VII.—Not more than five carriages containing explosives shall be loaded or unloaded at any railway station, or be conveyed by any one train at any one time; and the quantity of explosive to be contained in any one carriage shall not exceed two-thirds of the normal load, unless the carriage shall be specially built and approved of by the Government of India for the conveyance of explosives. But nothing in this clause shall be held to apply to separate consignments of small-arms ammunition.

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

IX.—The consignor shall attach to the consignment note a certificate signed by an officer authorized by the Local Government in this behalf that the explosive, if it is gun-cotton, dynamite, or blasting gelatine, is of the standard purity, and has undergone no deteriorations since its manufacture; and further in the case of dynamite, that the cartridges have been examined and show no signs of exuded nitro-glycerine. The consignor shall also certify that the cartridges have been packed in this country in accordance with the packing rules.

X.—In the case of dynamite the outer package shall be marked with the date on which the dynamite was packed, and be secured with a leaden seal in token of the inspection having been made.

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

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

XIII.—No explosive belonging to the 5th (fulminate) class or to class VI, division 3, shall be carried in the same train with dynamite, or with any other explosive belonging to class III, division 1.

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

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

XVI.—More than three layers of packages containing explosives shall never be packed one above another, except in the case of small-arms ammunition packed in tin-lined service-pattern boxes, when such a restriction is unnecessary. The loading and unloading of explosives when once begun shall be diligently proceeded with during daylight until the same is completed.

XVII.—When the train is being marshalled, wagons loaded with explosives may be shunted by a locomotive, provided that they are separated from the engine by not less than three wagons containing no explosive nor easily inflammable substance; this precaution is not necessary with wagons specially constructed for the carriage of explosive. The speed of these movements will be restricted to 5 miles an hour; they will be superintended by a duly authorized officer, who will be held responsible for the observance of these orders. Flying shunts are strictly prohibited.

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

XIX.—If the wagons employed in the transport of explosive, as well as those immediately adjoining them, are provided with brakes, the brakes shall on no account be worked.

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

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

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

IMPORTATION.

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

Provided that any explosive other than an explosive specified in Rule 11 may, previous to the grant of an importation license, be certified to be of British

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

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

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

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

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

12. The fee payable in respect of each such license shall be Rs. 10.

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

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

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

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

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

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

17. The fee payable on a license granted under Rule 13 shall be Rs. 10.

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

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

GENERAL.

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

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

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

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

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

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

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

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

FREE TAX RULES IN STAMPS.

License to import Explosives into the Port of

Name, &c., and address of licensee holder.	Number of packages.	EXPLOSIVE.			Purpose for which required.	Destination.	Period for which the license is valid.
		Description.	Weight.	Number.			
							From the _____ th of _____ to the _____ _____ th of _____ _____ 189 _____

(Signature)

- of -

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the Rules framed thereunder.
2. This license becomes void after expiry of the period named thereon.
3. This license is valid for importation only; if the articles named herein are to be transported to any place outside the Presidency Town, they must be protected by a transport license, to be issued in accordance with the Rules framed under the Indian Arms Act, 1879.
4. On the outside of each package there shall be affixed in conspicuous characters by means of a brand or securely attached label or mark the word "Explosive," followed by the name of the explosive or other description of the contents and the name and address of the owners or senders.

A. P. MacDONNELL.

Secretary to the Government of India.

Jud. DEPARTMENT.

No.

Rules under the Indian Explosives Act,
1884. Gazette of India. 25 June 87.

Dated

188

FOR ORDERS.

It appears to be necessary that an officer shall be nominated to perform the duties referred to in Rule IX of the Rules regarding Transport. The Chemical Examiner to Govt. is apparently the right person, it is submitted that he should be authorized accordingly.

sep.
16/vii.

The Chemt. Exant. is undoubtedly
the proper person when the Explosives
are confiscated from Squadras,
but if I remember our rules
correctly I think we have
permitted Explosives to be
landed at Calcutt & other
Ports & empowered the D.
Surgeons there to do what
the Chemt. Exant. has to do in
Squadras. If so all such shd
be empowered to sign certificates
under Rule IX.

1372
20 June

FOR ORDERS.

Rules under the Explosives Act

AM

Judicial Department.

19

PROCEEDINGS OF THE MADRAS GOVERNMENT.

again
Read the following

Notifications of the Govt. of India. Home Dept.
nos. 1416-1417, dated 24th June 1857.

1-6/

Order. 28 July/87/1668.

By the first of the foregoing Notifications the Govt. of India have directed that the India Explosives Act shall ^{come} into force on the 1st July, and by the second Notification ^{they} have framed Rules under sec. 5 of the Act for the regulation of the transport & importation of explosives. Rule 10 of the foregoing rules permits the importation of explosives at the Ports of Calcutta & Madras only, & Rule 6, clause II provides that a consignment of explosives, intended to be forwarded by public railway must be accompanied by a certificate signed by an officer authorized by the Local Govt. in this behalf that the explosive, if it is gun-cotton, dynamite, or blasting gelatine, is of the standard purity & has undergone no deterioration since its manufacture.

C19/7
R20/7

Further in the case of dynamite that the cartridges have been examined & show no signs of caustic nitro-glycerine.

2. The Govt are, accordingly, pleased to authorize the Chemical Examiner in the case of explosives ^{to be assigned from} ~~within~~ the town of Polladrad, & the Dist. Magistrate, in the case of explosives ^{to be assigned from} ~~within~~ the town of Calicut, to give the certificate referred to in clause 8 & rule 6 of the Rules framed by the Govt of India under sec. 5 of the I.E. Act 1884.

Alp
22/7.

The Chemical Examiner.

The District Magistrate, Malabar.

Note.

With reference to the Hon. Member's note, dated 20 July, on the Note For Orders, the Local Govt has not permitted any importation of explosives, that matter having been entirely dealt with by the Govt of India. in the Notification No. 1417 of the 24th June. (See Rule 10). Petroleum, the importation of which at various ports, has been proposed to be allowed - (G.O. 17th June 87. No. 1309) is not an explosive under Act 18 of 1884.

Alp
22/7.

to give such certificates.

3. The District Magistrate of Malabar will report whether there will be any difficulty in securing the necessary samples ^{from Calicut} to the Chemical Examiner, and if so whether the Dist. Magistrate is in a position to apply the requisite tests & certificates to enable him to grant such certificates as well as those referred to in Rule 8 & other parts of the Govt of India's Rules. ~~Therefore~~ He in C. is not aware whether explosives are ever imported at Calicut & it is probable that such as are brought there will come from Bombay & be covered by a certificate from the Chem. Ex. & Govt of India. The Dist. Magistrate will also report on this subject.

N.S.

I submit that the Dist. Magistrate Officer Calicut cannot undertake this test unless he is provided with the necessary apparatus, and that if he is to be empowered to make the test, app. for apparatus should be made to him. But it may be questioned whether it is expedient to entrust such work to an ordinary District Magistrate, and, though the rules allow import at Calicut, the necessity for having a testing officer there is not shown. We have no information as to the import of explosives there or as to the place when they come. If hitherto there have been no such import, we may wait until it springs up. If there have been import till it is from Bombay, the explosives will probably be covered by certificates issued by the Chemical Examiner or other authorized officer there. Before empowering the Dist. Magistrate Officer at Calicut I would suggest a reference to the Dist. Magistrate for information as to past imports & opinion as to the necessity. The license to import is given by the Dist. Magistrate (rule 14) & before it is issued samples must be tested. It might be possible to send such samples to Madras.

N.S.

T
28/11

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[D. 1-10-11.]

Indian Explosives Act.

Passing orders for the appointment
of certifying officers under
sub-section 1 of the