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Explosives Act, 1884

Section 5 - Power to Make Rules as to Licensing of the Manufacture, Possession, Use, Sale, Transport, Import and Export of Explosives

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(1) The Central Government may, for any part of1[India]2[***] make rules3consistent with this Act to regulate or prohibit, except under and in accordance with the conditions of a licence granted as provided by those rules, the manufacture, possession, use. sale,4[transport, import and export] of explosives, or any specified class of explosives.

(2) Rules under this section may provide for all or any of the following, among other matters, that is to say:--

(a) the authority by which licences may be granted;

(b) the fees to be charged for licences, and theother sums (if any) to be paid for expenses by applicants for licences;

(c) the manner in which applications for licenses must be made, and the matters to be specified in such applications;

(d) the form in which, and the conditions on and subject to which, licences must be granted;

(e) the period for which licences are to remain in force;5[* * *]

6[(ee) the authority to which appeals may be preferred under section 6F, the procedure to be followed by such authority and the period within which appeals shall be preferred, the fees to be paid in respect of such appeals and the circumstances under which such fees may be refunded;

(eea) the total quantity of explosives that a licensee can purchase in a given period of time;

(eeb) the fees to be charged by the Chief Controller of Explosives or any officer authorised by him in this behalf, for services rendered in connection with the manufacture, transport, import or export of explosives;]

(f) the exemption absolutely or subject to conditions of any explosives [or any person or class of persons] from the operation of the rules.

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1. Substituted by Act 3 of 1951, section 3 and Schedule, for "Part A States and Part C States " w.e.f. 1-4-1951.

2. The words "and each Local Government, with the previous sanction of the Governor-General in Council, may for any part of the territories under its administration" omitted by the A.O. 1937.

3. For the Explosive Rules, 1940, made under sections 5 and 7, see Gazette of India, Extra., 1940, p. 749.

4. Substituted by Act 32 of 1978, section 5. for "transport and importation" w.e.f. 2-3-1983.

5. The word "and" omitted by Act 32 of 1978, section 5 w.e.f. 2-3-1983.

6. Inserted by act 32 of 1978, section 5 w.e.f. 2-3-1983.

7. Sub-section (3) omitted by Act 32 of 1978, section 5 w.e.f. 2-3-1983.

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