

8TH JULY 1887, No. 1468, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following papers:—

G.O., dated 27th October 1886, No. 2913, Judicial.  
" " 24th January 1887, " 139 "  
" " 16th May " " 1032 "

G.O., dated 14th June 1887, Mis. No. 1270, Judicial.

Read—the following letter from W. LOGAN, Esq., District Magistrate of Malabar, to the Chief Secretary to Government, dated Camp, Pálghat, 17th May 1887, No. 2350:—

With reference to the rules under the Indian Explosives Act IV of 1884, published in the *Port St. George Gazette* of the 5th April 1887, I have the honor to request that Government will be pleased to take steps to bring the Explosives Act into force in this district, as no notification as required by clause 1 of section 2 of the said Act appears to have been published in the *Gazette of India*, fixing the date on which this Act comes into force, and to point out that in Rules 37 and 38, the word "Calcutta" after "Rangoon" is a misprint for "Calicut."

2. Referring to the correspondence which has passed on the subject of the safe guarding of dynamite stores, I have the honor to suggest, with a view to action being taken under Rule 17, 3 (e), that a police guard of, say, three men should be placed over every licensed vendor's store, and that at all stores where the explosive is in use for blasting operations, the licensed possessor should be required to keep a night watchman over stores where less than 1,000 lb. is in stock, and two watchmen where over 1,000 lb. is held.

Order—dated 14th June 1887, Mis. No. 1270, Judicial.

The District Magistrate will be informed that when the rules framed under the Indian Explosives Act, 1884, have been fully considered and are ready for application, the Act will doubtless be brought into force by the Government of India. The correction noted in paragraph 1 of his letter will be made, and the suggestion in paragraph 2 considered, when licenses under Rule 17, 3 (e), of the draft rules come to be granted.

(True Extract.)

(Signed) H. E. STOKES,  
Ag. Chief Secretary.

To the District Magistrate, Malabar.

G.O., dated 14th June 1887, Nos. 1271, 1272, Judicial.

G.O., dated 28th June 1887, Mis. No. 1366, Judicial.

*Read*—the following letter from A. P. MacDONNELL, Esq., C.S., Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Simla, 10th June 1887, No. 1298:—

I am directed to acknowledge the receipt of your letter, No. 2914, dated the 27th October 1886, submitting for sanction drafts of two sets of rules—the first to be applicable to the town of Madras, and the second to the districts of Coimbatore, Malabar, and Nilgiris—which the Government of Madras proposes to issue under section 5 of Act IV of 1884 to regulate the manufacture, possession, and sale of explosives.

2. In reply, I am to say that, subject to the modifications noted below, the rules submitted are approved and sanctioned:—

The rules for the transport and importation of explosives will be issued by the Government of India, and should be omitted from both sets of rules submitted. Rules 47 to 55, altered in the manner shown in the annexure to this letter, should, however, be added to the rules for manufacture, possession, and sale of explosives.

It is observed that the condition which forbids the sale of an explosive to a child not apparently over 13 years of age has been omitted from licenses in the Forms A and B. The Government of India considers that the condition in question should be retained in the licenses referred to, and it should accordingly be inserted.

As regards Rule 9, which fixes the fees for licenses for the manufacture, possession, and sale of gunpowder and certain other explosives, I am to say that, on reconsideration, the Governor-General in Council is of opinion that the fees in question are excessive, and that the following scale, which has been adopted in Bengal, should be substituted for that laid down in Rule 9 of the draft submitted:—

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

- (1) a fee of twenty rupees for every license to manufacture, possess, and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity;
- (2) a fee of ten rupees for every license to manufacture, possess, and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity;
- (3) a fee of five rupees for every license to manufacture, possess, and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity;
- (4) a fee of ten rupees to possess and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity;
- (5) a fee of five rupees to possess and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity;
- (6) a fee of two rupees eight annas to possess and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity; and
- (7) a fee of eight annas for every license to possess explosive.

3. I am to add that the rules for the town of Madras should be issued with a notification worded as follows:—

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 following rules to regulate the manufacture, possession, and sale of explosives within the town of Madras;

and that the following clause should be added to the notification under which the rules now sanctioned for the districts of Coimbatore, Malabar, and Nilgiris may subsequently be extended to the Presidency generally:—

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

4. It should be noted that these rules cannot be brought into force until a notification is issued by the Government of India bringing the Explosives Act into operation. It is intended to issue this notification at an early date.

# ANNEXURE.

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

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

31. The fees leviable under these rules shall be taken in the shape of "impressed stamps." Ordinarily the applications for licenses 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 a 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.

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

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

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

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

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

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

*Order*—dated 28th June 1887, No. 1366, Judicial.

Recorded, pending issue of the notification referred to in paragraph 4 of the Government of India letter.

(True Extract.)

(Signed) H. E. STOKES,  
Ag. Chief Secretary.

*READ*—also the following paper:—

Notification, No. 1416, dated 24th June 1887, of the Government of India, bringing the Indian Explosives Act, 1884, into force on the 1st July 1887.

*ORDER*—dated 8th July 1887, No. 1468, Judicial.

The Governor-General in Council having directed in the foregoing notification that the Indian Explosives Act, 1884, should come into force on the first day of July, His Excellency the Governor in Council is pleased to direct the publication of the following notifications in the *Fort St. George Gazette*:—

## I.—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 following rules to regulate the manufacture, possession, and sale of explosives within the town of Madras :—

## PRELIMINARY.

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

|         |    |    |    |    |    |    |    |                   |
|---------|----|----|----|----|----|----|----|-------------------|
| Class 1 | .. | .. | .. | .. | .. | .. | .. | Gunpowder.        |
| " 2     | .. | .. | .. | .. | .. | .. | .. | Nitrate-mixture.  |
| " 3     | .. | .. | .. | .. | .. | .. | .. | Nitro-compound.   |
| " 4     | .. | .. | .. | .. | .. | .. | .. | Chlorate-mixture. |
| " 5     | .. | .. | .. | .. | .. | .. | .. | Fulminate.        |
| " 6     | .. | .. | .. | .. | .. | .. | .. | Ammunition.       |
| " 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,  | Poudre saxifragine, |
| Pudrolithe, |                     |

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 of some other liquid nitro-compound.

Division 2 comprises such explosives as—

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

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, | Reichen's blasting charges, |
| Erhardt's powder,                   | Teutonite,                  |
| Reverley's powder,                  | Chlorated gun-cotton,       |
| Hochstadter's blasting charges,     |                             |

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 phosphorous, or certain descriptions of phosphorous compounds, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with a sulphuret, 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.         |
| Safety fuzes for blasting. |
| Railway fog-signals.       |
| 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 colored 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.

### MANUFACTURE, POSSESSION, AND SALE.

#### (a) General Rules.

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

Nothing in this rule shall apply—

- (a) to the making of a small quantity of an explosive for the purpose of chemical experiment, and not for practical use or for sale; or
- (b) to the filling for private use and not for sale of any safety cartridges to the amount allowed by these rules to be possessed for private use.

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

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

Provided that this rule shall not apply—

- (1) to a person possessing for his private use and not for sale,—
- (a) gunpowder to an amount not exceeding on the same premises 10 lb., or in lieu of the said quantity of gunpowder 15 lb. of any other explosive, or in lieu of any less amount of gunpowder not so possessed, half that amount of other explosive.

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

- (a) of any explosive of the 5th (fulminate) class; or
- (b) of any explosive whereof the possession has been prohibited absolutely by notification under section 6 of the Act; or,
- (c) where the possession of an explosive has by notification under that section been prohibited subject to conditions, of any such explosive except subject to those conditions.

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

- (3) to the possession of any explosive by a person licensed to manufacture the explosive;
- (4) to the possession of any explosive by a carrier or other person for the purpose of transport when the same is being kept or transported in accordance with the provisions of the rules made under the Act with respect to the transport of such explosive; or
- (5) to the possession of any gunpowder, rockets, or other explosive on board any ship in pursuance of the provisions of the Merchant Shipping Acts, or any order or regulation under those Acts.

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

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

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

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

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

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

Provided that nothing in any such license shall be deemed to entitle the license-holder to keep at the same time in the place to which the license applies more than 50 lb. of gunpowder, and 200 lb. of fireworks, or any such less quantity of any of these explosives as the licensing officer may direct in this behalf.

And provided that no person holding a license under rule 14 or rule 17 shall be required to take out an additional license under rule 8 in Form C merely to keep safety fuses for blasting purposes.

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

- (1) a fee of twenty rupees for every license to manufacture, possess, and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity;
- (2) a fee of ten rupees for every license to manufacture, possess, and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity;
- (3) a fee of five rupees for every license to manufacture, possess, and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity;
- (4) a fee of ten rupees to possess and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity;
- (5) a fee of five rupees to possess and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity;
- (6) a fee of two rupees, eight annas, to possess and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity; and
- (7) a fee of eight annas for every license to possess explosive.

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

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

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

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

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

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

14. Licenses for the possession at such places as shall be approved by the licensing officer of explosives other than those specified in rule 8, shall, if the explosive is not one of the 5th (fulminate) class, and if the quantity to be possessed at the same time does not exceed 60 lb., be granted in a Presidency town by the Commissioner of Police, and elsewhere by the District Magistrate.

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

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

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

17. Licenses for the possession of explosives generally shall, if the explosive is not one of the 5th (fulminate) class, be granted by the Local Government in accordance with the following procedure:—

- (1) The applicant shall submit to the District Magistrate, or, in a Presidency Town, to the Commissioner of Police, an application in writing accompanied by a plan (drawn to scale) of the place in which it is proposed to keep the explosive (herein referred to as the magazine) and the site thereof.
- (2) The application shall specify such of the following matters as are applicable, namely—

- (a) the boundaries of the land forming the site of the magazine, and either any belt of land surrounding the site which is to be kept clear and the buildings and works from which it is to be kept clear, or the distances to be maintained between the magazine, or any part thereof, and other buildings and works;
  - (b) the situation, character, and construction of all the mounds, buildings, and works on or connected with the magazine, and the distances thereof from each other;
  - (c) the amount of explosive and of ingredients thereof wholly or partly mixed to be allowed at the same time within the boundaries of the magazine; and
  - (d) any special terms which the applicant may propose by reason of any special circumstances arising from the locality, the situation, or construction of any buildings or works, or the nature of any process or otherwise.
- (3) Upon receipt of the said application—
- (a) The District Magistrate or Commissioner of Police, as the case may be, shall cause a notice of the application to be published, in the District Gazette or otherwise, calling upon any person who may have objections to the establishment of the magazine in question on the proposed site, to deliver a written statement of such objections to the said District Magistrate or Commissioner of Police on or before a given date, not less than one month from the date of the publication of the notice.
  - (b) Where the site of the proposed magazine is situate within, or within one mile of, the limits of the jurisdiction of any Municipality or of any Port authority, the applicant shall serve on such authority notice of the application and of the date of hearing by the District Magistrate or Commissioner of Police.
  - (c) The District Magistrate or Commissioner of Police shall either inspect the site of the proposed magazine himself, or shall require a report by the Sub-divisional Magistrate within whose jurisdiction it is situated, or by the Assistant Commissioner of Police after personal inspection.
  - (d) If any statement of objections is received, the District Magistrate or Commissioner of Police shall fix a day as early as practicable after the expiration of the month required under (a) for hearing the objectors, and shall give notice thereof to them and to the applicant.
  - (e) After hearing the objectors, if any, and making any further inquiry which he may think necessary, or, if no statement of objections is received, after the inquiry required by (c), the District Magistrate or Commissioner of Police shall forward the application to Government, with a report of the proceedings taken, of the particulars of the objections, if any, and with his own opinion and recommendation on the whole case. The Government may, thereupon, either grant the license applied for, either in accordance with the recommendation of the District Magistrate or Commissioner of Police, or with the addition of any additional restrictions and precautions as may be deemed proper, or may refuse the license.
  - (f) If the local Government grant a license, it shall forward the same to the District Magistrate or Commissioner of Police, who, when satisfied that the magazine is sufficiently completed according to the license to justify the use thereof, shall confirm the license; but, until so confirmed, the license shall not come into force.
18. A fee of twenty rupees shall be paid for every license granted under rule 17.
19. Every license granted under rule 17 shall be in Form E in the Schedule hereto annexed and shall be subject to the conditions prescribed therein.
20. If any person commits a breach of any condition subject to which a license under rule 17 is granted, he shall be punished with fine which may extend to one thousand rupees.
21. Licenses for the possession of explosives of the 5th (fulminate) class shall be granted by the Governor-General in Council on payment of such fees and in such form and subject to such conditions as he may in each case prescribe.
22. If any person commits a breach of any condition subject to which a license is granted under rule 21, he shall be punished with fine which may extend to one thousand rupees.
- (f) *Licensing of the sale of other explosives.*
23. Licenses for the sale of explosives other than those referred to in rule 8 may be granted in a Presidency Town by the Commissioner of Police, and elsewhere by the District Magistrate, to any person licensed to possess the same.
24. A fee of five rupees shall be paid for every license granted under rule 23.

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

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

(g) *Supplementary.*

27. The District Magistrate, or any Subordinate Magistrate deputed in that behalf by the District Magistrate, or, in a Presidency Town, the Commissioner of Police, or any police officer not below the rank of Inspector deputed in that behalf by the District Magistrate or Commissioner of Police, may enter and inspect and examine any place in which an explosive is manufactured, possessed, or sold by a person licensed in this behalf under these rules.

28. A person licensed to possess an explosive shall not be required to take out a license for the manufacture of the explosive by reason that in a room or workshop in connection with the magazine, or place in which he is licensed to possess the explosive, he, by filling cartridges, making charges, drying, sifting, fitting or otherwise, adapts or prepares the explosive for the keeping of which he is licensed, for use, sale or otherwise: provided that he observes the following rules:—

- (1) There shall not be in the workshop in which such filling, adaptation or preparation is carried on more than 50 lb. of gunpowder, or in lieu of such gunpowder or of a less amount thereof, not so present, half that amount of other explosive.
- (2) Any work unconnected with such filling, adaptation or preparation shall not be carried on in the said room or workshop while such filling, adaptation or preparation is being carried on.
- (3) The said room or workshop shall be detached from the magazine or place in which the licensee is licensed to possess the explosive and at a safe distance therefrom.
- (4) An explosive of one description shall not be converted into an explosive of another description, and shall not be unmade or resolved into its ingredients.

GENERAL.

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

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

31. The fees leviable under these rules shall be taken in the shape of "impressed stamps." Ordinarily the applications for licenses 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 a 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.

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

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

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

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

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

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

## SCHEDULE.

## FORM A.

(See Rule 8.)

[FEE RS. 20, 10, OR 5 ACCORDING TO THE QUANTITY MENTIONED IN COLUMNS 3 AND 4.]

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

| Name, &c., of license-holder, and place of residence. | Place of business, factory, or shop. | Description and quantity to be manufactured during the year. | Description and quantity to be possessed and sold during the year. | Date on which license expires. |
|-------------------------------------------------------|--------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------------|--------------------------------|
|                                                       |                                      |                                                              |                                                                    | The 31st of December 188 .     |

\_\_\_\_\_ District, }  
 \_\_\_\_\_ 188 . }

Seal.

(Signature)

of \_\_\_\_\_

## Conditions.

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

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

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

4. The explosive shall be manufactured in a substantially-constructed building exclusively appropriated for the purpose and detached from a dwelling-house, and situated at a safe distance from any highway, street, public thoroughfare, or public place.

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

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

7. The explosive possessed by the licensee shall be kept in such a building as is referred to in condition 4, or in a fire-proof safe outside a dwelling-house and detached therefrom and at a safe distance from any highway, street, public thoroughfare, or public place, made and closed so as to prevent unauthorised persons having access thereto, and to secure it from danger from without:

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

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

8. All articles or substances of an explosive or highly-inflammable nature shall be kept at a safe distance from the explosive and from any building, fire-proof safe, or receptacle containing the same.

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

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

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

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

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

- (a) the name and address of the person who takes delivery of the articles sold;
- (b) the nature and amount of the articles sold;
- (c) the date of sale;

and shall append his signature to the endorsement.

## FORM B.

(See Rule 8.)

[FEE RUPEES TEN, FIVE OR TWO-AND-A-HALF ACCORDING TO THE QUANTITY MENTIONED IN COLUMN 3.]

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

| Name, &c., of license-holder, and place of residence. | Place of business, factory, or shop. | Description and quantity of explosive to be possessed and sold during the year. | Date on which license expires. |
|-------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------|--------------------------------|
|                                                       |                                      |                                                                                 | The 31st of December 188 .     |

\_\_\_\_\_ District. }  
 \_\_\_\_\_ 188 . }

Seal.

(Signature)

of \_\_\_\_\_

## Conditions.

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

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

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

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

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

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

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

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

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

7. All articles or substances of an explosive or highly-inflammable nature shall be kept at a safe distance from the explosive and from any building, fire-proof safe, or receptacle containing the same.

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

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

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

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

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

- (a) the name and address of the person who takes delivery of the article sold;
- (b) the nature and amount of the articles sold;
- (c) the date of sale;

and shall append his signature to the endorsement.

FORM C.

(See Rule 8.)

[FEE EIGHT ANNAS IN STAMPS.]

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

| Name, &c., of license-holder, and place of residence. | Description and quantity of explosive to be possessed during the year. | Place with full details where explosive is to be possessed. | Date on which license expires. |
|-------------------------------------------------------|------------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------|
|                                                       |                                                                        |                                                             | The 31st of December 188 .     |

District.

188 .

Seal.

(Signature)

of

Conditions.

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

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

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

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

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

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

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

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

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

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

- (a) the name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the articles purchased;
- (c) the date of purchase.

FORM D.

(See Rule 14.)

[FEE FIVE RUPEES IN STAMPS.]

*License to possess Explosives.*

| Name, &c., of license-holder and place of residence. | Place of business or shop. | Description of explosive. | Date on which license expires. |
|------------------------------------------------------|----------------------------|---------------------------|--------------------------------|
|                                                      |                            |                           |                                |

District.

188 .

(Signature)

of

*Conditions.*

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

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

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

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

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

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

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

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

- (a) the name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the articles purchased;
- (c) the date of purchase.

## FORM E.

(See Rule 17.)

[FEE TWENTY RUPEES IN STAMPS.]

*License to possess Explosives.*

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

District.

188

(Signature)

of

*Conditions.*

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

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

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

4. The interior of the magazine and the benches, shelves, and fittings therein shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel, and the detaching of any grit, iron, steel, or similar substances in such manner as to come into contact with the explosive, and such interior, benches, shelves and fittings shall, so far as is reasonably

practicable, be kept free from grit and otherwise clean: and in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom.

5. The magazine shall have attached thereto a sufficient lightning conductor.

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

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

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

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

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

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

- (a) The various explosives of classes 1 (gunpowder), 2 (nitrate-mixture), 3 (nitro-compound), and 4 (chlorate-mixture) safety fuze belonging to the 1st division of class 6 (ammunition), and such of the various explosives of the 2nd division of class 6 (ammunition), as do not contain any exposed iron or steel, may be kept with each other without any intervening partition or space.
- (b) The various explosives of the 1st division of class 6 (ammunition) may be kept with each other without any intervening partition or space.
- (c) Such of the various explosives of the 2nd division of class 6 (ammunition) as contain any exposed iron or steel may be kept with each other without any intervening partition or space.
- (d) The various explosives of the 3rd division of class 6 (ammunition) may be kept with each other without any intervening partition or space.
- (e) The various explosives of class 7 (firework) may be kept with each other without any intervening partition or space.

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

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

## FORM F.

(See Rule 23.)

[FEE FIVE RUPEES IN STAMPS.]

*License to sell Explosives.*

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

District.

188

(Signature)

of

*Conditions.*

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.
2. The license-holder shall keep records and accounts of all explosive in stock, and of all sales, in such form as the Local Government may from time to time direct.
3. Explosive shall not be sold to any child apparently under the age of 13 years.
4. All explosive exceeding 1 lb. in weight, when publicly exposed for sale or sold, shall be in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the explosive from escaping, and the outermost receptacle containing such explosive shall have affixed the name of the explosive, with the word "explosive" added thereto, in conspicuous characters by means of a brand or securely attached label or other mark.

**II.—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 following rules to regulate the manufacture, possession, and sale of explosives in the districts of Coimbatore, Malabar, and Nilgiris:—

**PRELIMINARY.**

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

|         |    |    |    |    |    |    |    |                   |
|---------|----|----|----|----|----|----|----|-------------------|
| Class 1 | .. | .. | .. | .. | .. | .. | .. | Gunpowder.        |
| " 2     | .. | .. | .. | .. | .. | .. | .. | Nitrate-mixture.  |
| " 3     | .. | .. | .. | .. | .. | .. | .. | Nitro-compound.   |
| " 4     | .. | .. | .. | .. | .. | .. | .. | Chlorate-mixture. |
| " 5     | .. | .. | .. | .. | .. | .. | .. | Fulminate.        |
| " 6     | .. | .. | .. | .. | .. | .. | .. | Ammunition.       |
| " 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,  |  | Poudre saxifragine, |
| Pudrolithe, |  |                     |

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 of some other liquid nitro-compound.

Division 2 comprises such explosives as—

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

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, |  | Reichen's blasting charges, |
| Erhardt's powder,                   |  | Teutonite,                  |
| Reverley's powder,                  |  | Chlorated gun-cotton,       |
| Hochstadter's blasting charges,     |  |                             |

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 phosphorous, or certain descriptions of phosphorous compounds, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with a sulphuret, 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.  
Safety fuzes for blasting.  
Railway fog-signals.  
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 colored 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.

### MANUFACTURE, POSSESSION, AND SALE.

#### (a) General Rules.

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

Nothing in this rule shall apply—

- (a) to the making of a small quantity of an explosive for the purpose of chemical experiment, and not for practical use or for sale; or
- (b) to the filling for private use and not for sale of any safety cartridges to the amount allowed by these rules to be possessed for private use.

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

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

Provided that this rule shall not apply—

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

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

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

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

- (a) of any explosive of the 5th (fulminate) class; or
  - (b) of any explosive whereof the possession has been prohibited absolutely by notification under section 6 of the Act; or
  - (c) where the possession of an explosive has by notification under that section been prohibited subject to conditions, of any such explosive except subject to those conditions.
- (2) to the possession of an unlimited quantity of fireworks, if obtained and intended for immediate use and not for sale, and if kept for a period not exceeding 14 days in a safe and suitable place, and with all due precautions for the public safety;
  - (3) to the possession of any explosive by a person licensed to manufacture the explosive;
  - (4) to the possession of any explosive by a carrier or other person for the purpose of transport when the same is being kept or transported in accordance with the provisions of the rules made under the Act with respect to the transport of such explosive; or
  - (5) to the possession of any gunpowder, rockets, or other explosive on board any ship in pursuance of the provisions of the Merchant Shipping Acts, or any order or regulation under those Acts.

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

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

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

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

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

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

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

And provided that no person holding a license under rule 14 or rule 17 shall be required to take out an additional license under rule 8 in Form C merely to keep safety fuses for blasting purposes.

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

- (1) a fee of twenty rupees for every license to manufacture, possess, and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity;
- (2) a fee of ten rupees for every license to manufacture, possess, and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity;
- (3) a fee of five rupees for every license to manufacture, possess, and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity;
- (4) a fee of ten rupees to possess and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity;
- (5) a fee of five rupees to possess and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity;
- (6) a fee of two rupees eight annas to possess and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity; and
- (7) a fee of eight annas for every license to possess explosive.

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

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

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

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

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

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

14. Licenses for the possession at such places as shall be approved by the licensing officer of explosives other than those specified in rule 8, shall, if the explosive is not one of the 5th (fulminate) class, and if the quantity to be possessed at the same time does not exceed 60 lb., be granted in a Presidency Town by the Commissioner of Police, and elsewhere by the District Magistrate.

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

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

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

17. Licenses for the possession of explosives generally shall, if the explosive is not one of the 5th (fulminate) class, be granted by the local Government in accordance with the following procedure:—

- (1) The applicant shall submit to the District Magistrate, or, in a Presidency Town, to the Commissioner of Police, an application in writing accompanied by a plan (drawn to scale) of the place in which it is proposed to keep the explosive (herein referred to as the magazine) and the site thereof.
- (2) The application shall specify such of the following matters as are applicable, namely:—
  - (a) the boundaries of the land forming the site of the magazine, and either any belt of land surrounding the site which is to be kept clear and the buildings and works from which it is to be kept clear, or the distances to be maintained between the magazine, or any part thereof, and other buildings and works;
  - (b) the situation, character, and construction of all the mounds, buildings, and works on or connected with the magazine, and the distances thereof from each other;
  - (c) the amount of explosive and of ingredients thereof wholly or partly mixed to be allowed at the same time within the boundaries of the magazine; and
  - (d) any special terms which the applicant may propose by reason of any special circumstances arising from the locality, the situation, or construction of any buildings or works, or the nature of any process or otherwise.
- (3) Upon receipt of the said application—
  - (a) The District Magistrate or Commissioner of Police, as the case may be, shall cause a notice of the application to be published, in the District Gazette or otherwise, calling upon any person who may have objections to the establishment of the magazine in question on the proposed site, to deliver a written statement of such objections to the said District Magistrate or Commissioner of Police on or before a given date, not less than one month from the date of the publication of the notice.
  - (b) Where the site of the proposed magazine is situate within, or within one mile of, the limits of the jurisdiction of any Municipality or of any Port authority, the applicant shall serve on such authority notice of the application and of the date of hearing by the District Magistrate or Commissioner of Police.
  - (c) The District Magistrate or Commissioner of Police shall either inspect the site of the proposed magazine himself, or shall require a report by the Sub-divisional Magistrate within whose jurisdiction it is situated, or by the Assistant Commissioner of Police after personal inspection.
  - (d) If any statement of objections is received, the District Magistrate or Commissioner of Police shall fix a day as early as practicable after the expiration of the month required under (a) for hearing the objectors, and shall give notice thereof to them and to the applicant.

- (e) After hearing the objectors, if any, and making any further inquiry which he may think necessary, or, if no statement of objections is received, after the inquiry required by (c), the District Magistrate or Commissioner of Police shall forward the application to Government, with a report of the proceedings taken of the particulars of the objections, if any, and with his own opinion and recommendation on the whole case. The Government may, thereupon, either grant the license applied for, either in accordance with the recommendation of the District Magistrate or Commissioner of Police, or with the addition of any additional restrictions and precautions as may be deemed proper, or may refuse the license.
- (f) If the local Government grant a license, it shall forward the same to the District Magistrate or Commissioner of Police, who, when satisfied that the magazine is sufficiently completed according to the license to justify the use thereof, shall confirm the license; but, until so confirmed, the license shall not come into force.

18. A fee of twenty rupees shall be paid for every license granted under rule 17.

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

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

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

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

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

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

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

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

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

*(f) Supplementary.*

27. The District Magistrate, or any Subordinate Magistrate deputed in that behalf by the District Magistrate, or, in a Presidency Town, the Commissioner of Police, or any Police officer not below the rank of Inspector deputed in that behalf by the District Magistrate or Commissioner of Police, may enter and inspect and examine any place in which an explosive is manufactured, possessed, or sold by a person licensed in this behalf under these rules.

28. A person licensed to possess an explosive shall not be required to take out a license for the manufacture of the explosive by reason that, in a room or workshop in connection with the magazine, or place in which he is licensed to possess the explosive, he, by filling cartridges, making charges, drying, sifting, fitting or otherwise, adapts or prepares the explosive for the keeping of which he is licensed, for use, sale or otherwise: provided that he observes the following rules:—

- (1) There shall not be in the workshop in which such filling, adaptation or preparation is carried on more than 50 lb. of gunpowder, or in lieu of such gunpowder or of a less amount thereof, not so present, half that amount of other explosive.
- (2) Any work unconnected with such filling, adaptation or preparation shall not be carried on in the said room or workshop while such filling, adaptation or preparation is being carried on.
- (3) The said room or workshop shall be detached from the magazine or place in which the licensee is licensed to possess the explosive and at a safe distance therefrom.
- (4) An explosive of one description shall not be converted into an explosive of another description, and shall not be unmade or resolved into its ingredients.

## GENERAL.

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

30. If a person licensed to manufacture, possess, or sell, an explosive, dies or becomes bankrupt, or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or the rules made thereunder for carrying on the business or acting under the license during such reasonable time as may

be necessary to allow him to make an application to the authority granting the license for a new license in his own name during the currency of the unexpired portion of the original license. Such new license shall be granted on the payment of one rupee.

31. The fees leviable under these rules shall be taken in the shape of "impressed stamps." Ordinarily the applications for licenses 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 a 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.

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

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

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

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

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

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

### SCHEDULE.

#### FORM A.

(See Rule 8.)

[FEE RS. 20, 10 OR 5 ACCORDING TO THE QUANTITY MENTIONED IN COLUMNS 3 AND 4.]

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

| Name, &c., of license-holder, and place of residence. | Place of business, factory, or shop. | Description and quantity to be manufactured during the year. | Description and quantity to be possessed and sold during the year. | Date on which license expires. |
|-------------------------------------------------------|--------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------------|--------------------------------|
|                                                       |                                      |                                                              |                                                                    | The 31st of December 188 .     |

\_\_\_\_\_ District, )  
 \_\_\_\_\_ 188 . )

Seal. (Signature)  
 \_\_\_\_\_ of \_\_\_\_\_

#### Conditions.

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

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

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

4. The explosive shall be manufactured in a substantially-constructed building exclusively appropriated for the purpose and detached from a dwelling-house, and situated at a safe distance from any highway, street, public thoroughfare, or public place.

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

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

7. The explosive possessed by the licensee shall be kept in such a building as is referred to in condition 4, or in a fire-proof safe outside a dwelling-house and detached therefrom and at a safe distance from any highway, street, public thoroughfare, or public place, made and closed so as to prevent unauthorised persons having access thereto, and to secure it from danger from without :

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

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

8. All articles or substances of an explosive or highly-inflammable nature shall be kept at a safe distance from the explosive and from any building, fire-proof safe, or receptacle containing the same.

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

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

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

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

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

- (a) the name and address of the person who takes delivery of the articles sold;
  - (b) the nature and amount of the articles sold;
  - (c) the date of sale;
- and shall append his signature to the endorsement.

#### FORM B.

(See Rule 8.)

[FEE RS. 10, 5, OR 2½ ACCORDING TO THE QUANTITY MENTIONED IN COLUMN 3.]

*License to sell and possess gunpowder or explosive of the 1st division of the 6th (Ammunition) class or of the 7th (Fire-work) class.*

| Name, &c., of license-holder, and place of residence. | Place of business, factory, or shop. | Description and quantity of explosive to be possessed and sold during the year. | Date on which license expires. |
|-------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------|--------------------------------|
|                                                       |                                      |                                                                                 | The 31st of December 188 .     |

\_\_\_\_\_ District. )  
 \_\_\_\_\_ 188 . )

Seal. (Signature)  
 \_\_\_\_\_ of \_\_\_\_\_

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

## Conditions.

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

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

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

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

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

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

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

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

7. All articles or substances of an explosive or highly-inflammable nature shall be kept at a safe distance from the explosive and from any building, fire-proof safe, or receptacle containing the same.

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

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

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

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

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

- (a) the name and address of the person who takes delivery of the article sold;
- (b) the nature and amount of the articles sold;
- (c) the date of sale;

and shall append his signature to the endorsement.

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

## FORM C.

(See Rule 8.)

[FEE EIGHT ANNAS IN STAMPS.]

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

| Name, &c., of license-holder, and place of residence. | Description and quantity of explosive to be possessed during the year. | Place with full details where explosive is to be possessed. | Date on which license expires. |
|-------------------------------------------------------|------------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------|
|                                                       |                                                                        |                                                             | The 31st of December 188 .     |

District. )  
188 . )

Seal.

(Signature)

of

## Conditions.

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

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

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

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

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

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

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

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

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

- (a) the name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the article purchased;
- (c) the date of purchase.

## FORM D.

(See Rule 14.)

[FEE FIVE RUPEES IN STAMPS.]

*License to possess explosives.*

| Name, &c., of license-holder and place of residence. | Place of business or shop. | Description of explosive. | Date on which license expires. |
|------------------------------------------------------|----------------------------|---------------------------|--------------------------------|
|                                                      |                            |                           |                                |
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District.

188

(Signature)

of

*Conditions.*

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

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

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

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

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

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

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

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

- (a) the name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the articles purchased;
- (c) the date of purchase.

## FORM E.

(See Rule 17.)

[FEE TWENTY RUPEES IN STAMPS.]

*License to possess explosives.*

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

(Signature)

District.

188

of

*Conditions.*

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

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

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

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

5. The magazine shall have attached thereto a sufficient lightning conductor.

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

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

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

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

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

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

- (a) The various explosives of classes 1 (gunpowder), 2 (nitrate-mixture), 3 (nitro-compound), and 4 (chlorate-mixture), safety fuze belonging to the 1st division of class 6 (ammunition), and such of the various explosives of the 2nd division of

- class 6 (ammunition) as do not contain any exposed iron or steel, may be kept with each other without any intervening partition or space.
- (b) The various explosives of the 1st division of class 6 (ammunition) may be kept with each other without any intervening partition or space.
- (c) Such of the various explosives of the 2nd division of class 6 (ammunition) as contain any exposed iron or steel may be kept with each other without any intervening partition or space.
- (d) The various explosives of the 3rd division of class 6 (ammunition) may be kept with each other without any intervening partition or space.
- (e) The various explosives of class 7 (firework) may be kept with each other without any intervening partition or space.

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

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

FORM F.  
(See Rule 23.)

[FEE FIVE RUPEES IN STAMPS.]

License to sell explosives.

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

(Signature)

District.

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of

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.
2. The license-holder shall keep records and accounts of all explosive in stock, and of all sales, in such form as the local Government may from time to time direct.
3. Explosive shall not be sold to any child apparently under the age of 13 years.
4. All explosive exceeding 1 lb. in weight, when publicly exposed for sale or sold, shall be in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the explosive from escaping, and the outermost receptacle containing such explosive shall have affixed the name of the explosive, with the word "explosive" added thereto, in conspicuous characters by means of a brand or securely-attached label or other mark.

(True Extract.)

*H. P. S. S. S.*

Ag. Chief Secretary.

To the Inspector-General of Police.  
 „ Commissioner of Police.  
 „ District Magistrate, Coimbatore.  
 „ „ „ Malabar.  
 „ „ „ Nilgiris.  
 „ Several Departments of the Secretariat.  
 Copy to all other District Magistrates.

Exd. T. O'Connor.

P.W.C. No. 597

Govt. of 1887 Madras.

JUDICIAL.

Recorded.

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3.8.87

13.50

Issued

Recd.

2.8.87

Encl.

G.O., 8th July 1887, No. 1468.

No 2089 w a 4<sup>th</sup> August 87

JULY.

Acts and Bills.

Directing the publication of certain rules  
under the Indian Explosives Act, 1884.

82 16/8 9/8

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