

THE NORTHERN SHAN STATES EXPLOSIVES RULES, 1916.

No.99

The 19th July 1916.

[Amendment : 18.12.1916]

No.99.- In exercise of the powers conferred by sections 5 and 7 of the Indian Explosives Act, 1884, and with the previous sanction of the Governor-General in Council, the Lieutenant-Governor is pleased to make the following rules to regulate the manufacture, possession, sale, transport and importation of explosives in the Northern Shan States.

**RULES UNDER THE INDIAN EXPLOSIVES ACT 1884, FOR THE MANUFACTURE, POSSESSION, SALE,
TRANSPORT AND IMPORTATION OF EXPLOSIVES IN THE NORTHERN SHAN STATES.**

CHAPTER I.

PRELIMINARY.

Short Title.

1. These Rules may be called the Northern Shan States Explosives Rules, 1916.

General exemptions.

2. Nothing in these rules shall apply:-

(i) to the manufacture, possession, sale, packing, transport or importation of toy fireworks, such as paper caps for toy pistols, under such conditions and in such quantities as the Local Government, or, in the case of transport by rail, the Railway Board, on the recommendation of the Chief Inspector of Explosives, may from time to time determine;

(ii) in those areas in the Northern Shan States to which the Indian Arms Act, 1878, has been or may hereafter be extended, to the packing, transport or importation of capped safety cartridge cases, if otherwise empty, when packed, transported or imported in the same consignment with arms covered by a license granted under that Act;

(iii) to

(a) the manufacture, possession and sale of tri-nitro-toluol, or

(b) the transport and importation of the same when it is packed in staunch and substantial barrels or in cases constructed of wood not less than one inch in thickness.

Definitions.

3. In these rules, unless there is anything repugnant in the subject or context:-

(1) "The Act" means the Indian Explosives Act, 1884.

(2) "Ammunition" means any explosive when the same is enclosed in any case or contrivance, or is otherwise adapted or prepared, so as to form-

(a) a cartridge or charge for small-arms, cannon or any other weapon, or for blasting, or

(b) a safety or other fuze for blasting or for shells, or

(c) a tube for firing explosives, or

(d) a percussion-cap, detonator, fog-signal, shell, torpedo, war-rocket, or any other contrivance other than a fire-work.

(3) "Authorized explosive" means an explosive included in a list of authorised explosives prepared by the Chief Inspector of Explosives with the Government of India and in force for the time being.

(4) "Chlorate-mixture" means any explosive containing a chlorate.

(5) "Detonator" means a capsule or case which is of such strength and construction, and contains fulminate in such quantity, that the explosion of one capsule or case would communicate the explosion to other like capsules or cases.

(6) "Superintendent" means the Superintendent of the Northern Shan States.

(7) "Fulminate" means any chemical compound or mechanical mixture whatever, which, from its great susceptibility to detonation, is suitable for employment in percussion-caps or any other appliance 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.

(8) "Gunpowder" means gunpowder ordinarily so called.

(9) "Nitrate-mixture" means any preparation, other than gunpowder, which is formed by the mechanical mixture of 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: and includes such explosives as-

Chilworth special powder, Ammonal,

Bobbinite, and Westfallite.

(10) "Nitro-compound" means any chemical compound which is possessed of explosive properties or is capable of combining with metals to form an explosive compound, and 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.

(11) "Small-arm nitro-compound" means a nitro-compound adapted and intended exclusively for use in cartridges for small-arms.

(12) "Safety cartridge"-

(i) means a cartridge for small-arms, the case of which can be extracted from the small-arm after firing, and which is so closed as to prevent any explosion in one cartridge being communicated to other cartridges; and

(ii) includes a rifle-calibre machine-gun cartridge, if it is as described in clause (i) whether it is for use with a machine-gun having chambers identical with those of rifles or with a machine-gun having special chambers:

Provided that the diameter of the cartridge in either case (i) or case (ii) does not exceed one inch.

(13) "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 would not communicate laterally with other like fuzes.

CHAPTER II.

CLASSIFICATION OF EXPLOSIVES.

Casses of explosives.

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

Class 1 Gunpowder,

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

(2) When any explosive falls within more than one of the said classes, it shall be deemed to belong exclusively to the latest of such classes.

Division of nitro-compounds.

5. Nitro-compounds shall, for the purposes of these rules, be sub-divided as follows, namely:-

(a) Division 1, comprising-

(i) such explosives, as-

Ballistite,

Gelatine dynamite,

Blasting gelatine,

Gelignite,

Carbonite,

Nitro-glycerine, and

Cordite,

Stonite, and

Dynamite,

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

(b) Division 2, comprising-

(i) such explosives, as-

Amberite No. 2.

Gun-cotton.

Ammonite, Picric powder,
Bellite, Roburite,
Coopal's powder, Schultz's powder, and
E.C, sporting powder, Tonite (or cotton powder), and

(ii) any nitro-compound, as hereinbefore defined, which is not comprised in Division 1.

Division of chlorate-mixtures.

6. Chlorate-mixtures shall, for the purposes of these rules, be sub-divided as follows, namely:-

(a) Division 1, comprising-

(i) such explosives, as-

Permonite, and Polarite, and

(ii) any chlorate preparation which consists partly of nitro-glycerine or of some other liquid nitro-compound, and

(b) Division 2, comprising-

(i) such explosives, as-

Cheddite, and Steelite, and

(ii) any chlorate-mixture, as hereinbefore defined, which is not comprised in Division 1.

Division of fulminates.

7. Fulminates shall, for the purposes of these rules, be sub-divided as follows, namely:-

(a) Division 1, comprising such compounds as the fulminates of silver and of mercury, and preparations of those substances, such as are used in percussion-caps, and any preparation consisting of a mixture of a chlorate with phosphorus, or certain descriptions of compounds of phosphorus, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with sulphuret, with or without carbonaceous matter; and

(b) Division 2, comprising such substances as the chloride and the iodide of nitrogen, fulminating gold and silver, diazobenzol, and the nitrate of diazobenzol.

Division of ammunition.

8. Ammunition shall, for the purposes of these rules, be sub-divided as follows, namely:-

(a) Division 1, comprising exclusively-

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

(b) Division 2, comprising any ammunition, as hereinbefore defined, which does not contain its own means of ignition and is not included in Division 1, such as-

Cartridges for small-arms, other than safety cartridges, Cartridges and charges for cannon, shells, mines, blasting or other like purposes, Shells and torpedoes containing any explosive, Fuzes for blasting, other than safety fuzes, Fuzes for shells, Tubes for firing explosives, and War-rockets, which do not contain their own means of ignition; and

(c) Division 3, comprising any ammunition, as hereinbefore 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, and Tubes for firing explosives, containing their own means of ignition.

Explanations.- The expression "ammunition containing its own means of ignition" means ammunition having an arrangement, whether attached to or forming part of the ammunition, which is adapted to explode or fire the ammunition by friction or percussion.

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

Division of fireworks.

9. Fireworks shall, for the purposes of these rules, be sub-divided as follows, namely:-

(a) Division 1, comprising firework compositions, that is to say,-

(i) 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 any of the foregoing definitions,

(ii) any star, and

(iii) (except as declared in the proviso to this rule) any coloured fire composition; and

(b) Division 2, comprising manufactured fireworks, that is to say, any explosive of Class 1, 2, 3, 4, or 6 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, toy cap or amorce, serpent, rocket (other than a war-rocket), maroon, lance, wheel, Chinese fire, Roman candle, or other article specially adapted for the production of pyrotechnic effects or pyrotechnic signals or sound signals:

Provided that a substantially constructed and hermetically closed metal case, containing not more than one pound of coloured fire composition of such a nature as not to be liable to spontaneous ignition, shall be deemed to be a "manufactured firework" and not a "firework composition."

CHAPTER III.

IMPORTATION.

Importation prohibited.

10. No explosive shall be imported into the Northern Shan States.

CHAPTER IV.

TRANSPORT.

Conveyance from British India deemed to be transport.

11. Explosives brought in from any part of British India shall be deemed to be transported.

When license to transport is requisite.

12. Explosives required bond fide for blasting purposes shall not be transported except under and in accordance with a license granted under these rules:

Provided that nothing in this rule shall apply to the transport by the holder of a license in Form E of any of the explosives covered by his license, and of safety fuzes for blasting in such quantities as he may require for his private use.

Licenses for the general transport of explosives for blasting.

Application for license for general transport.

13. An application for a license in Form 1 (for the general transport of explosives for blasting purposes) shall be in writing and shall state particulars as to the place from which, and the place or places to which, it is desired to transport explosives.

Procedure in granting a license for general transport.

14. When the place or places to which explosives are to be transported is or are outside the Northern Shan States a copy of the license shall be forthwith sent-

- (a) when the transport of explosives is authorised to Rangoon, to the Commissioner of Police;
- (b) when the transport of explosives is authorised to any other place, to the Magistrate of the district in which such place is situated.

Procedure in transporting explosives under license for general transport.

15. Every consignment of explosives transported under a license in Form 1 shall be accompanied by a pass issued by the licensee in the form prescribed in Form 1; and such pass shall (if the consignment be despatched by rail) be attached to the way-bill or invoice, as the case may be.

Procedure in issuing passes.

16. A copy of every pass issued under rule 15 shall forthwith be sent-

- (i) to the Superintendent; and
- (ii) when the place to which the consignment is sent is outside the Northern Shan States to the officer indicated in rule 14.

CHAPTER V.

MANUFACTURE, POSSESSION AND SALE.

Manufacture.

When license to manufacture is requisite.

17. An explosive shall not be manufactured except under and in accordance with the conditions of a license granted under these rules for such manufacture:

Provided that no license under this rule to manufacture shall be necessary-

- (a) for 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) for 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; or
- (c) in the case of any person who, holding a license under these rules to possess an explosive-
 - (i) fills with the said explosive, for sale or otherwise, cartridges for small-arms; or

(ii) by filling cartridges, making charges, or drying, sifting, fitting or otherwise, adapts or prepares the said explosive for use exclusively in his mine or quarry or in some excavation or work carried on by him or under his control.

Conditions to be observed by persons filling cartridges.

18. The following conditions shall be observed by every person filling cartridges for small-arms under clause

(c) (i) of the proviso to rule 17:-

(a) there shall not be in the room in which such filling is being carried on more than five pounds of gunpowder or small-arm nitro-compound or such quantity of any other explosive as is prescribed by the Local Government in this behalf unless it is made up into safety cartridges;

(b) no work unconnected with the making of cartridges shall be carried on in the said room while such filling is being carried on;

(c) there shall not be in the said room, while such filling is being carried on, any fire or any artificial light, except a light of such construction, position and character as not to cause any danger of fire or explosion;

(d) if filling is done on magazine premises, the said room shall be detached from the magazine, but shall be situated in the immediate neighbourhood thereof and at such distance therefrom as may be specified on the license by the authority granting the same; and

(e) the licensee shall give notice to the authority which granted his license that he intends to carry on such filling of cartridges as is allowed by this rule.

Conditions to be observed by persons adapting or preparing cartridges.

19. The following conditions shall be observed by every person adapting or preparing explosives under clause (c) (ii) of the proviso to rule 17:-

(a) there shall not be in the workshop in which such adaptation or preparation is carried on more than one hundred pounds of gunpowder, or such quantity of any other explosive as is prescribed by the Local Government in this behalf;

(b) no work unconnected with such adaptation or preparation shall be carried on in the said workshop while such adaptation or preparation is being carried on;

(c) the said workshop shall be detached from the magazine or licensed premises, but shall be situated in the immediate neighbourhood thereof and at such distance therefrom as may be specified on the license by the authority granting the same;

- (d) an explosive of one description shall not be converted into an explosive of another description, and an explosive shall not be unmade or resolved into its ingredients; and
- (e) the licensee shall give notice to the authority which granted his license that he intends to carry on such adaptation or preparation as is allowed by this rule.

Possession.

When license to possess is requisite.

20. An explosive shall not be possessed except under and in accordance with the conditions of a license granted under these rules for possession:

Provided that no license under these rules shall be necessary for the possession-

- (a) 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 Chapter VIII regulating the transport of such explosive: or
- (b) in those areas in the Northern Shan States to which the Indian Arms Act, 1878, has been or may hereafter be extended, by any person who is lawfully entitled under that Act or the rules for the time being in force thereunder, to possess any explosive coming under the head of ammunition as defined in that Act, of such explosives in such quantities as may be prescribed by the said Act or rules, or, when no quantities are so prescribed, in reasonable quantities for his own private use; or
- (c) by any person, of explosives under and in accordance with the conditions of a permit granted under rule 53 or rule 54; or
- (d) by any person for his own private use and not for sale, of
 - (i) gunpowder in any quantity not exceeding thirty pounds; or
 - (ii) safety cartridges made with gunpowder and containing in all not more than one hundred and fifty pounds of gunpowder; or
 - (iii) cartridges (non safety) for small-arms, made with gunpowder and containing in all not more than five pounds of gunpowder;
 - (iv) cartridges for cannon or blasting, made with gunpowder, and not containing their own means of ignition, and containing in all not more than thirty pounds of gunpowder; or
 - (v) cartridges for small-arms, made with small-arm nitro-compound and containing in all not more than ten pounds of small-arm nitro-compound; or
 - (vi) a small-arm nitro compound in any quantity not exceeding ten pounds; or

- (vii) percussion-caps; or
- (viii) safety fuzes for blasting; or
- (ix) railway fog-signals and flare-lights when kept by a railway company for use on their railway:

Provided that the quantity of explosive kept by any person under clause (f) shall be in substitution of the like quantity by weight of any other explosive which might otherwise be so kept by him and that the quantity of such other explosive shall be reduced accordingly; and, further, that, if the explosive so kept for private use under this clause is in any other form than that of cartridges for small-arms, the explosive of which the quantity is so to be reduced shall be some explosive other than safety cartridges made with gunpowder.

Saving of general prohibition under the Act.

21. Nothing in rule 17 or rule 20 shall be deemed to authorise the manufacture or possession of an explosive in contravention of any prohibition notified under section 6 of the Act, and for the time being in force.

Sale.

When license for sale is requisite.

22. An explosive shall not be sold except under and in accordance with the conditions of a license granted under these rules for such sale:

Provided that this rule shall not apply to the sale by any person of an explosive which he is lawfully entitled to possess for his own private use to any person who is lawfully entitled to possess the same.

CHAPTER VI.

MAGAZINES.

Procedure in applying for license in Form J.

23. An applicant for a license to possess explosives (other than an explosive of the 5th Fulminate class) in, and to sell explosives from, a magazine (other than a floating magazine) shall submit to the Superintendent an application in Form G in Schedule II, and shall comply with the conditions embodied therein.

Issue of notices to objectors to the site of the magazine.

24. Upon receipt of the said application the Superintendent shall forthwith cause notice to be published of such application and of the time and place at which he will be prepared to hear it, and calling upon any person objecting to the establishment of the magazine on the proposed site to give notice of such

objection to him and to the applicant not less than seven clear days before the day fixed for hearing the application, together with his name, address and calling, and a short statement of the grounds of his objection.

The day of hearing the application shall be a day following soon after the expiration of the period of one month referred to in rule 26.

Notices to local authorities.

25. Where the site of the proposed magazine lies within, or within one mile of the limits of, the jurisdiction of any municipal authority, the applicant shall prepare, for service on such authority, a notice of the application and of the said day of hearing.

Publication and service of notices.

26. The notice under rule 24 shall be published and the notice under rule 25 served, at the expense of the applicant, by the Superintendent not less than one month before the said day of hearing.

Inquiry into objections.

27. On the day fixed for the hearing, or any day to which such hearing may be adjourned from time to time, the Superintendent shall hear any objections preferred in accordance with rule 24, and by any authority referred to in rule 25, and shall make such inquiry as he may deem necessary.

Report on completion of inquiry.

28. On completion of the inquiry the Superintendent shall forward the application (accompanied by a draft license in Form J of Schedule II) to the Chief Inspector of Explosives together with a report stating whether he-

- (a) disapproves of the proposed site for the magazine, or
- (b) approves of the proposed site either unconditionally or subject to any such restrictions or precautions as he considers necessary.

Procedure to be observed by the Chief Inspector of Explosives on receipt of report.

29. The Chief Inspector of Explosives shall forward to the applicant a statement in Form H in Schedule II, showing the distances which should, in his opinion, be kept clear round the magazine. Such distances should ordinarily be those specified in the table annexed to these rules.

Submission of application to the licensing authority.

30. The said Form H shall be returned, with the third column duly filled in, by the applicant to the Chief Inspector of Explosives, who shall submit it to the Superintendent with his recommendations and with the

draft license and a statement in Form I showing the distances which, after considering any representation made by the applicant when returning Form H to him, he considers should be kept clear round the magazine.

Grant of license.

31. The Superintendent may thereupon grant the license as applied for with such modifications or restrictions (if any) as may be deemed proper, or may reject the application.

Procedure on grant of license.

32. A copy of every license granted under rule 31 shall be forwarded to the Chief Inspector of Explosives.

Endorsement of license.

33. The Superintendent when satisfied that all the conditions prescribed in the license in regard to the magazine have been complied with, shall forthwith endorse the license, and unless and until so endorsed the license shall not come into force.

If it is decided not to endorse a license the Superintendent shall forthwith inform the Chief Inspector of Explosives.

CHAPTER VII.

LICENSES AND PERMITS.

Grant of licenses.

Forms of licenses, licensing authorities and fees.

34. (1) Licenses for the transport, manufacture, possession and sale of an explosive may be granted by the licensing authorities set forth in Schedule I in the forms, for the purposes, subject to the conditions and on payment of the fees specified therein.

Validity of license.

(2) Licenses granted in accordance with the provisions of these rules shall be valid for such period as is specified in column 7 of Schedule I.

Conditions under which licenses are held.

35. (1) Every license granted under these rules shall be deemed to be granted subject to the conditions contained therein.

(2) Such conditions shall comprise all those specified in the prescribed form and in the case of a license in Form J such further conditions as the licensing authority may impose.

(3) Such conditions shall, in the case of a license granted by the Governor-General in Council to manufacture any explosive in any quantity, include all the conditions prescribed under these rules and in the forms of license for possessing such explosive in such quantity.

Provided that, notwithstanding anything contained in clause (2) or clause (3), the Local Government or the Governor-General in Council, as the case may be, may, on the recommendation of the Chief Inspector of Explosives, dispense with any of the conditions specified in the prescribed form of a license.

Amendment of licenses.

Amendment of licenses.

36. (1) Provided that these rules are otherwise complied with, every license granted under them may be amended by the authority granting such license.

(2) A licensee who desires to have his license amended shall submit it to the Superintendent with an application stating the nature of the amendment and the reasons for it. The Superintendent, if the license to be amended is in Form J, shall forward the application to the Chief Inspector of Explosives for advice, and, in cases in which the original license was not granted by him, shall forward the license and the application, with his recommendation, to the licensing authority direct.

(3) No fee shall be charged for the amendment of a license.

Renewal of licenses.

Renewal of licenses issued by the Governor-General in Council.

37. The Local Government may, from time to time, renew, on the same or on altered conditions, any license granted by the Governor-General in Council for the manufacture of explosives:

Provided as follows:-

- (i) no such renewal shall admit of the manufacture of any explosive other than that specified in the original license;
- (ii) every such renewal shall first be approved by an Inspector of Explosives; and
- (iii) every such renewal shall be for a period not exceeding one year.

Renewal of licenses in Form J.

38. (1) The authority granting a license in Form J may renew such license on the same or altered conditions.

(2) A licensee who desires such renewal shall, within the period specified in rule 41, submit the license to the Chief Inspector of Explosives with a written application stating the quantity and description of explosives for the storage of which he desires the license to be renewed.

(3) On receipt of such application the Chief Inspector of Explosives shall, if there is any proposed variation in the particulars of the license, and if he considers it necessary to do so, send to the applicant a statement in Form H in Schedule II hereto annexed, showing the distances which should, in his opinion, be kept clear round the magazine.

(4) The procedure prescribed in rules 30 to 33 shall then be followed, so far as it is applicable.

Renewal of licenses not provided for in 37 or rule 38.

39. Every license for the manufacture, possession or sale of explosives not provided for in rule 37 or rule 38 may, unless the circumstances have so changed that the grant of a new license either would not be authorised under the Act and these rules, or is deemed objectionable by the licensing authority, be renewed on application made within the period specified in rule 41.

Renewal of license for general transport for blasting explosives.

40. Every license for the general transport of explosives may be renewed by the authority granting such license.

Time for making application for the renewal of a license.

41. Every application for the renewal of a license shall be made at a date not less than thirty days before the date on which the original license expires, and if the application is so made the magazine or premises shall be held to be duly licensed or the transport license shall be held to be duly granted until such date as the licensing authority issues the renewed license or until an intimation that the renewal of the license is refused has been communicated to the applicant.

Fee chargeable on renewal of license.

42. The fee chargeable for renewing any license shall be the fee originally chargeable under these rules on such license.

Expiration of licenses.

Procedure on expiration or forfeiture of license.

43. A person licensed to manufacture, possess or sell any explosive shall, on the expiration or forfeiture of his license, forthwith give notice to the Superintendent of the description and quantity of explosives in his

possession, and shall comply with any directions which the said Superintendent may think fit to give in regard to the possession or transport of the same.

Issue of temporary license when original has expired or been forfeited.

44. (1) On receiving a notice under rule 43 the said Superintendent may grant for a term not exceeding three months from the date of such expiration or forfeiture, as the case may be, a temporary license for the possession or sale of the actual stock of explosives which is held at the time of the issue of such license.

(2) The fee chargeable on such license shall bear the same proportion to the fee charged on the expired or forfeited license as the period covered by the temporary license bears to a full year.

Death, etc., of licensee.

45. (1) When any person holding a license under these rules dies, or is adjudicated an insolvent, or is otherwise disqualified by operation of law from continuing the business in respect of which the license was granted, any person carrying on such business shall forthwith apply to the proper licensing authority for the grant of a new license in his own name for the unexpired portion of the original license.

(2) No person applying for a license under clause (1) shall, during such time as is reasonably necessary for making his application, and during the pendency thereof, be liable to any penalty under the Act or these rules for carrying on the business and acting under the license, so that he otherwise conforms with the provisions of the Act and these rules.

(3) The fee chargeable on such new license shall be one rupee:

Provided that no fee shall be charged on a new license in Form I or Form E of Schedule II.

Forfeiture of licenses.

Liability of license to forfeiture.

46. Every license granted under these rules shall be liable to be forfeited by the licensing authority on breach of any of the conditions contained therein, and also by the Local Government if at any time the continuance of the license in the hands of the licensee is deemed objectionable.

General Provisions as to licenses.

Production of licenses or passes on demand.

47. (1) Every person holding a license, or acting under a license, granted under these rules shall be bound to produce the same, or an authenticated copy kept at the magazine or place to which the license applies, when called upon to do so by an Inspector of Explosives, or any Magistrate, or any Police Officer not below the rank of a Police Officer in charge of a police-station; and

(2) Any person in charge of a consignment of blasting materials under cover of a pass, issued by a holder of a license in Form I of Schedule II, shall be bound to produce such pass when called upon to do so by any of the officers aforesaid.

(3) Copies of any license may, for the purposes of this rule, be authenticated free of charge by any of the officers aforesaid or by the authority which granted the license.

Validity of license under the Arms Act.

48. In those areas in the Northern Shan States to which the Indian Arms Act, 1878, has been or may hereafter be extended any authority granting a license under these rules may, if such authority thinks fit, direct by an order written on the license that it shall have the effect of a like license granted by the like authority under that Act.

Duplicate license in case of loss of license.

49. When a license granted under these rules is lost or destroyed through no fault of the licensee, a duplicate may be granted to the licensee on payment of a fee of eight annas.

Mode of payment of fees.

50. All fees chargeable under these rules shall be levied in cash.

Where the fees have been made over to any local authority, they shall be paid in such manner as the local authority may from time to time direct.

Discretion of authority empowered to grant, amend or renew licenses.

51. Every authority empowered to grant, amend or renew a license may, in its discretion,

- (a) refuse to grant, amend or renew such license, or
- (b) refer the application for orders to the Local Government.

Executive control over licensing authorities.

52. All subordinate authorities acting under this chapter shall perform their duties subject to the control of their executive superiors and of the Local Government.

Permits for temporary possession of explosives to be granted free of cost.

Permit for temporary storage of explosives in a magazine in excess of licensed quantities.

53. (1) A permit may be granted to the holder of a license in Form J to store in his magazine subject to the conditions of his license (except in this respect) and for a period not exceeding one month, any quantity of explosives in excess of that entered in his license.

(2) Such permit shall be granted by the authority who issued the license and only when it is proved to his satisfaction that the excess storage is due to unforeseen circumstances.

Permit for temporary possession of fire works by non-licensees.

54. A permit may be granted to any person to possess manufactured fireworks in any quantity not exceeding two hundred pounds and for any period not exceeding fourteen days, provided such fireworks are obtained and intended by such person for immediate use and not for sale and are kept in a substantial receptacle which is exclusively appropriated to the keeping of explosives and is closed and secured so as to prevent unauthorised persons from having access to them.

Such permit shall be granted by a Magistrate of the first class or a Police Officer not below the rank of an Assistant District Superintendent of Police.

CHAPTER VIII.

PRECAUTIONS TO BE OBSERVED IN TRANSPORTING EXPLOSIVES.

Part I.- General.

Packing and Marking.

Prohibition of consignment or conveyance of improperly packed explosives.

55. No explosive shall be tendered for conveyance or conveyed unless packed and marked in accordance with the provisions of rules 56 to 60.

Packing of explosives.

56. Whatever be the nature of the explosive and to whatever Class it belongs, the following general, rules shall be observed:-

(1) The interior of every package shall be free from grit and otherwise clean.

(2) Save as is provided in Schedule III, there shall not be any iron or steel in the construction of any package unless the same is covered with suitable material so as effectually to prevent the exposure of such iron or steel.

(3) Every package, when actually used for the packing of one explosive, shall not be used for the packing of any other explosive or any other article or substance:

Provided that this rule shall not prevent the packing of inner packages containing a propellant in an outer package with inner packages containing gunpowder or other propellant:

Provided also that with ammunition (Division 1) there may be packed in the same package any article which is not of an inflammable or explosive nature, or liable to cause fire or explosion.

(4) Nothing in this rule shall be deemed to prohibit the use of an additional package, whether inner or outer: provided that such additional package shall not be of such character as shall have been prohibited in writing by the Chief Inspector of Explosives.

Explanation.- Unless the context otherwise requires-

the expression "outer package" means a box, barrel, case or cylinder of wood, metal or other solid material, of such strength, construction and character, that it will not be broken or accidentally opened, nor become defective or insecure whilst being conveyed, and will not allow any explosive to escape;

the expression "inner package" means a substantial case, bag, canister or other receptacle, made and closed so as to prevent any explosive from escaping;

the expression "propellant" means an authorised explosive of the nitro-compound class adapted and intended exclusively for use as a propelling charge in cannon or small-arms.

Packing of authorised explosives.

57. The method of packing authorised explosives of various Classes, respectively, and the maximum amounts which may be packed in any one package shall be those indicated in Schedule III.

Packing of explosives which are not authorised.

58. Explosives which are not authorised explosives shall be packed subject to such special precautions as may be prescribed by the Chief Inspector of Explosives.

Labelling and marking of packages.

59. (1) On the outermost package there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, the word "Explosive," the name of the explosive, the number of the Class and of the Division to which it belongs, and the name of the manufacturer or sender.

(2) In the case of a nitro-compound or of a chlorate-mixture there shall be added the date of manufacture or issue from the factory, or such sign indicating such date as may be approved by the Chief Inspector of Explosives:

Provided that-

- (a) in the case of cartridges or charges for cannon, shells, mines, blasting or other like purpose, which do not contain their own means of ignition, the marking shall be as for the explosive when not so made up;
- (b) in the case of ammunition (Division 1) (safety fuzes excepted), there shall be added the words "Not liable to explode in bulk;"
- (c) in the case of pin-fire cartridges for pistols, there shall be added the words "Pin-fire cartridges;" and
- (d) in the case of safety fuzes or gunpowder, the word "Explosive" and the number of the Class and Division may be omitted.

(3) Where an outer package contains more than one explosive, the marking above required shall be affixed separately in respect of each explosive so contained.

Relaxation of packing rules.

60. To meet special cases the Chief Inspector of Explosives may, by order in writing, subject to such conditions (if any) as he may think fit to impose, relax any of the conditions imposed by rules 56 to 59.

Consignment.

Despatch of explosives to carrier.

61. (1) No person shall forward to any warehouseman or carrier any explosive unless he has given notice to such warehouseman or carrier of his intention to forward such explosive and has received an intimation from such warehouseman or carrier that he is prepared to receive such consignment.

(2) Such notice shall state-

- (a) the name and quantity of the explosive to be conveyed; and
- (b) the name and address of the consignee.

Receipt of explosives by carrier.

62. No warehouseman or carrier shall send such an intimation as is specified in rule 61 unless he is prepared to receive it, and

- (a) forthwith to despatch such explosive, or
- (b) to deposit it in an authorised magazine or at a place at which some person is licensed to possess such explosive in such quantity.

Precautions to be observed in loading and unloading explosives.

Loading and unloading to be by daylight.

63. No explosive shall be loaded on, or unloaded from, any carriage or vessel between sunset and sunrise.

Prohibition of naked lights, etc.

64. During the loading or unloading of an explosive no person shall, nor shall any person be allowed to, bring into, have or use in, dangerous proximity to such explosive any fire or any article or liquid or substance which is liable to cause or communicate fire or explosion (such as, charcoal, matches or petroleum) or (unless the use of a light is unavoidable) any light:

Provided that when the use of a light for the purposes of loading or unloading is unavoidable a light may be used if it be of such construction and character and in such position as not to cause any danger from fire or explosion.

Prohibition of smoking.

65. During the loading or unloading of an explosive no person shall smoke, nor shall be allowed to smoke, on, in or dangerously near to the carriage or vessel containing such explosive.

Prohibition of nailed boots, etc.

66. During the loading or unloading of an explosive no person wearing boots or shoes with iron or steel nails, heels or tips, shall handle, nor shall be allowed to handle, such explosive.

Method of handling explosives.

67. In the loading or unloading of an explosive the casks or packages containing the explosive shall be passed from hand to hand and shall not be rolled along, and they shall not be thrown down or dropped but shall be carefully deposited and stowed.

Loading.

Protection of explosives in transit.

68. (1) Explosives shall be conveyed whenever possible in the interior of a carriage so enclosed on all sides with wood or metal, or in the hold of a vessel having a close deck so closed, as effectually to protect the explosives from communication of fire; and

(2) When they cannot be so convoyed, they shall be completely covered with a painted cloth, tarpaulin or other suitable material so as effectually to protect the explosives from communication of fire.

Maximum consignments allowed

69. The quantity of explosives conveyed in any one carriage or vessel shall not exceed two thousand pounds: Provided that where the explosives are conveyed under the conditions set forth in clause (1) of rule 68, the quantity of explosives may exceed two thousand pounds, but shall not exceed ten tons in any one carriage on a railway or two tons in any one other carriage or twenty tons in any one vessel.

Explosives of different kinds to be kept apart.

70. No explosive, which contains its own means of ignition, shall be conveyed in any carriage or vessel which is being used for the conveyance of an explosive not of the same Class and Division, unless it is sufficiently separated therefrom to prevent any fire or explosion which may take place in one such explosive being communicated to another.

Dangers from fire and water to be guarded against.

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

Protection from maked iron or steel.

72. All iron or steel in the interior of the portion of the carriage or vessel with which the package containing any explosive is or may come in contact, shall be effectually covered with leather, wood, cloth or other suitable material.

Conveyance.

Explosives not to be sent by public carriage or vessel.

73. No explosive shall be conveyed in any carriage or vessel plying for or carrying public passengers.

Carriage or vessel to be in charge of competent person or persons.

74. The carriage or vessel conveying an explosive shall be in charge of, and constantly attended by, some competent person, or by a sufficient number of competent persons.

Intoxicated person not to have charge of carriage or vessel.

75. No person who is intoxicated shall, nor shall he be permitted to, have charge of, or be in, on or attending to, any carriage or vessel conveying explosives.

Driving or navigation to be careful.

76. The person in charge of a carriage or vessel conveying an explosive shall not drive, conduct or manoeuvre such carriage or vessel in a dangerous or negligent manner.

Prohibition of delay in transit.

77. If the quantity of explosive conveyed in the carriage or vessel exceeds one hundred pounds the person or persons in charge of such carriage or vessel shall not stop or delay at any place for a longer time than

may be reasonably necessary, nor stop unnecessarily at any place where such stopping would be attended by public danger.

Avoidance of danger by fire, etc.

78. No person shall, during the conveyance of an explosive, do any act or thing in relation to the explosive which is liable to cause fire or explosion and is not reasonably necessary for the conveyance of the explosive or for work immediately connected with such conveyance.

Explosives not to be carried across railway bridges.

79. No explosive shall be carried otherwise than by rail across any railway bridge across which reasonable facilities for the conveyance thereof by rail are afforded by the Railway Administration:

Provided that nothing in this rule shall apply to-

- (a) ammunition Class 6, Division 1, in any quantity; or
- (b) any quantity of gunpowder, or of a nitro-compound or of ammunition, Class 6, Divisions 2 and 3, not exceeding five pounds; or
- (c) any quantity of fire-works not exceeding ten pounds.

Exemptions and savings.

Saving as to the conveyance of ammunition and Chinese crackers.

80. Nothing in Rules 63 to 72 shall apply to ammunition (Division 1) and in the case of the transport by rail of Chinese cracker (Division 2 of class 7-Fireworks) the provisions of Rule 72 may be relaxed during the period from July to March inclusive under an order of the District Traffic Officer when the number or size of consignments offering is such that, in his judgment, serious delay would be caused by the observance of the rule: provided that in both instances, all due precautions shall be taken to prevent explosion.

[<Amendment 18.12.1916>](#)

Saving as to the conveyance of small consignments.

81. Nothing in rules 61, 62 and 73 shall apply to the conveyance of-

- (a) any quantity not exceeding five pounds of any explosive other than a fulminate or ammunition (Division 3) or fire-works (Division 1);
- (b) detonators not exceeding two hundred in number and not containing in the aggregate more than three ounces of fulminate:

Provided that-

- (i) previous notice shall be given to the person in charge of the carriage or vessel in which the explosive is intended to be conveyed;
- (ii) all due precautions shall be taken to prevent accidents by fire or explosion;
- (iii) no other explosive shall be carried in the same compartment; and also
- (iv) (in the case of detonators) the consignment shall be covered by a certificate, signed by the consignor, that the quantity of fulminate in the consignment does not exceed the amount specified in sub-clause (b).

Saving as to conveyance by railway.

82. Nothing in rules 61, 62, 73, 74 and 77 shall apply to the conveyance of any explosive by railway.

Saving of liability of carrier and owner and master of a ship for breach of these rules when consignee, etc., is in fault.

83. Where a carrier, or the owner or the master of a vessel, is prevented from complying with these rules by the wilful act, neglect or default of the consignor or consignee of the explosive, or other person, or by the improper refusal of the consignee or other person to accept delivery of the explosive, such consignor, consignee or other person who is guilty of such wilful act, neglect, default or refusal shall be liable to the same penalty to which the carrier, owner or master is liable for a breach of these rules, and his conviction shall exempt the carrier, owner or master from any penalty under these rules.

Part II.- Railways.

Consignment.

Conveyance by railway.

84. Rules 85 to 119 shall apply to the transport of explosives by railway.

Certain explosives not to be consigned.

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

Certificate of packing.

86. The consignor shall certify that the explosive has been packed in accordance with the rules in force in the United Kingdom or in the Northern Shan States.

Notice of the consignment.

87. No person shall send for carriage upon any railway any consignment of an explosive unless-

(1) he has given to the officer in charge of the railway station previous notice in writing (which, at the option of the Railway Administration, may extend to 48 hours) of his intention to send such consignment, and stating-

- (a) the true name, description, quantity and mode of packing of the explosive proposed to be conveyed, and
- (b) his own name and address, and also the name and address of the proposed consignee, and

(2) he has had an intimation in writing from an authorised officer of the railway that such consignment will be received.

Receipt of consignment.

88. Consignments of explosives shall be sent to the forwarding station and shall be received by the railway servants only at such times, between sunrise and sunset, as the Railway Administration may appoint.

Certificate in case of nitro-compounds and chlorates.

89. The consignor shall (in the case of nitro-compounds and chlorate-mixtures)-

- (1) cause the outer packages to be marked with the date of manufacture, and
- (2) attach to the consignment note a certificate, or (provided the original is produced for verification) copy of a certificate (so describing the packages as to render their identification certain) signed by the Chief Inspector of Explosives or an Inspector of Explosives, or, if the certificate is granted at the time when the explosive is imported into British India by the Chemical Examiner or Analyser-
 - (a) that the explosive is of standard purity, and
 - (b) that (if the explosive be dynamite or any nitro-glycerine compound) there are no signs of exuded nitro-glycerine or of liquefaction.

(3) The aforesaid certificate shall ordinarily be valid for six months after date: provided that, in the case of dynamite and other nitro-glycerine compounds which are not used as propellants as defined in rule 56-

- (a) such certificate shall lapse on the 31st July, and
- (b) a fresh certificate for each conveyance may, at the discretion of the Railway Administration concerned, be demanded during the period from the 1st April to the 31st July (both inclusive) if the original certificate has not been granted later than the 31st March.

Discretion of Railway to refuse improperly-packed explosives.

90. The Railway Administration may refuse to receive any packages which they suspect to contain any explosive packed or sent in contravention of these regulations.

Disposal of consignment on arrival at station of departure.

91. Every package containing any explosive proposed to be conveyed on any railway shall immediately on arrival at the station be unloaded and placed in a safe place under the special direction of the officer in charge of the station. These packages should not be allowed to stand in the sun.

Loading.

Maximum quantities to be conveyed in one vehicle.

92. The quantity of explosives conveyed in any one vehicle shall not in any case exceed that specified in rule 69 and shall not (unless the vehicle is specially constructed and approved by the Railway Board for the carriage of explosives) exceed two-thirds of the normal load of such vehicle:

Provided that (in the case of explosives of the kinds specified in rule 97) the quantity of explosives shall not-

(a) where such explosives are stowed in the manner described in clause (1) of that rule, exceed three tons, and

(b) where such explosives are stowed in the manner described in clause (2) of that rule, exceed five tons.

Prohibition of conveyance with inflammable substances.

93. There shall not be conveyed in the same vehicle with any explosive any lucifer or other matches, fuzees, pipe-lights, acids, naphtha, paraffine, petroleum or any other volatile spirit substance liable to give off an inflammable vapour or liable to spontaneous ignition, or to cause or communicate fire or explosion.

Condition of vehicle.

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

Stowing of explosives.

95. All packages containing explosives shall be secured in such a way as to prevent concussion when the train is in motion.

Method of stowing of explosives.

96. Packages containing explosives other than those referred to in rule 97 shall not be stowed in more than three layers one above the other. But if the packages are in rectangular form and of uniform size (provided they are double packages, and are so secured as to prevent movement during transit) they may be stowed in any number of layers not exceeding five:

Provided that this rule shall not apply to safety cartridges for small-arms packed in tin lined service pattern boxes.

Method of stowing of high explosives.

97. (1) Packages containing dynamite and other blasting explosives of the 3rd (nitro-compound) Class, or explosives of the 4th (chlorate-mixture, 5th (fulminate) Classes or of the 1st Division of the 7th (firework) Class shall be stowed in one layer only and secured so as to prevent movement during transit:

(2) Provided that, if the packages of explosives are in rectangular form and are properly secured so as to prevent movement during transit, they may be stowed in any number of layers not exceeding five.

Locking of vehicles.

98. Vehicles shall in every case be locked when loaded with explosives.

Delivery.

Delivery to consignee.

99. The consignee shall remove the explosives from the receiving station during the twelve hours of daylight following its arrival.

Disposal when consignee fails to take delivery.

100. If the consignee does not remove the explosive within the time allowed by rule 99, the Railway Administration may return the explosive to the consignor at his risk and expense.

Protection of explosives pending removal.

101. Pending removal by the consignee, or return to the consignor, the explosives shall be kept at a safe distance from the station buildings, and (if unloaded) shall be completely covered with tarpaulias or other suitable material and, if necessary, shall be protected by a police guard.

Power to open packages.

Opening of suspected packages.

102. The Railway Administration may at any time open or require to be opened at the risk and expense of the consignor any package which is upon any railway and which is suspected to contain explosives packed or consigned in contravention of any of these rules.

Disposal of opened packages.

103. The Railway Administration may return to the consignor at his risk and expense the contents of any package which is found during transit to have been packed or co-signed in contravention of any of these rules.

Precautions to be observed during loading and unloading.

Time of loading and unloading.

104. Notwithstanding anything in rule 63, a small consignment of explosives may be unloaded between sunset and sunrise.

For the purposes of this rule no consignment of more than half a wagon load booked to one station shall be deemed to be a small consignment.

Loading and unloading to be continuous.

105. Subject to the provisions of rules 63 and 104, the loading and unloading of explosives when once begun shall be diligently proceeded with until the same is completed.

Place of loading and unloading.

106. Vehicles containing explosives shall be loaded and unloaded on sidings at a safe distance from the station buildings.

Loading and unloading of Government explosives.

107. All explosives under despatch or receipt by a Government arsenal, depot or factory shall be loaded or unloaded by Government servants employed in such arsenal, depot or factory.

Maximum number of vehicles to be dealt with at a time.

108. Not more than five vehicles containing explosives shall be loaded or unloaded at any railway station, at any one time.

Time of transhipment.

109. All operations connected with the transhipment of explosives at junction stations shall take place during daylight.

Marshalling and shunting.

Maximum number of vehicles to be hauled in one train.

110. Not more than five vehicles containing explosives shall at any one time be hauled in the same train.

Precaution in the case of high explosives.

111. No explosive of the 5th (fulminate) Class or of the 3rd Division of the 6th (ammunition) Class, or of the 7th (firework) Class shall be carried in the same train with any explosive not of the Class and Division to which it belongs, unless it be sufficiently separated therefrom to prevent any fire or explosion which may take place in one such explosive being communicated to another.

Position of vehicle in the train.

112. Vehicles containing explosives shall be placed at the end of the train away from the locomotive, and shall be close-coupled to one another as well as to the adjoining vehicles, and shall be preceded and followed by three vehicles not loaded with explosives or other article or substance of an inflammable nature.

Shunting.

113. When the train is being marshalled, vehicles loaded with explosives shall not be shunted by a locomotive, unless they are separated from the engine by not less than three vehicles containing no explosive nor easily inflammable substance:

Provided that nothing in this rule shall apply to the shunting of vehicles specially constructed for the carriage of explosives.

Limit of speed in shunting.

114. During the shunting of vehicles containing explosives the speed of all movements shall not exceed five miles an hour; and loose shunts are prohibited.

Superintendence in shunting.

115. No shunting shall be carried on save under the superintendence of a duly authorised officer, who shall see to the observance of rules 113 and 114.

Brakes.

Brakes.

116. If the vehicles employed in the transport of explosives are provided with brakes, other than iron brakes, the brakes thereon shall on no account be worked while the vehicles are running with a train, nor shall brakes, other than iron brakes, or vehicles immediately adjoining such vehicles, be worked while such vehicles are so running.

Conveyance by Passenger train.

Conveyance of explosives by passenger train.

117. Save as provided in rule 118, no explosives shall be conveyed by passenger train except-

- (a) safety cartridges and percussion-caps and safety-fuzes (for blasting), and fog-signals for railway use;
- (b) explosives of the 3rd (nitro-compound) Class other than propellants in the form of cartridges up to the limit of 5lbs:

Provided that no detonators are carried in the same compartment;

- (c) detonators to the number of 200 if the amount of fulminate of mercury in the package or packages containing the detonators does not exceed in the aggregate 3oz. (and a certificate to this effect is tendered by the consignor);
- (d) sporting gun-powder packed in double packages as provided in Schedule III so long as the gun-powder is contained in tin canisters containing not more than 5 lbs, each and packed in a stout wooden case with an outer covering of tin or zinc completely spark-proof, or in metal-lined cases of a pattern approved by the Chief Inspector of Explosives. But no outer case shall contain more than 25 lbs, of gun-powder, and the total consignment by one train shall not exceed 80 lbs.

[<Amendment 18.12.1916>](#)

Conveyance of explosives by mixed train.

118. Any explosive may be conveyed by mixed train on any line or section on which goods trains are not running subject to the following conditions:-

- (1) that not more than one vehicle containing explosives shall be hauled at any one time;
- (2) that such vehicle shall be specially constructed and approved by the Railway Board for the carriage of explosives;
- (3) that there are not less than three vehicles between such vehicle and the engine and between such vehicle and the passenger coaches;
- (4) that such vehicle is close-coupled to the adjoining vehicles; and
- (5) that, immediately on entering a section upon which goods trains are running, such vehicle is detached from the train.

Exemptions.

Saving as to cartridges for small arms.

119. Nothing in rules 92, 108 and 110 shall apply to separate consignments of safety-cartridges for small-arms.

CHAPTER IX.

SUPPLEMENTARY.

Powers of Search and Destruction.

Powers of search and destruction.

120. (1) Any of the officers mentioned in clause (2) may, within the areas specified in that the clause, but subject, in those areas in the Northern Shan States to which the Indian Arms Act, 1878, has been or may hereafter be extended, to the provisions of that Act and of any rules for the time being in force thereunder, in cases to which that Act applies-

- (a) enter, inspect and examine any place, carriage or vessel in which an explosive is being manufactured, possessed, sold or transported under a license granted under these rules, or in which he has reason to believe that an explosive has been or is being manufactured, possessed, sold or transported in contravention of the Indian Explosives Act, 1884, or of these rules;
- (b) search for explosives therein;
- (c) take samples of any explosives found therein, on payment of the value thereof if payment can be made at the time the samples are taken; and
- (d) seize, detain, remove and, if necessary, destroy or otherwise render harmless any explosive found therein in respect of which he has reason to believe that any of the provisions of the said rules or Act have been contravened.

(2) The officers and areas referred to in clause (1) are;-

Officers.	Areas.
The Chief Inspector and Inspectors of Explosives ...	
The Superintendent	In all parts of the Northern Shan States.
All Magistrates subordinate to the Superintendent ...	Within their respective jurisdictions.
All Police Officers of rank not below that of Inspector, or, if the Local Government so directs, of Sub-Inspector.	Within the respective areas over which their authority extends.

(3) Whenever the Chief Inspector or any Inspector of Explosives, or any Magistrate subordinate to the Superintendent or any Police Officer seizes, detains or removes any explosive under this rule, he shall report the fact to the Superintendent.

(4) Neither the Chief Inspector nor an Inspector of Explosives, nor any Magistrate subordinate to the Superintendent nor any Police Officer shall under these rules destroy or otherwise render harmless any explosive without the previous sanction of the Superintendent unless the matter appears urgent and fraught with serious public danger.

(5) Whenever any officer destroys any explosive or otherwise renders it harmless, he shall take and keep a sample thereof, and shall, if required, give a portion of the sample to the person owning the explosive or having the same under his control at the time of seizure; and whenever any officer other than the Superintendent so deals with any explosive, he shall report the circumstance to the Superintendent.

Penalties.

Penalties.

121. Whoever commits any offence mentioned in the first column of the following table shall be punishable with fine which may extend to the amount indicated in that behalf in the second column of that table:-

	1	2
(1) Importing an explosive in contravention of rule 10	...	Three thousand rupees.
(2) Transporting blasting material in contravention of rule 12.	...	One thousand rupees.
(3) Manufacturing an explosive in contravention of rule 17	...	Three thousand rupees.
(4) Contravening any of the provisions of rule 18 and 19 relating to the manufacture of explosives.	...	One thousand rupees.
(5) Possessing an explosive in contravention of rule 20	...	One thousand rupees.
(6) Selling an explosive in contravention of rule 22	...	Five hundred rupees.

(7)	Contravening a condition of a license granted under article 8 of Schedule I.	Three thousand rupees.
(8)	Contravening a condition of a license granted under article 2, article 3, article 4, article 5, article 6, article 7, article 13 or article 14 of Schedule I.	Five hundred rupees.
(9)	Contravening a condition of a license granted under article 1, article 9, article 10, article 11 or article 12 of Schedule I.	One thousand rupees.
(10)	Contravening any direction given under rule 43 for the disposal of an explosive.	One thousand rupees.
(11)	Failing to produce a license (or authenticated copy thereof) or pass when called upon to do so under rule 47.	Two hundred rupees.
(12)	Contravening any of the provisions of Chapter VIII relating to the transporting of explosives.	One thousand rupees.
(13)	Furnishing a false certificate under rules 81, 86, 89 and 117.	Two hundred rupees.

Exemptions.

Saving as to acts done in emergency, etc.

122. Nothing in these rules shall render liable to any penalty the owner or master of any vessel, or any carrier, or ware-houseman or the person having charge of any carriage for any act done in breach of these rules, if he proves that by reason of stress of weather, inevitable accident, or other emergency, the doing of such act was, under the circumstances, necessary and proper.

C.M. WEBB,

Secretary to the Govt. of Burma.

----- Footnote -----

The Northern Shan State Explosives Rules 1916, (19.7.1916) တွင် Content List ကိုဖော်ပြထားခြင်းမရှိ၍ The Northern Shan State Explosives Rules (Amendment) No. 164 (18.12.1916) အဲနည်းဥပဒေ ၁ ပါ ပြဋ္ဌာန်းချက်အား ဆောင်ရွက်ချုပ်မရပါ။

----- Attachment -----

[ATTACH LIST 1] 01 SCHEDULE I. Licenses (vide rule 34).

[ATTACH LIST 2] 02 SCHEDULE II.- PRESCRIBED FORMS. FORM I. (Article 1 of Schedule I.)

[ATTACH LIST 3] 03 SCHEDULE III. REGULATIONS FOR PACKAGE OF EXPLOSIVES. (See rule 57.)

[ATTACH LIST 4] 04 (THE NORTHERN SHAN STATES EXPLOSIVES RULES, 1916.) SCHEDULE

[ATTACH LIST 5] 05 TABLE SHOWING DISTANCES WHICH SHOULD ORDINARILY BE KEPT CLEAR ROUND MAGAZINES. [See rule 29.]

[ATTACH LIST 6] 06 (THE NORTHERN SHAN STATES EXPLOSIVES RULES, 1916.) SCHEDULE