

Explosives Act, 1884

Section 9 - Inquiry into Accidents

1 [9. Inquiry into accidents]

(1) Where any accident such as is referred to in section 8 occurs in or about or in connection with 2 [any place, aircraft, carriage or vessel] under the control of any of 3 [Armed Forces of the Union], an inquiry into the causes of the accident shall be held by the naval, military, or air force authority concerned, and where any such accident occurs in any other circumstances, the District Magistrate 4 [* * *] shall, in cases attended by loss of human life, or may, in any other case, hold or direct a Magistrate subordinate to him to hold, such an inquiry.

(2) Any person holding an inquiry under this section shall have all the powers of a Magistrate in holding an inquiry into an offence under the 5 [Code of Criminal Procedure, 1973 (2 of 1974)] and may exercise such of the powers conferred on any officer by rules under section 7 as he may think it necessary or expedient to exercise for the purposes of the inquiry.

(3) The person holding an inquiry under this section shall make a report to the Central Government stating the causes of the accident and its circumstances.

(4) The Central Government may make rules--

(a) to regulate the procedure at inquiries under this section;

(b) to enable the 6 [Chief Controller of Explosives] to be present or represented at any such inquiry;

(c) to permit the 6 [Chief Controller of Explosives] or his representative to examine any witnesses at the inquiry;

(d) to provide that where the 7 [Chief Controller of Explosives] is not present or represented at any such inquiry, a report of the proceedings thereof shall be sent to him;

(e) to prescribe the manner in which and the time within which notices referred to in section 8 shall be given.

1. Substituted by Ordinance 18 of 1945, section 3, for the former sections 9 and 9A.

2. Substituted by Act 32 of 1978, section 11, for "any place, carriage or vessel" w.e.f. 2-3-1983

3. Substituted by Act 32 of 1978, section 11, for "the Forces, 1898 (5 of 1898)" w.e.f. 2-3-1983

4. The brackets and words "(or in a presidency-town, the Commissioner of Police)" omitted by Act 32 of 1978, section 11 w.e.f. 2-3-1983

5. Substituted by Act 32 of 1978, section 9, for "Code of Criminal Procedure" w.e.f. 2-3-1983.

6. Substituted by Act 32 of 1978, section 11, for "Chief Inspector of Explosives in India" w.e.f. 2-3-1983.

7. Substituted by Act 32 of 1978, section 11, for "Chief Inspector of Explosives in India" w.e.f. 2-3-1983
