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Arms Act 1959

Chapter I - Preliminary

(1) This Act may be called the Arms Act, 1959.

(2) It extends to the whole of India.

(3) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

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1. Vide Notification No. G.S.R. 992, dated 13-7-1962,the date fixed is 1st October, 1962, see Gazette of India, Pt.II, Sec.3(i) p. 1092.

Section 2 - Definitions and interpretation

(1) In this Act, unless the context otherwise requires,--

(a) "acquisition" , with its grammatical variations and cognate expressions, includes hiring, borrowing, or accepting as a gift;

(b) "ammunition" means ammunition for any firearm, and includes--

(i) rockets, bombs, grenades, shells[1] [and other like missiles,]

(ii) articles designed for torpedo service and submarine mining,

(iii) other articles containing, or designed or adapted to contain, explosive, fulminating or fissionable material or noxious liquid, gas or other such thing, whether capable of use with firearms or not,

(iv) charges for firearms and accessories for such charges,

(v) fuses and friction tubes,

(vi) parts of, and machinery for manufacturing, ammunition, and

(vii) such ingredients of ammunition as the Central Government may, by notification in the Official Gazette, specify in this behalf;

(c) "arms" means articles of any description designed or adapted as weapons for offence or defence, and includes firearms, sharp-edged and other deadly weapons, and parts of, and machinery for manufacturing, arms, but does not include articles designed solely for domestic or agricultural uses such as a lathi or an ordinary walking stick and weapons incapable of being used otherwise than as toys or of being converted into serviceable weapons;

2[(d) "district magistrate", in relation to any area for which a Commissioner of Police has been appointed, means the Commissioner of Police thereof and includes and such Deputy Commissioner of Police, exercising jurisdiction over the whole or any part of such area, as may be specified by the State Government in this behalf in relation to such area or part;]

(e) "firearms" means arms of any description designed or adapted to discharge a projectile or projectiles of any kind by the action of any explosive or other forms of energy, and includes--

(i) artillery, hand-grenades, riot-pistols or weapons of any kind designed or adapted for the discharge of any noxious liquid, gas or other such thing,

(ii) accessories for any such firearm designed or adapted to diminish the noise or flash caused by the firing thereof,

(iii) parts of, and machinery for manufacturing, fire-arms, and

(iv) carriages, platforms and appliances for mounting, transporting and serving artillery;

(f) "licensing authority" means an officer or authority empowered to grant or renew licences under rules made under this Act, and includes the Government;

3[(ff) "magistrate" means an Executive Magistrate under the Code of Criminal Procedure 1973 (2 of 1974);]

(g) "prescribed" means prescribed by rules made under this Act;

(h) "prohibited ammunition" means any ammunition containing, or designed or adapted to contain, any noxious liquid, gas or other such thing, and includes rockets, bombs, grenades, shells, 4[missile] articles designed for torpedo service and submarine mining and such other articles as the Central Government may, by notification in the Official Gazette, specify to be prohibited ammunition;

(i) "prohibited arms" means--

(i) firearms so designed or adapted that, if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty, or

(ii) weapons of any description designed or adapted for the discharge of any noxious liquid, gas or other such thing,

and includes artillery, anti-aircraft and anti-tank firearms and such other arms as the Central Government may, by notification in the Official Gazette, specify to be prohibited arms;

(j) "public servant" has the same meaning as in section 21 of the Indian Penal Code (45 of 1860.);

(k) "transfer", with its grammatical variations and cognate expressions, includes letting on hire, lending, giving and parting with possession.

(2) For the purposes of this Act, the length of the barrel of a firearm shall be measured from the muzzle to the point at which the charge is exploded on firing.

(3) Any reference in this Act to any law which is not in force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force in that area.

(4) Any reference in this Act to any officer or authority shall, in relation to any area in which there is no officer or authority with the same designation, be construed as a reference to such officer or authority as may be specified by the Central Government by notification in the Official Gazette.

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1. Substituted by Act 42 of 1988, Section 2 w.e.f. 27-5-1988.

2. Substituted by Act 55 of 1971, Section 2, for the former clause.

3. Inserted by Act 25 of 1983, Section. w.e.f. 22-6-1983.

4. Inserted by Act 42 of 1988, Section w.e.f. 27-5-1988.

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