

Chapter 13

Arms and Explosives - Duties of Police

1. Power and duties of Police

The Arms and Explosives pose a serious threat to public order, safety and security of the people. The advent and spread of terrorism, organized crime, serious offences due to political, caste and communal tensions, coupled with easy availability of illicit weapons and explosives, through smuggling and local manufacture have compounded the situation and hence the need for police vigilance on illicit arms and explosives. The Police have an important responsibility to enforce various laws and rules relating to Arms, Explosives, Petroleum products and Poisons. The licensing authorities have to exercise their powers of licensing and regulation to ensure that the use of Arms, ammunition, explosives is strictly for the purpose for which they are legally meant. The petroleum products and poisons pose a threat to public safety if they are not regulated in the manner prescribed in the relevant Acts and Rules.

2. The Arms Act, 1959 and the Arms Rules, 1962

- (i) The provisions of “The Arms Act 1959 and the Arms Rules, 1962” with all amendments as on date including Sikkim specific with regard to issue of Arms licenses, contain the law relating to the possession, manufacture, repairs, sale, transport and use of all types of fire arms, the offences connected therewith and the punishments. Besides enforcement and regulatory functions, the police are the principal authority, to investigate offences under this Act.

- (ii) The duties cast on the Police and the licensing authorities are extremely important and can be neglected only at serious peril to the society. All concerned authorities have therefore to ensure strict compliance with these instructions and guidelines.

(iii)The following are the powers and duties of all Police Officers under the Arms Act, 1959.

- A. Demand production of licence from any person carrying Arms or ammunition and if he refuses or fails to produce the licence or to show that he is authorised to carry arms and ammunition without licence, require him to give his name and address and seize the arms and ammunition which he is carrying.
- B. In case he is unable to produce the licence readily and where the identity of the person is clearly known and he is not likely to abscond, he may be given sufficient time to produce the licence.
- C. If that person refuses to give his name and address, or gives false name and address and if it is suspected that he is intending to evade arrest, the Police Officer may arrest him without warrant. (Section 19).
- D. When there is a reasonable suspicion that the weapons carried are for an unlawful purpose the weapons can be seized, persons carrying or conveying them may be arrested without a warrant even though the weapons are licensed (Section 20).
- E. Searches in houses or premises shall be made by the magistrate and in their presence only or in the presence of an officer empowered by the Central Government (Section 22).
- F. Search of any vehicle or vessel can be carried out by any Police Officer on suspicion that they are carrying arms and ammunition in contravention of the provisions of the Arms Act/Rules and seize the weapons and vehicles (Section 23).
- G. The Central Government has powers to notify an area as disturbed area and order the deposit of arms and ammunition within a specified period and prohibit the possession, transport and carrying of such weapons and ammunition. A Police Officer of such rank as authorised by the State Government can search and seize the arms and ammunition for any contravention of the notification (Sections 24-A and 24-B).

H. Search, seize and intercept weapons and ammunition manufactured, imported or being transported in contravention of this Act, and arrest and prosecute the offender.

(iv) Section 36 lays down that all persons are bound to give information relating to offences under the Act, which comes to their knowledge.

(v) All offences are cognizable under Section 38 of the Act.

(vi) Previous sanction of the District Magistrate is necessary under Section 39 of the Act for prosecution of offenders for any offence under section 3 of the Act. Post facto sanction is not valid under law.

3. Exempted Officers

Licenses are not required for the carrying or possession of arms in the following cases (Section 45 of the Act).

- A. Arms owned and possessed by officers of the Government as part of their equipment.
- B. Arms supplied by the Government to Officers of the Police Department to be carried or possessed by them in the execution of their duty.

4. Exempted Categories

Section 41 of the Arms Act empowers the Central Government in public interest, by notification to exempt any person or class of persons from the provisions of the Arms Act. The Central Government in exercise of this power has issued notifications from time to time exempting certain persons or class of persons in respect of Arms and ammunition of certain category and description.

5. Unauthorised purchase

- (i) No one shall purchase any firearm or any other arm requiring licence or ammunition from any unlicensed persons. Section 5 prohibits transfer to any private person for personal use who does not possess licence. Licensed dealers also shall not sell to unauthorised persons. Contravention of these provisions attracts punishment under section 29.

- (ii) Under section 29 of the Arms Act, licensed dealers in arms and ammunition are bound to ascertain that the persons to whom they sell arms and ammunition, are legally authorised to possess them. Any tendency on the part of dealers to circumvent this stipulation should be checked and dealt with by the police by constant and strict supervision over the trade in arms and ammunition. The police should regularly inspect the registers maintained by licensed dealers, in order to ensure that arms and ammunition are not sold to persons other than those legally authorized to possess them. In doubtful cases of sales to persons said to possess licences an immediate check with the registers maintained in the police stations will show whether the purchasers are bonafide licensees or not.

6. Grant and renewal of licences

(1)

- A. The DGP is the licensing authority for the State except for prohibited arms and prohibited ammunition as per Notification No. GSR 462(E) dated 21st July, 1976 published vide Home department, Govt. of Sikkim Notification No. 56 dated 24th August, 1976.
- B. The State Government can grant the licences for all India or any part thereof.
- C. The Renewing Authority is also the DGP except for prohibited arms and prohibited ammunition.

(2) All India licences are to be granted in very rare cases. However, consideration could be given to the following categories:

- A. Ministers and Members of Parliament;

B. Serving officers of Defence Services, Police and para-military organizations and officers of Government having liability to serve anywhere in India; and

C. Members of recognized Rifle Clubs and Rifle Associations for bonafide sports & games.

(3) When licence comes for renewal, the DGP may restrict the validity of the licence to the jurisdiction of the district and for the reasons to be recorded.

(4) In the absence of any arms dealers in a particular district and area or where a particular item of arms or ammunition which the licensee is authorised to possess is not available with local dealers, a licence holder can purchase the licenced weapon from outside the district/area for which the licence is not valid by obtaining a carry permit in Form VII.

(5) The licensing is authorised to grant permit in Form VII for carrying weapons beyond the jurisdiction of the licence under Rule 4.

(6) In case of transfer of weapons to the legal heirs of the deceased licensees or where licensees would like to gift the weapons to others, licences may be restricted to the district only. In case of prohibited bore/semi-automatic weapons, proposals are to be sent to the Central Government.

(7) The renewal of arms licences can be done at the State level even if they are granted by Government of India except the prohibited or automatic or semi-automatic weapons.

(8) The Fee shall be charged for issue or renewal of licenses as per the rates decided by the government.

7. Issue of Licence

- (1) All the applications received in the PHQ for weapon licences will be forwarded immediately to the district Superintendent of Police and for verification who will call for a report from the concerned police station.
- (2) The SHO of the area shall cause a thorough verification of the purpose and antecedents of the applicant and submit his report in form (1). While recommending the grant of a license, the SHO will thoroughly verify the antecedents of the applicant with specific reference to Police records as also by field enquiries to ascertain his involvement directly or indirectly in political, communal, caste or other factions, in any crime and whether there is genuine need for a weapon for him. The officer should give facts and information rather than bald opinions.
- (3) The officer in charge of police station when asked to verify the antecedents of an applicant for an arms licence should submit his report within the prescribed period. Otherwise as per the provisions of section 13 of Arms Act, the licensing authority may make an order in the application on its own merits after the expiry of the prescribed period without waiting for the report from the SHO. It is therefore binding on the SHO to submit his report within the prescribed time.
- (4) Applications for renewal of licences are to be submitted in time. 30 days are allowed after the expiry of a licence for the licensee to get his licence renewed.
- (5) All district SPs shall issue instructions to the SHO to report promptly any information, which may indicate that the renewal of any licence is undesirable.
- (6) By virtue of section 17 of the Act, any licence may be cancelled or suspended by the authority, which granted the licence, if in the interests of security and public peace, it is felt that a licence should be cancelled or suspended. A report giving reasons should be sent to the licensing authority requesting the cancellation or suspension of the licence, as may be necessary in the circumstances of the case.

(7) When the authority grants, cancels or refuses to renew a licence, he will intimate the fact to the SHO of Area Police concerned. The SHO should, on receipt of the intimation, report promptly through the district SP the action taken in this regard.

(8) Licences will be issued in a printed book form with a photograph of the licensee in the prescribed form. If the authority grants, renews, or declines to renew license, he should send the license through the officer in-charge of the nearest police station

8. Appeals

Appeals against the orders of a licensing authority may be made to the State Government. The Rules do not provide for appeal against orders of the Government.

9. Retainers

A. Agent, employees or relatives are only permitted as retainers (Rule 13).

B. Licence holders for the purpose of sport, protection or display only are permitted to have retainers.

C. When a retainer ceases to be an employee, the licence holder shall apply to the licencing authority to delete his name. Where a person is employed afresh he can carry only when his name is permitted by the licensing authority afresh.

D. In the case of a company employing a person entrusted with the weapons to guard the premises, his name should be entered in the appropriate column of the licence.

10. Registration of Retainers

A. Rule 13 of the Rules read with section 3 of the Act deal with the procedure for allowing retainers.

- B. Retainer's name and other particulars should be entered in column 6 of the owner's licence in form 3 and a permit in the prescribed form given by the Licencing Authority.
- C. Retainers should be permitted only to those persons whose standing or circumstances are such that they may reasonably require retainers or attendants to carry weapons in the ordinary course of duty.
- D. All applications for the inclusion of retainers in Form III (A) and VII must be dealt with by the authority personally. Licence in Form III(A) is necessary for the retainers of those who are exempted from licencing requirements by virtue of section 41 of the Act.
- E. A licence in Form 3-B is necessary for retainers to Companies.
- F. No change shall be made in the names of retainers entered in a license, except under the signature of the authority who granted the license, or the authorised subordinates or his successors in office.
- G. Licencing authority should cause enquiries to be made about antecedents of the retainer and take such reports into consideration before admitting the person as a retainer.

11. Quantity of Ammunition Purchase

The following maxima have been prescribed by the Government for the quantity of ammunition that may be purchased in a calendar year and the quantity that may be possessed at any one time by holders of licenses in Forms III, IV and V.

Kind of firearm for which ammunition is to be used.	Maximum purchasable in a calendar year	Maximum that may be possessed at any time.
(1)	(2)	(3)

Muzzle-loading guns	500 gms Gun powder 50 ml caps	250 gms Gun powder 25 ml caps
Breech-loading guns	50 cartridges	25 cartridges
Rifles	50 cartridges	25 cartridges
Revolvers & Pistols	50 cartridges	25 cartridges
Miniature Rifle .22 bore	50 rim-fire cartridges	25 rim-fire cartridges
Air guns and air rifles	2 boxes of 500 pellets each	1 boxes of 500 pellets ach (license not applied)

12. Maintenance of Arms License Registers

- (1) Station House Officers will maintain in Form (2A) registers of licenses issued to persons residing in their jurisdiction under the Arms Act in Form III, III-A, IV and permit in Form III-B as prescribed in the rules under Arms Act.
- (2) An abstract indicating each category of weapons should be prepared and noted in the last few pages of the Register. Another abstract for each fresh year for the total number of weapons in each category shall also be prepared similarly. All changes due to grant or cancellation or refusal to renew should be reflected by placing a (+) or (-) sign to indicate grant of renewal and cancellation or refusal respectively.
- (3) The Licensing Authority should send at the end of every month to the SHO lists of licenses granted or renewed and cancelled or renewal refused respectively. On receipt of these lists necessary action should be initiated by the SHO to ensure that no licensee

is allowed to keep the weapon unauthorisedly and also take such other legal action where warranted.

- (4) The Licensing Authority will forward to the Superintendent of Police not later than the 15th of January of each year, lists of licensees who have not applied for renewal before the 1st January and calling for a report on the reasons of the omission on the part of licensees and whether the weapons have been deposited and whether prosecution if any has been launched. The SP should report by 15th March giving necessary details and his recommendations in each case.
- (5) The Inspecting Officers shall make brief remarks in their inspection notes regarding the maintenance of these Registers and the number of license holders.

13. Register of Firearms, which form part of Equipment of Officers

A register under Arms Act Form (3) will be maintained in each District Police Office and in the offices of the IGP/DIGP, Range, IGP, Security, Principal of the Police Training Centre, Commandants of Armed batallions, SP Reserve Lines in respect of all revolvers, pistols and ammunition in the possession of gazetted and non-gazetted officers of the department, possessed by them in the course of their duty.

14. Production of Pistols or Revolvers possessed by officers

1. The officers concerned should produce the firearms once a year, preferably in January, before the concerned unit from which the weapon had been issued to them.
2. In order that a proper description may be available in case of loss, the general description and district number of each fire arm shall be recorded in the register of Government property.

15. Inspection of shops and premises licensed under Arms Act

- 1) Every shop and premises licensed to sell, stock, repair, convert, transfer and for keeping safe custody of arms and ammunition (i.e. in Forms IX, X, XI, XII, XIII and XIV in Schedule (II) of Rule 4 of the Indian Arms Rules) should be inspected once every year by the Sub-Divisional Police Officer, in whose jurisdiction such shop is situated. These inspections are intended to ensure (1) whether the place in which arms and ammunition are kept, is reasonably safe, (2) examine the stock and accounts of receipts and sales of arms, ammunition and (3) examine whether all the conditions in the license are complied with.

- 2) A report on the findings of each inspection should be forwarded to the District Magistrate in Form (4), through SP. The SP may discreetly verify the antecedents of the purchasers and satisfy himself that the weapons and ammunition are sold to genuine licensees. He should particularly guard against fictitious entries of sale of arms or ammunition in the name of licensees (benami sales). A random check with licensees will reveal if the ammunition recorded as sold has been actually purchased by them. The overall sale of ammunition in a year should be considered and if the quantities arouse suspicion he should verify all transactions. Any malpractice should be met with prosecution, besides recommendation for cancellation of the relevant license. The purpose of inspection and enquiries is to eliminate any malpractice in the sale of arms and ammunition. If the annual inspection is thorough and information available is immediately crosschecked, there would be least possibility of the arms and ammunition finding their way to undesirable persons. The inspections however, should not be used as a pretext for harassing the genuine traders.

- 3) The SP should report the results of the inspection of all licensed arms by subordinate police officers to the concerned DM, who will take appropriate steps against the shop owner, in respect of the irregularities brought to his notice.

16. Inspection of licenced arms

- A. All Licensed arms should be inspected from time to time by the SHO either by calling for the same or at the licensees' residences as convenient to the latter. The fact of inspections should be noted in the relevant column in the Arms Register.
- B. The SDPO should at random check a few arms during his inspection or visits and satisfy himself that checks by the SHO are being carried out for the purpose for which they are intended.
- C. Any Station House Officer, who receives a report of the loss of any firearm, should communicate the particulars of the case, through the proper channel, to the district SP and AIGP, PHQ.

17. Deposit of Arms

- 1) On the cancellation or expiry of licenses or following orders for deposit during elections etc or otherwise all arms must be immediately deposited in the nearest police station or with a licensed dealer. The arms so deposited at a police station would be recorded in the "Register of Arms Deposited" in Form 5. An accurate description of each weapon, with the maker's name and number, if given and actual measurements, and whether it is country made gun etc., should be entered in column 3. The SHO is responsible for the safeguard of all arms deposited in the station. The arms should be kept under lock and key. (Sec. 21)
- 2) Arms deposited in stations shall, if not returned or otherwise disposed of within two months from the date of their deposit be sent to and lodged in the State Reserve Lines (SRL) Police armory. The SHO will send such arms with an extract from the "Register of Arms Deposited" in Form (6) (which is in duplicate with a trefoil for the station

record). One copy will be retained in the SRL Police armory and the other returned to the SHO as an acknowledgement. This acknowledgement should be pasted with the corresponding trefoil in the station and the number allotted for each weapon in the District Police armory should be noted against the respective entry in the “Register of Arms Deposited”, column 3 of Form (6) in the station.

- 3) Arms received in the State Reserve Lines police armory have to be forfeited to Government after the expiry of the period allowed as detailed in sub-rule (4) of rule 46 of the Arms Rules, 1962. Such arms shall be recorded in the “Register of Arms Deposited”, maintained by the Reserve Inspector in charge of the armory. An extract from this register shall be sent every month in Form (7) (which is in duplicate with a trefoil for the District Police Office/police station record) to the AIGP (incharge of Arms Cell) for orders declaring the arms forfeited to the Government.
- 4) Inspecting officers should, during the inspection of police stations and DP armory, check all arms physically vis-à-vis “Register of Arms Deposited” and ensure that an accurate description of every arm is entered in the register. They should report having done so in the inspection report.
- 5) Where any arms or ammunition are deposited by the owner under Section 21(1) of the Arms Act in a Police Station, the SHO shall immediately send a copy of the receipt issued to the depositor to the authority who granted the license or renewed it last (Rule 46(2)(c) of the Arms Rules, 1962). The transfer of any arm or ammunition deposited in a Police Station to the SRL Police Armory should also be intimated to the licensing authority and also to the depositor by the SHO (Rule 46(3)(b) of Arms Rules 1962).
- 6) A fee of ₹ 100 per month may be levied for the safe custody and maintenance of fire-arms deposited in the Police Stations by the licensee in the following cases.
 - A. Licensee when he goes on leave or on duty out of India
 - B. makes a long tour on pilgrimage
 - C. is sick and cannot use his weapon

- D. dies
 - E. goes in for a new weapon
 - F. goes out of the jurisdiction of the area for which the licence is granted.
 - G. In the event of the loss of a license until a fresh one is obtained
 - H. When there are internal differences in the licensee's family and the arms are deposited voluntarily.
 - I. When the weapon becomes unserviceable; and
 - J. When the licensee has no further need for a weapon.
- 7) Weapons deposited under sub-order (1) above shall be sent to the SRL armoury, if they are not likely to be taken back by the licensees within three months. The fees prescribed as per sub-order (1) above will also apply for the period of deposit in the SRL armoury as well as for the period of deposit at the police station.
- 8) The fee should be collected at the time the weapon is deposited and it should be credited in the State Bank of Sikkim to police revenue head '0055 Police'.
- 9) No fee should be levied on firearms deposited by serving members of the Armed or Central or State Police Forces.

18. Rules for the disposal of confiscated arms and ammunition

- 1) Arms ammunition and stores which can be utilized by the police or any other Government department may be retained and brought into use with the sanction of the State Government. Pistols, revolvers, rifles and muskets of the prohibited bores which may thus be acquired may be loaned to Government employees who are authorized to keep them as part of their equipment or who by the nature of their duties require a weapon for their protection. These should not, however, be allowed to become the property of the persons to whom they are issued.

- 2) Arms, ammunition and stores not so retained shall be disposed of in the following manner:
 - A. All revolvers, pistols, rifles and ammunition of prohibited bore shall be sent to the nearest arsenal for disposal.
 - B. Arms, ammunition and stores other than those mentioned in (A) above should be sold by public auction in the manner prescribed.
 - C. Arms not sold by auction shall be broken up locally and the materials sold, unless they are rifled firearms or rifle barrels, in which case they should be sent to the nearest arsenal to be broken up. Ammunition and stores not disposed of in accordance with (2) shall be destroyed, or may be sent to the nearest arsenal for disposal.
- 3) An acknowledgement of the receipt of arms and ammunition sent to arsenal should be obtained from the officer in-charge of the arsenal concerned. A certificate that the said arms and ammunition have been either destroyed or taken into ordinance stock should also be obtained from him in due course.

**19. Confiscated and forfeited firearms and ammunition: sale by public auction:
Procedure**

- 1) Before the weapons are sold in auction a committee should be formed by the DGP for fixing the minimum upset price of each weapon taking into consideration its general condition, the prevailing market price of a new weapon of the same make; and its age.
- 2) Before fixing the price, it should obtain an estimate from an arms dealer; if there is one in the State or from outside, and that estimate will be the guiding factor.
- 3) If a weapon does not fetch at least the upset price fixed by the Committee, the matter should be reported to the Director General of Police, who will issue other suitable instructions for its disposal.
- 4) Government officers may also bid at the auction either in person or through their agents. If a weapon is bought by senior officers of the police or the State Government,

it should be handed over to the successful bidder only after obtaining the sanction of the Government.

- 5) The procedure prescribed above for the sale of confiscated arms by public auction should also be followed in regard to the sale by public auction of confiscated and forfeited ammunition.

20. Arrests and Searches - Arms Act

Police Officers are empowered to search vessels, Vehicles and other means of conveyance for the purpose ascertaining whether any contravention of the provisions of Arms Act or Rules made there under is likely to be committed and seize any arms and ammunition that may be found along with such vessel, vehicles or means of conveyance. (Sec. 23)

1. All arrests and searches made under the Arms Act or Rules made there under shall be carried out in accordance with the provisions of criminal procedure code relating to the arrests and searches read with section 22 of Arms Act. (Sec. 37)
2. When any person is arrested and any arms or ammunition seized under the Arms Act by a person not being a Magistrate or a Police Officer when delivered to a Police Officer by such person, that Police Officer may either release that person on his executing a bond with or without sureties to appear before a Magistrate and keep the articles seized in his custody till the appearance of that person before the Magistrate or if the person so produced fails to furnish the bond with searches if necessary, produce that person and the articles with out delay before the magistrate.
3. For carrying out search in a private/closed place such as a home or premises of an individual who is suspected to have been in possession of any Arms, Ammunition, Police Officers should except in very urgent situations (for which reasons shall be recorded on writing) obtain search warrants from the competent magistrate.

21. Explosives, Petroleum and Poisons

- 1) The Explosives Act, 1884, the Explosives Rules, 1983, the Explosive Substances Act, 1908 contain the law relating to manufacture, possession, use, sale, transport, import and export of explosives. The explosives have been defined as any material which is capable of explosion by chemical reaction. The explosive substance is defined to include any materials for making any explosive substance, any machine, apparatus, implements, material, used for causing explosion by chemical reaction. The violations of this Act carry severe punishments including life imprisonment.

- 2) In order to check misuse of explosive substances following steps need to be taken by the police and report made in form (8):
 - A. The explosive stocks issued, stored and utilized by various organizations like mines, major projects etc. should be checked for misuse or lack of care or proper account. Help of experts should be taken to assess whether the quantities are in far excess of the requirements or not.

 - B. Section 13 of the Explosives Act, 1884, confers powers on a Police Officer of and above the rank of a Sub-Inspector of Police to arrest without a warrant any person(s) committing dangerous offences falling under the purview of this Act.

 - C. The sources from which explosives are procured by undesirable elements need a good information system for the police to act upon. It is not enough if routine inspections are conducted without plugging the clandestine sources of supply.

- 3) Rule 179 of the Explosives Rules, 1983 confers on police officers of and above the rank of Sub-Inspector certain powers of inspection, search and seizure of any explosive or ingredients, when the Police Officers has reason to believe that any of the provisions of the Explosives Act, 1884 or the rules made there under have been violated. These officers should exercise these powers effectively in connection with licenses issued under the Rules. Periodical inspections by the SHOs and by Sub-Divisional Police Officer, are obligatory to verify whether conditions of licence issued under Form 20,

21, 22 and 24 in schedule IV under Rule 155 of Explosive Rules are being observed by the licence holder of the shops and premises or not.

22. Accidents in connection with explosives and inflammable oils

- 1) On occurrence of any accident of the nature, referred to in section 8 of the Explosives Act, or section 27 of the Petroleum Act, the Station House Officer should immediately report full particulars of the accident to the district SP who should expeditiously convey the facts direct to the Chief Controller of Explosives, Nagpur, under intimation to the Deputy Chief Controller of Explosives, Kolkata.
- 2) In the case of a serious accident, all wreckage and debris should, if practicable, be left in the same position under proper guard, and not removed until information is received from the Chief Controller of Explosives or the Deputy Chief Controller of Explosives that they do not wish any further investigation or enquiry.
- 3)
 - A. In the case of explosion not involving grievous hurt to any person or persons or serious damage to property report should be sent through the superior authorities to the SP Controller of Explosives at Kolkata with a copy of the report to the Chief Controller of Explosives, Nagpur.
 - B. In the case of explosions involving the death or grievous hurt to any person or persons or serious damage to property, the police will as far as possible not handle or remove any exhibits or substances suspected to be explosives or connected with the explosion. Such exhibits and substances will be handled by the Dy Chief Controller of Explosives on his arrival for investigation.
- 4) A magisterial enquiry is prescribed by section 9 of the Explosives Act into all accidents referred to in section 8 of the Act, other than those, which occur in any place, carriage or vessel under the control of any of the Indian Armed Forces. Intimation of all such accidents should also be sent to the nearest executive magistrate. A copy of

the enquiry report of the executive magistrate should be sent to the Chief Controller of Explosives by the Executive Magistrate.

5)

- A. Unlawful/malicious possession, attempt and commission of offences causing explosions likely to endanger life or property including abetment are offences under section 3 to 6 of explosive substance Act 1908.
- B. All thefts of explosives in transit should be treated as important grave crimes.
- C. For prosecutions under the Explosive Substances Act, the consent of the District Magistrate is necessary under section 7 of the Act.

6)

- A. Bombs: In cases involving prosecution of persons for illegal possession of unexploded military grenades, mortar bombs, etc., the Chief Controller of Explosives, Kolkata should be informed by fax and telephone and his arrival awaited. If the bomb has exploded and it is desired to prosecute a surviving person, the Deputy Chief Controller of Explosives and the Chief Controller of Explosives should be informed by fax & telephone. In other cases, the remnants of the exploded bombs should be sent to the Deputy Chief Controller of Explosives, Kolkata.
- B. In forwarding articles suspected to be of an explosive nature, special precautions should be taken to avoid risk of their exploding in transit or when being packed/unpacked.

7) All officers should however carefully read and follow the instructions for dealing with substance or objects suspected of being explosives issued from time to time to all police stations and also the instructions contained in the chapter on Scientific Aids to Investigation of this manual.

REPORT OF THE SHO TO THE LICENSING AUTHORITY FOR THE GRANT OF LICENSE

1. Name of the Police Station :
2. Name of the applicant :
3. Father's Name and Address :
4. Type of Weapon applied for :
5. Whether he is in possession of any
Weapon Previously, if so furnish details :
6. Whether any request of the applicant
rejected Previously, if so State Reason. :
7. Whether any member of his family
Posses Weapons. :
8. Is the applicant living in faction ridden Village :
9. Does he belong to any faction :
10. Antecedents of the applicant :
11. Purpose for which Weapon is required :
12. Safety measures available in the home
for the safety of the Weapon, if Licence
is granted. :
13. Possibility of any misuse if any :
14. Necessity to hold the Weapon :
15. Whether the Report is in time :
16. Opinion of the SHO
(Recommended or not)
Append separate Sheet if necessary. :

Signature of SHO with date

DICENNIAL REGISTER OF LICENCE ISSUED UNDER ARMS ACT (CONSOLIDATE)

Form under III, IIIA, IIIB and IV of Arms Rules)

Sl.No.	Date Month and Year of Grant of Licence	Name, Father's Name and Address of Licencee
1	2	3

Arms and Ammunition that Licencee is entitled to Possess

Brief description Of each Weapon With details Eg. Type and address of the Of Weapon, Identification Retainer if any Marks Registered Number Etc.	<u>Quality and description of Ammunitions</u>			Name
	Maximum to be Possessed at any one Time	Maximum Purchasable during the Year		
4	5			

<u>Purpose for Possession</u> Expiry General	Sport	Protection against Wild Animals	Area with in Which Licence is Valid	Date of
6	7	8		

Date on Which Weapon should be Produced for inspection Remarks	Date of Renewal	
9	10	11

Abstract of Each Category of Weapon for Each Year

FORM – (3)

Chapter –Arms & Explosives
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REGISTER TO BE MAINTAINED BY DISTRICT SUPERINTENDENTS OF POLICE /COMDTS. OFSAP/IRBn/ INCHARGE OF ARMED RESERVES AND SUPERINTEDENTS OF OTHER BRANCHES IN R/O REVOLVER, PISTOLS AND AMMUNITION POSSESSED BY THE OFFICERS OF THE DEPARTMENT

Name of the Dist. Or Unit	Name and Designation of the Officer	Type of Weapon (Revolver/Pistol)	Ammunition	Date of Issue	Purpose or Specific Duties for which it is issued	Date on which last produced for inspection, if not reasons	Authority under which it is issued	Specify Period for which it is issued
1	2	3	4	5	6	7	8	9

REPORT ON INSPECTION OF STOCK, PREMISES AND BOOKS OF PERSONS LICENSED TO MANUFACTURE, CONVERT, KEEP OR SELL ARMS, AMMUNITION AND EXPLOSIVES STORES, BY INSPECTORS AND GAZETTED OFFICERS OF THE POLICE DEPARTMENT.

Name, Father's Name and Residence of Licensee and Date of Inspection.	Place of Business.	Number and Date of License and the form in which it is granted.	Description of Arms, Ammunition or Explosives.	Quantity Licensed to be Possessed at One Time	Quantity Licensed to be Possessed for the Whole Year	Balance on hand on 1 st January in the Shop and the Magazine.	Manufactured or received from 1 st January to Date of Inspection.	Sold or issued from 1 st January to Date of Inspection.	Balance on hand on Date of Inspection in the Shop and the Magazine.	Whether Accounts Number 1, 2 and 4 are properly Kept.	Remarks noting whether quantity in excess of License was ever maintained, and whether they are in a safe Room
1	2	3	4	5	6	7	8	9	10	11	12
VII. Sulphur Shots Caps. European Gun Powder Country Gun Powder Blasting Powder Fire Works.											

Station

Signature.

Dated

Designation.

REGISTER OF ARMS DEPOSITED

Sl. No.	Date	Particulars of Arms	Name of Owner, by Whom deposited or from whom taken	Residence		Signature of Station House Officer, Owner and a Witness when arms are Deposited.	If a License Obtained, when	If License not Obtained, how were Arms disposed of.	Designation of Magistrate/Authority Passing Order.	Signature of Owner for return of Arms with date.	Signature of Station House Officer and Date of disposing of Arms.	Serial Number allotted in the District Police Office Register of Arms Deposited.
				Village	Block							
1	2	3	4	5	6	7	8	9	10	11	12	13

On Label Outside: Register of Arms Deposited.

**EXTRACT FROM THE REGISTER OF ARMS DEPOSITED IN
POLICE STATION**

COUNTERFOIL (To be retained in the Station)	ACKNOWLEDGEMENT	ORIGINAL (To be retained in the District Police Office).										
<p>No. Monthly extract from the Register of Arms Deposited.</p> <p>District: Circle: Police Station:</p> <p>(One form to be used for each Weapon).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Serial No. and Year in the Register of Arms Deposited.</th> <th style="width: 50%;">Description of Arm, Name of Owner and Date of Deposit.</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"> </td> <td> </td> </tr> </tbody> </table> <p>• This should Correspond with the identification Number on the Label attached to the Weapon.</p> <p>Date: Station House Officer</p>	Serial No. and Year in the Register of Arms Deposited.	Description of Arm, Name of Owner and Date of Deposit.			<p>The Arm noted on the reverse has been Received.</p> <p>The Number (With Year) allotted in the State Reserve Lines Office Register is noted in Column 3.</p> <p style="text-align: right;">Officer in Charge of Stores.</p> <p>Date: _____</p> <p>To _____ The Station House Officer, Station.</p> <p>(To be pasted with the counterfoil in the Station.)</p>	<p>No. Monthly extract from the Register of Arms Deposited.</p> <p>District: Circle: Police Station:</p> <p>(One Form to be used for each Weapon).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">S.No and Year * in The Register of Arms Deposited.</th> <th style="width: 33%;">Description of Arm, Name of Owner and Date of Deposit</th> <th style="width: 33%;">District Police Office Store Number and Year.</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>• This should correspond with the identification Number on the label attached to the Weapon.</p> <p>Date: Station House Officer</p>	S.No and Year * in The Register of Arms Deposited.	Description of Arm, Name of Owner and Date of Deposit	District Police Office Store Number and Year.			
Serial No. and Year in the Register of Arms Deposited.	Description of Arm, Name of Owner and Date of Deposit.											
S.No and Year * in The Register of Arms Deposited.	Description of Arm, Name of Owner and Date of Deposit	District Police Office Store Number and Year.										

MONTHLY EXTRACT FROM THE REGISTER OF ARMS KEPT IN THE DGP OFFICE ORDER.

COUNTERFOIL

(To be kept in the State Reserve Lines Office).

Monthly extract from the Register of Arms kept in the State Reserve Lines Office.

Serial Number in the Register of Arms Kept in the State Reserve Lines Office	Description of Arms and Name of Owner
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Dated: Superintendent of Police.

The Arms noted on the Reverse will be forfeited to Government. They should be sent to this Office.

Dated: (Authorised Signatory) DGP office

To The Superintendent of Police.

Acknowledgement of the DGP office -for the Receipt of Arms,

Returned to the DGP office - for favour of acknowledgement of the Arms noted on the reverse.

Dated: Superintendent of Police.

Acknowledgement of the DGP office for the receipt of Arms.

The Arms noted on the reverse have been received.

Dated: (Authorised Signatory) DGP office

To The Superintendent of Police.

ORIGINAL

(To be Kept in the DGP office)

Monthly extract from the Register of Arms Kept in the State Reserve Lines Office.

Serial Number in the Register of Arms Kept in the District Police Office	Description Arms and Name of Owner
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Dated: Superintendent of Police.

DUPLICATE

(To be filled in the State Reserve Lines).

Monthly extract from the Register of Arms
Kept in the State Reserve Lines Office.

Serial Number in the Register of Arms Kept in the District Police Office.	Description of Arms and Name of Owner

Dated:

Superintendent
of Police.

Format for Inspection of Explosives Stores/Magazine:

(Fill in complete details here)

1. Name of Owner/Contractor:
2. License No. and Validity date:
3. Type and quantity of explosive allowed as per license:
4. Location of explosive magazine:
5. Location of use of explosive:
6. Details of Explosive Van being used:
7. Name of Shot firer engaged for Blasting operation along with license details:
8. Monthly Schedule of usage of explosive (Day to Day):
9. Distance of Magazine House from Human Habitation (In Feet):
10. Is there any opposition to the presence of Magazine House:
11. Details of any Accidents etc in the past:

19. Is the site marked 'Danger-explosive' and 'Turn off radio Transmitter' along with Red Flag:

20. Are Records being maintained of stock position usage etc. If yes by whom (Name, Address etc):

21. Do there exists separate storage for High Explosives and Detonator. If yes give specification:

22. Is the Magazine House ready with Fire, Fighting Equipment. If yes, give the details of equipment available:

23. Is Cemented trough with filled in water provided at the entrance of the Magazine:

24. Inside the Magazine House, does there exist a 12 mm thick Red line about 2.5 m above the floor level:

25. Quantity of explosive present in the Magazine.
In it in excess of the limit set by license:

26. Comment on the following:

i) How is misfired explosives being stored:

ii) General Condition of the Magazine House
as well as Surroundings. (Comment on Health of Building,
Carpeting, presence of Grass etc):

iii) Any other comment/short coming etc. noticed by Inspecting officer:

Place:

Date

**Name and Designation of
Inspecting Officer**

Please go through the relevant provision of Explosive Rules/Explosives Act
before going for any inspection.