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#### **First Schedule**

#### **Second Schedule**

### **THE ARMS ACT, 1878**

ACT No. XI OF 1878

15<sup>th</sup> March.1878

**An Act** to consolidate and amend the law relating to Arms, Ammunition and military Stores.

**WHEREAS** it is expedient to consolidate and amend the law relating to arms, ammunition and military stores ; It is hereby enacted as follows:-

#### **Statement of Objects and Reasons**

(For the Statement of Objects and Reasons, see Gazette of India, 1877, Pt. V, p. 650; for discussions in Council, see *ibid.*, 1877, Supplement, pp. 3016 and 3030; *ibid.*, 1878, Supplement, pp. 435 and 453.

#### **Entrustment of functions**

The functions of the Central Government under certain provisions of this Act, subject to certain conditions, were entrusted to-

(a) Provincial Governments with their consent, for a period of three years (with effect from the 1st April, 1951), see Gaz. of P., 1951, Pt. I, p. 181; and

(b) The Chief Commissioner of Karachi, for the period 28th April, 1952 to 31st March, 1957, see Gaz. of P., 1954, Pt. I, p. 136.

#### **Act applied to-**

(i) Baluchistan by Regulation III of 1940 with certain restrictions and modifications.

(ii) Phulera in the Excluded Area of Upper Tanawal to the extent the Act is applicable in the N.-W.F.P., subject to certain modifications; see N.-W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950.

(iii) Excluded Area of Upper Tanawal other than Phulera, by the N: W. F.P. (Upper

Tanawal) (Excluded Area) Laws Regulation, 1950 and declared to be in force in that area with effect from 1st June, 1951; see N: W.F.P. Gazette, Ext., dated 1st June, 1951 ;and

(iv) The Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 (G. G. O. 3 of 1950); and applied in the Federated Areas of Baluchistan; see Gazette of India, 1937, Pt. I, p. 1499.

### **Extent**

It has been extended to the Baluchistan States Union by the Baluchistan States Union (Federal Laws) (Extension) Order, 1953 (G. G. O. 4 of 1953), as amended. The Act has been and shall be deemed to have been brought into force in Gwadar with effect from the 8th September, 1958 by the Gwadar (Applica\*tion of Central Laws) Ordinance, 1960 (37 of 1960), s. 2.

It is in force throughout the province of Assam except the Lushai Hills, see Notification No. 2443-T., dated the 1st June, 1914, Assam Gazette, 1914, Pt. II, p. 843.

A license granted under the Explosives Act, 1884 (4 of 1884), for the manufacture, possession, sale, transport or importation of an explosive may be given the effect of a like license granted under the Arms Act, 1878 (11 of 1878), see Act 4 of 1884, s. 15.

As to the possession, manufacture and export of arms, ammunition and gun-powder in the Chittagong Hill Tracts, see the Chittagong Hill Tracts Re\*gulation, 1900 (1 of 1900), ss. 11 and 12.

As to further law relating to unlawful manufacture and possession of explo\*sive substances, see the Explosive Substances Act, 1908 (6 of 1908), ss 4 (b) and 5.

This Act has been repealed in its application to the Province of West Pakistan except certain provisions by West Pakistan Ordinance 20 of 1965, s. 29 (with effect from the 8th June, 1965).

The Act has been amended in Bengal by the Bengal Criminal Law (Arms and Explosives) Act, 1932 (Ben. 21 of 1932), and the Bengal Criminal Law (Amendment) Act, 1934 (Ben. 7 of 1934); and in the N.-W.F.P. by the Indian Arms (N.-W.F.P. Arndt.) Act, 1934 (N.-W.F.P. 1 of 1934) and Sind Act 10 of 1953 s. 12.)

## **I.-PRELIMINARY**

**1. Short title, local extent** This act may be called the Arms act,1878; and it extends to the whole of Pakistan.

**Savings:**-- But nothing herein contained shall apply to--

(a) arms, ammunition or military stores on board, any sea going vessel and forming part of her ordinary armament or equipment, or

(b) The manufacture, conversion, sale, Import, export, transport, bearing or possession of arms, ammunition or military stores by order of the Central Government or any provincial government, or by a public servant or a member of the forces constituted by the Pakistan Territorial Force Act, 1950 in the Course of his duty as such public servant or member .

**2. Commencement.** This Act shall come into force on such day <sup>1</sup>[ as the <sup>2</sup>[Cen\*tral

Government] by notification in the <sup>3</sup> [official Gazette] appoints.

### **Legal amendments**

1. 1st October 1878-see Gazette of India, 1878, Pt. I, p. 389.
2. Subs. by A. .O., 1937, for "G. G. in C..
3. Subs. ibid., for "Gazette of India".

### **3. <sup>1</sup>[REPLEAD]**

#### **Legal amendments**

1. Rep. by the Repealing Act, 1938 (1 of 1938), S. 2 and Sch.

**4. Interpretation-clause.**-----In this Act, unless there be something repugnant in the subject or context,-

"**Cannon**" includes also all howitzers, mortars, wall-pieces, mitrailleuses and other ordnance and machine-guns, all parts of the same, and all carriages, platforms and appliances for mounting, transporting and serving the same:

["**Appropriate Government**" <sup>1</sup>[means, in relation to matters enumerated in the Third Schedule to the Constitution, the Central Government and, in relation to other matters, the Provincial Government:]

"**arms**" includes fire-arms, bayonets, swords, daggers, spears, spearheads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms

"**ammunition**" includes also all articles specially designed for torpedo service and submarine mining, rockets, gun-cotton, dynamite, lithofracteur and other explo\*sive or fulminating material, gun-flint, gun-wads, per\*cussion-caps, fuses and friction-tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or salt\* petre

"**military stores**", in any section of this Act as applied to any part of <sup>2</sup>[Pakistan] may from time to time, by notification in the <sup>3</sup>[official Gazette], specially extend such section in such part, and includes also all lead, sulphur, saltpeter and other material to which the <sup>4</sup>[Central Government] may from time to time so extend such section:

"**license**" means a license granted under this Act, and "licensed" means holding such license.

#### **Legal Amendments**

1. The definition was ins. by A. O., 1964, Art. 2 and Sch.)
2. Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960) s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts, 3(2) and 4, for "British India.") [Pakistan], means any military stores to which the (Subs. by A. O., 1937, for "G. G. in C.
3. (Subs. ibid., for "Gazette of India".)
4. (Subs. by A. O., 1937, for "G. G. in C.")

## II.-MANUFACTURE, CONVERSION AND SALE

**5. Unlicensed manufacture, conversion and sale prohibited.**--No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores, except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any, person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same ; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act shall, without unnecessary delay, give to the Magistrate of the district, or to the officer in charge of the nearest police-station, notice of the sale and of the purchaser's name and address.

## III.-IMPORT, EXPORT AND TRANSPORT

**6. Unlicensed importation and exportation prohibited.** No person shall bring or take by sea or by land into or out of [Pakistan] any arms, ammunition or military stores except under a license and in the manner and to the extent permitted by such license.

Importation and exportation of arms and ammunition for private use. Nothing in the first clause of this section extends to arms (other than cannon) or ammunition imported or exported in reasonable quantities for his own private use by any person lawfully entitled to possess such arms or ammunition; but the Collector of Customs or any other officer empowered by the <sup>1</sup>[Central Government] in this behalf by name or in virtue of his office may at any time detain such arms or ammunition until he receives the orders of the <sup>2</sup>[Central Government] thereon.

**Explanation.**--Arms, ammunition and military stores taken from one part of [Pakistan] to another by sea or across intervening territory not being part of [Pakistan] are taken out of and brought into [Pakistan] within the meaning of this section.

### Legal Amendments

1. (Subs. by A. O., 1937, for "L. G".)
2. (Subs. by A. O., 1937, for "L. G".)

**7. Sanction of Central Government required to warehousing of arms, etc.--**

Notwithstanding anything contained in the Sea-Customs Act, 1878, no arms, ammunition or military stores shall be deposited in any warehouse licensed under section 16 of that Act without the sanction of the <sup>1</sup>[Central Government]. VIII of 1878.

### Legal Amendments

1. Subs. by A. O., 1937, for "L. G".

**8. [Levy of duties on arms, etc., imported by sea.] <sup>1</sup>[Repealed.]**

### Legal amendments

1. Rep. by the Amending Act, 1891 (XII of 1891).

## **9. [Power to impose duty on import by land.] <sup>1</sup>[Repealed.]**

### **Legal amendments**

1. Rep. By the Amending Act, 1891 (XII of 1891).

**10. Power to prohibit transport.** The <sup>1</sup>["Central Government" may, from time to time, by notification in the <sup>2</sup>[official Gazette],-

(a) regulate or prohibit the transport of any description of arms, ammunition or military stores over (See foot-note 2 on page 396, supra.) [the whole of Pakistan] or any part thereof, either altogether or except under a license and to the extent in the manner permitted by such license, and

(b) cancel any such notification.

Transshipment of arms.----Explanation.-Arms, ammunition or military stores transhipped at a port in [Pakistan] are transported within the meaning of this section.

### **Legal amendments**

1. Subs. by A. O., 1964, Art 2 and Sch., for which had been subs. by A. O., 1937, for "G. G. in C."
2. Subs. by A. O., 1937, for "Gazette of India"

**11. Power to establish searching stations.**--The <sup>1</sup>[Central Government] may, at any places along the boundary-line between [Pakistan] and foreign territory <sup>2</sup>[and at such distance within such line as it deems expedient, establish, searching-posts at which all vessels, carts and baggage-animals, and all boxes, bales and packages in transit, may be stopped and searched for arms, ammunition and military stores by any officer empowered by <sup>3</sup>[the Central Government] in this behalf by name or in virtue of his office.

### **Legal amendments**

1. Subs. by A. O., 1937, for "L. G."
2. The words "or between a Province and an Acceding State", which were ins. by A. O., 1949, Sch., have been omitted by A. O., 1964, Art. 2, and Sch.
3. Subs. by A. O., 1937, for "such Govt."

**12. Arrest of persons conveying arms, etc., under suspicious circumstances.**

When any person is found carrying or conveying any arms, ammunition or military stores, whether covered by a license or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose, any person may without warrant apprehend him and take such arms, ammunition or military stores from him.

Procedure where arrest made by person not Magistrate or Police-officer. Any person so apprehended, and any arms, ammunition or military stores so taken by a person not being a Magistrate or Police-officer, shall be delivered over as soon as possible to a Police \*officer.

All persons apprehended by, or delivered to, a Police-officer, and all arms and ammunition seized by or delivered to any such officer under this section, shall be taken without unnecessary delay before a Magistrate.

#### IV.-GOING ARMED AND POSSESSING ARMS, ETC.

**13. Prohibition of going armed without license.** No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Any person so going armed without a license or in contraven\*tion of its provisions may be disarmed by any Magistrate, Police\* officer or other person empowered by the <sup>1</sup>[appropriate Govern\*ment] in this behalf by name or by virtue of his office.

##### Legal amendments

1, (Subs. by A. O., 1964, Art 2 and Such., for "Central Government" which had been subs. by A. O., 1937, for L. G.".)

**14. Unlicensed possession of fire-arms, etc.**-----No person shall have in his possession or under his control any cannon or fire-arms or any ammunition or military stores except under a license and in the manner and to the extent permitted thereby.

**15. Possession of arms of any description without license prohibited in certain places.** In any place to which section 32, clause 2, of Act No. XXXI of 1860 (Act 31 of 1860 was rep. by s. 3 of this Act.) applies at the time this Act comes into force or to which [ appropriate Government] may by notification in [official Gazette] specially extend this section(S. 15 has been especially extended to-

- (1) [aces in the Punjab,
- (2) places in assam]

no person shall have in his possession any arms of any description, except under a license and in the manner and to the extent permitted thereby.

##### Legal amendments

1. The original words " the Local Government with the previous sanction of the Governor General in Council" were first subs. by A. O., 1937 and then amended by A. O., 1964, Art. 2 and Sch., to read as above.

2. the (Subs. by A. O., 1937, for "local official Gazette"

3. see Punjab Gazette, 1899, Pt. I, p. 285; *ibid.*, 1900, Pt. I, p. 810.

4. see Assam Gazette, Extra., dated 23rd March, 1923.),

**[16. In certain cases arms to be deposited at police-stations or with licensed dealers.** (1) Any person possessing arms, ammunition or mili\*tary stores the possession whereof has, in consequence of the can\*cellation or expiry of a license or of an exemption or by the issue of a notification under section 15 or otherwise, become unlawful, shall without unnecessary delay deposit the same either with the officer in charge of the nearest police-station or, at his option and subject to such conditions as the [appropriate Government] may by rule prescribe, with a licensed dealer.

(2) When arms, ammunition or military stores have been de\*posited under sub-section (1) or before the first day of January, 1920, under the provisions of any law for the time being in force, the depositor shall, at any time before the expiry of such period as the (See foot-note 6 on preceding page.)[appropriate Government] may by rule prescribe, be en\*titled--

(a) to receive back any thing so deposited the possession of which by him has

become lawful, and

(b) to dispose, or authorize the disposal, of any thing so de\*posited by sale or otherwise to any person whose pos\*session of the same would be lawful ; and to receive the proceeds of any such sale:

Provided that nothing in this sub-section shall be deemed to authorize the return or disposal of any thing the confiscation of which has been directed under section 24.

(3) All things deposited as aforesaid and not returned or dis\*posed of under sub-section (2) within the prescribed period therein referred to shall be forfeited to [Government].

(4) (a) The[appropriate Government] may make rules con\*sistent with this Act for carrying into effect the provisions of this section.

(b) In particular and without prejudice to the generality of the foregoing provision, the (See foot-note 6 on page 399, supra.)[appropriate Government] may by rule prescribe-

(i) the conditions subject to which arms, ammunition and military stores may be deposited with a licensed dealer, and

(ii) the period after the expiry of which things deposited as aforesaid shall be forfeited under sub-section (3).]

## V. LICENCES

**17. Power to make rules as to licenses.**--The [appropriate Government] may from time to time, by notification in the <sup>1</sup>[official Gazette], make rules to determine the officers by whom the form in which, and the terms and conditions on and subject to which, any license shall be granted and may by such rules among other matters--

(a) fix the period for which such license shall continue in force;

(b) fix a fee payable by stamp or otherwise in respect of any such license granted in a place to which section 32, clause 2, of Act No. XXXI of 1860 applies at the time this Act comes into force or in respect of any such li\*cense other than a license for possession granted in any other place;

(c) direct that the holder of any such license other than a license for possession shall keep a record or account, in such form as the [appropriate Government] may prescribe of anything done under such license, and exhibit such record or account when called upon by an officer of Government to do so ;

(d) empower any officer of Government to enter and ins\*pect any premises in which arms, ammunition or mili\*tary stores are manufactured or kept by any person holding a license of the description referred to in sec\*tion 5 or section 6;

(e) direct that any such person shall exhibit the entire stock of arms, ammunition and military stores in his possession or under his control to any officer of

Government so empowered; and

(f) require the person holding any license or acting under any license to produce the same, and to produce or account for the arms, ammunition or military stores covered by the same when called upon by an officer of Government so to do.

#### **Legal amendments**

1. (Subs. by A. O., 1937, for "Gazette of India".)

**18. Canceling and suspension of license.** Any license may be cancelled or suspended,

(a) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a district, within the local limits of whose jurisdiction the holder of such license may be, when, for reasons to be recorded in writing, such officer, authority, Magistrate deems it necessary for the security of the public peace to can\*cel or suspend such license ; or

(b) by any Judge or Magistrate before whom the holder of such license is convicted of an offence against this Act, or against the rules made under this Act ; and the <sup>1</sup>[appropriate Government] may by a notification in the official Gazette cancel or suspend all or any licenses through\*out <sup>2</sup>[Pakistan or the Province, as the case may be, or any part thereof]].

#### **Legal Amendments**

1. (Subs. by A. O., 1937, for "the L. G. may at its discretion, by a notifica\*tion in the local official Gazette, cancel or suspend all or any licences through. out the whole or any portion of the territories under its administration.")

2. (The original words " the whole or any portion of British India" were first subs. by A. O., 1949, Sch. and then amended by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955) and A. O., 1964, Art. 2 and Sch., to read as above.,

## **VI.-PENALTIES**

**19. <sup>1</sup>[For breach of sections 5, 6, 10, 13 to 17 :--**Whoever commits any of the following offences (namely):-

(a) manufactures, converts or sells, or keeps, offers or ex\*poses for sale, any arms, ammunition or military stores in contravention of the provisions of section 5;

(b) fails to give notice as required by the same section ;

(c) imports or exports any arms, ammunition or military stores in contravention of the provisions of section 6;

(d) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section 10;

(e) goes armed in contravention of the provisions of section 13;

(f) has in his possession or under his control any arms, ammunition or military stores in contravention of the provisions of section 14 or section 15 ;

(g) intentionally makes any false entry in a record or account which, by a rule made under section 17, clause (c), he is required to keep ;

(h) intentionally fails to exhibit anything which, by a rule made under section 17, clause (e), he is required to exhibit ; or

(i) fails to deposit arms, ammunition or military stores, as required by section 14 or section 16 ;  
shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both <sup>2</sup>[

### **Legal Amendments**

1. Offences under this section are bailable, see Code of Criminal Procedure, 1898 (Act 5 of 1898), Sch. II.

2. After this section, a new S. 19A, prescribing a heavier penalty for offences under cl. (a) (c), (e) or (f) of s. 19 in respect of certain arms, has been inserted in Bengal. See the Bengal Criminal Law (Arms and Explosives) Act, 1932 (Ben 21 of 1932), s. 3 and the Bengal Criminal Law Arndt. Act, 1934 (Ben. 7 of 1934), s. 3.

**20. For secret breaches of sections 5, 6, 10, 14 and 15.** Whoever does any act mentioned in clause (a), (c), (d) or (f) of section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Pakistan Penal Code, or to any person employed upon a railway or to the servant of any public carrier,

For concealing arms, etc.-----and whoever, on any search being made under section 25, conceals or attempts to conceal any arms, ammunition or military stores, shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

### **Legal Amendments**

1. A proviso, prescribing a heavier penalty for offences under this section in respect of certain arms, has been inserted in Bengal; see Ben. Act 21 of 1932, s. 4. After this section, a new s. 20A prescribing heavier penalty in certain cases has been inserted in Bengal; see Ben. Act 7 of 1934, s. 4.

**21. For breach of license.**--Whoever, in violation of a condition subject to which a license has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

**22. For knowingly purchasing arms, etc., from unlicensed person. For delivering arms, etc., to person not authorised to possess them.**-----Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorized under the proviso to section 5 to sell the same ; or delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorized to possess the same,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

**23. Penalty for breach of rule.**--Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

**24. Power to confiscate.**--When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting: Court or Magistrate further to direct that the whole or any portion, of such arms, ammunition or military stores, and any vessel, cart or' baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the\* other contents of such box, package or bale, shall be confiscated.

## **VII.-MISCELLANEOUS**

**25. Search and seizure by Magistrate.**--Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any arms, ammunition or military stores for any un\*lawful purpose, or that such person cannot be left in the possession of any such arms, ammunition or military stores without danger to the public peace, such Magistrate, having first recorded the grounds of his belief, may cause a search to be made of the house or premises occupied by such person or in which such Magistrate has reason to believe \*such arms, ammunition or military stores are or is to be found, and may seize and detain the same, although covered by a license, in safe custody for such time as he thinks necessary. The search in such case shall be conducted by, or in the presence of, a Magistrate, or by, or in the presence of, some officer specially empowered in this behalf by name or in virtue of his office by the[appropriate Government].

**26. Seizure and detention by appropriate Government.** The appropriate Government may at any time order or cause to be seized any arms, ammunition or military stores in the possession of any person, notwithstanding that such person is licensed to possess the same, and may detain the same for such time as it thinks necessary for the public safety.

**27. Power to exempt.** The appropriate Government may from time to time, by notification published in the official Gazette. exempt any person by name or in virtue of his office, or any class of persons, or exclude any description of arms or ammunition, or withdraw any part of Pakistan, or of the province, as the case may be, from the operation of any prohibition or direction contained in this Act; and cancel any such notification, and again subject the per-sons or things or the part of Pakistan or Province comprised therein to the operation of such prohibition or direction.

**28. Information to be given regarding offences.**-----Every person aware of the commission of any offence punishable under this Act shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give in\*formation of the same to the nearest Police-officer or Magistrate, and

every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information to the nearest Police officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed.

**29. Sanction required to certain proceedings under section 19, clause (f)**

<sup>1</sup>[Where an offence punishable under section 19, clause (f), has been committed within three months from the date (The 1st October, 1878.) on which this Act comes into force in any province, district or place to which section 32, clause 2, of Act XXXI of 1860 (Act 31 of 1860 was rep. by s. 3 of this Act.) applies at such date, or where such an offence has been committed in any part of [Pakistan] not being such a district, province or place, no proceedings shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the district <sup>2</sup>[\*\*\*\*\*].

**Legal Amendments**

1. This section has been rep in its application to the N: W.F.P. by the Indian Arms (N.-W.F.P. Amdt.) Act, 1934 (N.-W.F.P. 1 of 1934)
2. The words "or, in a presidency-town, of the Commissioner of Police" omitted by A. O., 1949, Sch.

**30. Searches in the case of offences against section 19, clause (f), how conducted.**

----Where a search is to be made under the Code of Criminal Procedure <sup>1</sup>[ in the course of any proceedings instituted in respect of an offence punishable under section 19, clause (f), such search shall, notwithstanding anything contained in the said Code be made in the presence of some officer specially appointed by name or in virtue of his office by [appropriate Government] in this behalf, and not otherwise.

**Legal Amendments**

1. ( The words comma and figures "or the Presidency Magistrate Act, 1877" omitted by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955).),

**31. Operation of other laws not barred.**--Nothing in this Act shall be deemed to prevent any person From being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by this Act : Provided that no person shall be punished twice for the same offence.

**32. Power to take census of fire-arms.**--The [appropriate Government] may from time to time, by notification in the [official Gazette], direct a census to be taken of all fire-arms in any local area, and empower any ,person by name or in virtue of his office to take such census.

On the issue of any such notification, all persons possessing any such arms in such area shall furnish to the person so empowered such information as he may require in reference thereto, and shall produce such arms to him if he so requires.

Any person refusing or neglecting to produce any such arms when so required shall be punished with imprisonment for a term which may extend to one month, or with

fine which may extend to two hundred rupees, or with both.

**33. Notice and limitation of proceedings.**--No proceeding other than a suit shall be commenced against any person for anything done in pursuance of this Act, without having given him at least one month's previous notice in writing of the intended proceeding and of the cause thereof, nor after the expiration of three months from the accrual of such cause.

### **THE FIRST SCHEDULE**

<sup>1</sup>[Enactments repealed. ]

#### **Legal Amendments**

1. Rep. by the Repealing Act, 1938 (I of 1938), s. 2 and Sch.

### **THE SECOND SCHEDULE**

<sup>1</sup>[Arms, etc., liable to Duty.]

#### **Legal Amendments**

1. Rep. by the Amending Act, 1891 (XII of 1891)