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[Despatch Abstract]

Explosives.

Ordering the publication
in the Fort St. George Gazette
of the notification
making certain altera-
-tions in the rules
to regulate the transport
& importation of —
in the port of Madras.

10 Copies

T 579

Gobt. of {1895} Madras
MARINE.

Issued

Recd.

Encl.

G.O., 3rd Sept. 1895, No. 269.

SEPTEMBER.

Explosives.

Ordering the publication in the *Fort St. George Gazette* of the notification making certain alterations in the rules to regulate the transport and importation of — in the port of Madras.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DIRECTIONS.

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President

3RD SEPTEMBER 1895, No. 269, MARINE.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—again the following paper :—

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

ABSTRACT.—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.

READ—also the following paper :—

From L. M. THORNTON, Esq., Deputy Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Simla, the 19th August 1895, No. 1207.

In reply to your letter, No. 194, dated the 2nd ultimo, I am directed to say that the Governor-General in Council sanctions, under section 5 (1) of the Indian Explosives Act, IV of 1884, the revised draft rules therewith submitted in substitution for Rules (c), (g) and (h) of the rules for regulating the transport and importation of explosives in the port of Madras which were sanctioned in Home Department letter, dated the 31st May 1892, No. 1552.

* * * * *

ORDER—dated 3rd September 1895, No. 269, Marine.

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

NOTIFICATION.

In exercise of the power conferred by section 5 of the Indian Explosives Act, IV of 1884, the Governor of Madras in Council is pleased, with the previous sanction of the Governor-General in Council, to make the following alterations in the rules to regulate the transport and importation of explosives in the port of Madras, which were promulgated for guidance in the *Fort St. George Gazette* of the 26th June 1894 :—

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 I 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 I. 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.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DUTY.

ORDER, Etc., OF GOVERNMENT—A.

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President

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 fore-shore beyond Ráyapuram 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.

(True Extract.)

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.

Gobt. of {1895} Madras
MARINE.

Issued

Recd.

Encl.

G.O., 3rd Sept. 1895, No. 269.

SEPTEMBER.

Explosives.

Ordering the publication in the Fort St. George Gazette of the notification making certain alterations in the rules to regulate the transport and importation of — in the port of Madras.

(Here enter the revised rules
in G.O. of 2^d July '95, No. 193)

25/3
27.8.5.

28/8/95.

Transport of Explosive
Rules

To The P. P. Officer.
" " Chairman, H. J. Board.
" " Chamber of Commerce.
" " Madras Trades Association.
" " Judicial Dept 1
Messrs Arbuthnot & Co. 3
" " Baring & Co. 3
" " Parry & Co. 3
" " Best & Co. 3
" " Gazetted 10/9/95

O.P. // E

of the Government
Hon. S. W. B. C. O. R.

Mr. The original Rules were examined by
the Advocate Genl. in 1892 under
the Special orders of the Govt. of India.
There is from the legal point of view
no alteration in the substituted rules.
The Govt. of India (passed in 1882)
was also communicated to the Marine
Dept. It will in future be observed

Judicial dept
for favour of communication
8
30.5.50

28/8/95

12/9.1899

38
Marine L. No. 670 of 95

Read again S.O. 82^d July,
1895, No 193, Marine.

Read also Current No. 670.
(print para 1 only)

Order 83^d Sept 1895, No 269

The following Notice
will be published in the Fort
St George Gazette:-

In exercise of the power
conferred by Section 5 of the
Indian Explosives Act, IV
of 1884, the Governor of Madras
in Council is pleased, with the
previous sanction of the Govt
Council in Council, to make the
following ^{alterations} ~~amendments~~ in the
rules to regulate the trans-
port and importation of
explosives in the port of
Madras, which were promul-
gated for guidance in the
Fort St George Gazette of the
26th June 1894:-

For rules (c), (g), and (h)
Substitute the following:-

Here

note
written ref: to para 2 of C. 670
the Indl Dept will be requested
to reprint its No. 261, dt 31.1.77,
and No. 778, dt 25.7.82, and
Comm. them to Marine & other
depts under the C.S.
No representations in
regard to the amendments
have been received. Please
see H's note in fo. 193-

Re: the notification under
the above referred to the
Hon. Secy to the Govt. of Madras
that the proposed rules
The proposed rules have been before
the public for some time, and as
nobody has raised any objections,
I suppose we may assume that
the point raised by the hon. Mr.
Pillai is not considered objectionable
by those who will have to work
under them.

W
31 Aug
I think so - If the people inter-
ested don't raise any question,
why should we?
2/9/95

670
Marine Dept

From the Secy. Home. Dept.

No 1207.

Dated 19 }
Recd 26 } August 19

Subj: ^{with remarks}
Communicating Sanction to certain
rules regulating the transport and
importation of explosives in the port of
Madras

Refd to 407 W
2/9/95

Marginalia 193-94 dt 1/1/95
380 dt 16-9-95
Just 778 dt 25-7-82. se
File about explosives

Read also the following paper: No. 1207

From

L. M. Thornton, Esq.,

Depy. Secy. to the Govt. of India.

To

The Chief Secretary to Government of Madras.

Home Department

(Public)

Sir,

In reply to your letter No. 194 dated the 2nd ultimo, I am directed to say that the Governor General in Council sanctions, under section 5 (1) of the Indian Explosives Act, IV of 1884, the revised draft rules therewith submitted in substitution for rules (c) (g) and (h) of the rules for regulating the transport and importation of explosives in the port of Madras which were sanctioned in Home Department letter No. 1552 dated the 31st May 1892.

2. I am at the same time to invite attention to the letter from this Department No. 12/980 dated the 13th July 1882, and to observe that it is not stated as required by those orders, that the rules have been settled in consultation with the law officers of the Government of Madras.

I have the honour to be,

Sir,

Your most obedt. Servant,

L. M. Thornton

Depy. Secy. to the Govt. of India.

Govt. of {1895} Madras.

MARINE.

Issued

Recd.

Encl.

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

JULY.

Abstract

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.



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 (c) 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 fore-shore 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 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.)

Chief Secretary.

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.

Ed. A. Baitt.

670
Govt. of {1895} Madras.

MARINE.

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

JULY.

Abstract

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.



ORDINARY, MS.