

Inflammable Substances Act, 1952

Section 1 - SHORT TITLE - This Act may be called the Inflammable Substances Act, 1952

INFLAMMABLE SUBSTANCES ACT, 1952 INFLAMMABLE SUBSTANCES ACT, 1952 20 of 1952 6th March, 1952 "By virtue of sub-section (1) of section 30 of the Petroleum Act, 1934, the Central Government may apply, by notification, any or all of the provisions of that Act to any dangerously inflammable substance other than an explosive and thus regulate the transport, storage, production, etc., of that substance. All the provisions of the Petroleum Act have been made applicable in this manner to acetone, wood naphtha, ethyl alcohol and methyl alcohol and certain provisions to carbide of calcium, calcium-phosphide and cinematograph films having a nitro-cellulose base. It would, however, appear that, after the coming into force of the Government of India Act, 1935 on the 1st April, 1937 sub-section (1) of section 30 of the Petroleum Act could not be regarded as a valid provision. Unless a substance was expressly declared by "Federal Laws" i.e., an Act of the Indian Legislature, to be dangerously inflammable with reference to Entry 32 of the Federal Legislative List, the legislative and executive power in regard to the possession, storage and transport of that substance remained by virtue of Entry 29 of the Provincial Legislative List with the Provinces, and the Central could not exercise control over these matters simply by the issue of a notification under a pre-existing law. The position remains the same under the new Constitution, the corresponding entries being Entry 53 of the Union List and Entry 27 of the State List. The present Bill, therefore, seeks to introduce legislation referable to Entry 53 of the Union List, declaring certain liquids and substances as dangerously inflammable and empowering the Central Government to apply thereto all or any of the provisions of the Petroleum Act, 1934. The declaration will in the first instance be confined to the liquids and substances mentioned in paragraph 1 above, in respect of which notifications have already been issued under sub-section (1) of section 30 of the Petroleum Act. Provision is also being made in the Bill for the continuance in force of notifications and rules purporting to have been issued under section 30 of the Petroleum Act and for indemnifying all officers in respect of action taken under such notifications or rules. Section 30 of the Petroleum Act, 1934, is also to be repealed by this Bill."-Gaz. of India, 1952, Pt. II, S. 2, p. 60. An Act to declare certain substances to be dangerously inflammable and to provide for the regulation of their import, transport, storage and production by applying thereto the Petroleum Act, 1934, and the rules thereunder, and for certain matters connected with such regulation. Be it enacted by Parliament as follows:- The Act has been extended to the following Union territories of:- (1) Goa, Daman and Diu, by Regn. 12 of 1962 (1-2-1965); (2) Dadra and Nagar Haveli by Regn. 6 of 1963 (as amended by Regn. 2 of 1965), and (3) Pondicherry, by Regn. 7 of 1963 (1-10-1963). SECTION 01: SHORT TITLE - This Act may be called the Inflammable Substances Act, 1952.