

MM- 12/01/10

अण्डमान तथा निकोबार प्रशासन
ANDAMAN AND NICOBAR ADMINISTRATION
सचिवालय/SECRETARIAT

“””””

Port Blair , dated the 8th January 2009

ORDER 121

Control on Explosives

Control on Explosives

In view of the vitiated security environment it is considered necessary to strengthen control over manufacture, possession, use, sale and transportation of explosives to prevent misuse. It has accordingly been decided to constitute the following committees at UT and District Level to control easy availability of explosives with elements who may misuse them and also to monitor other aspects connected with safe storage, transportation and use of explosives.

UT Level Committee

- | | |
|-----------------------------------|--------------------|
| 1. Chief Secretary/Home Secretary | - Chairman |
| 2. Principal Secretary(Shipping) | - Member |
| 3. Director of General Police | - Member |
| 4. Chief Engineer, APWD | - Member |
| 5. Chief Engineer, ALHW | - Member |
| 6. Deputy Commissioner(SA) | - Member |
| 7. Deputy Commissioner(N&M) | - Member |
| 8. Deputy Commissioner(Nicobar) | - Member |
| 9. Chief Port Administrator | - Member |
| 10. Director (Shipping Services) | - Member |
| 11. Director(Tpt) | - Member |
| 12. Special Secretary(Home) | - Member Secretary |


The UT Level Committee shall meet once in six months to review the status of compliance with Explosives Rules 2008 framed under Explosives Act 1884 and all connected matters.

District Level Committee

1. District Magistrate - Chairman
2. Superintendent of Police(District) - Member
3. Local Representative of Port Management Board - Member
4. Local Representative of Director (Shipping Services) - Member
5. Superintending Engineer/Executive Engineer(APWD) - Member
6. Superintending Engineer/Executive Engineer(ALHW) - Member
7. Assistant Commissioner(HQ) - Member Secretary

The District Level Committee shall meet every quarter and review the status of compliance with the Explosive Rules 2008 framed under Explosives Act 1884 and submit quarterly reports to Special Secretary(Home).

A statement regarding gist of powers of the District authorities under Explosive Rules, 2008 is attached for ready reference (Annexure I).


(PRC Nair)
Assistant Secretary(Home)
(F.No.45-264/2009-Home)

Copy to

1. The Home Secretary, Govt. of India, North Block, Ministry of Home Affairs., New Delhi
2. The Director General of Police, A & N Islands.
3. The Principal Secretary(Shipping), A & N Administration.
4. The Deputy Commissioner(SA),
5. The Deputy Commissioner(N&M),
6. The Deputy Commissioner, Car Nicobar,
7. The Chief Port Administrator, Port Management Board.
8. The Director of Shipping Services, A & N Administration.
9. The Director of Transport, A & N Administration.
10. The Chief Engineer, APWD
11. The Chief Engineer, ALHW
12. The District Magistrate[DC(A)], Port Blair
13. The District Magistrate[DC(N&M)], Mayabunder
14. The District Magistrate[DC(Nicobar)], Car Nicobar
15. The Superintendent of Police, Andaman District.
16. The Superintendent of Police, Nicobar District.
17. The Superintendent of Police, N&M Andaman District.
18. The Superintending Engineer/Executive Engineer, APWD
19. The Superintending Engineer/Executive Engineer, ALHW
20. The Assistant Commissioner(HQ), Port Blair.
21. The Assistant Commissioner(HQ), Car Nicobar

22. The Assistant Commissioner(HQ), North and Middle Andaman.
23. Representative of PMB(Through CPA), PMB.
24. Representative of DSS(through DSS).
25. The Sr. PS to Lt. Governor, A & N Islands for kind information of the Lt. Governor.
26. The PS to CS for kind information of the Chief Secretary.
27. The Officer-in-Charge, NIC with request to kindly upload the above order in the "Website" of A & N Administration.


~~Assistant Secretary(Home)~~

Powers of the District Authorities under Explosives Rules, 2008

Rule/ Schedule	Functions												
21(2)	To assess the strength of the security guards to be provided by the licensee for safe custody of the explosives factory and magazines.												
Rule 27	Scrutiny of the Safety Management Plan submitted by explosives manufacturing factory to the District Magistrate.												
Rule 47	Scrutiny of the Pass in Form RE-12 of Schedule V, Part 5 of Explosives Rules, 2008 issued by the consignor of explosives. A copy of which is sent by the Consignor to the District Superintendent of Police in whose jurisdiction the place from which the consignment is sent is situated and the District Superintendent of Police in whose jurisdiction the place to which the consignment is sent is situated.												
Rule 61(1)	Issuance of licence for transport of explosives in compressor mounted motor truck or tractor in Form LE-4.												
Rule 61(3)	Verification of antecedents of the driver/cleaners engaged in transport of road van, compressor mounted truck or tractor.												
Rule 67(4) (b)	In the event of parking of explosives van overnight due to reasons beyond the control of the licensee or the driver, the nearest police station shall be informed about the location and temporary parking of the van.												
67(7)	A road van while transporting explosives shall always be attended by two armed guards at the expense of the licensee (District Authority to verify the facts during routine check of the explosives van). If the consignment of explosives is likely to pass through sensitive area notified by MHA, it is should be escorted by armed police escort or guard provided by the District Police administration.												
Rule 69(1) (b)	Wherein road van carrying explosives involved in an accident, fire or cause significant delay in the delivery of explosives, the driver or authorized person shall inform the matter to the nearest police station.												
Rule 84	During festival such as Diwali & Dussher, District Magistrate may issue temporary licence for possession & sale of fireworks in a temporary shop subject to compliance of certain conditions.												
Rule 101	Issuance of the prior approval and grant of under mentioned licences as given under Schedule IV Part 1 of Explosives Rules, 2008.												
	<table border="1"> <thead> <tr> <th>Article</th> <th>Purpose for which granted</th> <th>Licence Form</th> </tr> </thead> <tbody> <tr> <td>1(a)</td> <td>Licence to manufacture fireworks or gunpowder or both not exceeding 15 kilogrammes at any one time.</td> <td>LE-1</td> </tr> <tr> <td>2</td> <td>Licence to possess gunpowder not exceeding 15 kilogramme at any one time for manufacture of adirverttus and possession of adirverttus not exceeding 200 in number at any one time.</td> <td>LE-2</td> </tr> <tr> <td>3 (a)</td> <td>Licence to possess for use, for agricultural purpose or in small quarry, explosives not exceeding 25 kilogrammes of Class 1 or 2 or 3 and 1500 numbers detonators; and 1500 meters of detonating fuse or safety fuse at any one time in a magazine..</td> <td>LE-3</td> </tr> </tbody> </table>	Article	Purpose for which granted	Licence Form	1(a)	Licence to manufacture fireworks or gunpowder or both not exceeding 15 kilogrammes at any one time.	LE-1	2	Licence to possess gunpowder not exceeding 15 kilogramme at any one time for manufacture of adirverttus and possession of adirverttus not exceeding 200 in number at any one time.	LE-2	3 (a)	Licence to possess for use, for agricultural purpose or in small quarry, explosives not exceeding 25 kilogrammes of Class 1 or 2 or 3 and 1500 numbers detonators; and 1500 meters of detonating fuse or safety fuse at any one time in a magazine..	LE-3
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	4	Licence to possess and transport explosives of class 2 or class 3 not exceeding 25 kilograms, electric or ordinary detonators not exceeding 200 numbers, detonating fuse not exceeding 100 metres and safety fuse not exceeding 200 metres in a compressor mounted motor truck or tractor for use in well sinking.	LE-4
	5 (a)	Licence to possess and sell from a shop, at any one time, not exceeding 25 kilogrammes of small-arms nitro-compound	LE-5
	(b)	Licence to possess and sell from a shop, at any one time, not exceeding 100 kilogrammes of manufactured fireworks of Class 7; Division 2, sub-division 2; and 500 kilogrammes of chinese crackers or sparklers	LE-5
	(c)	Licence to possess and sell from a shop, at any one time, not exceeding 2000 numbers of pyrotechnic device explosives of Class 6. Division 1	LE-5
	(d)	Licence to possess for use Gunpowder not exceeding 5 kilogrammes and safety fuse not exceeding 50 metres in the States of Bihar, West Bengal, Kerala and Tamilnadu.	LE-5
	(e)	Licence to possess for use of small-arms nitro-compound not exceeding 5 kilogrammes in the State of Kerala.	LE-5
	6	Licence to possess and use fireworks for public display.	LE-6
Rule 102		Issuance of NOC for manufacture, possession, sale, use of explosives in respect of the licences issued by PESO.	
Rule 112(3)		Renewal of the licences granted by District Magistrate referred under Schedule IV Part 1	
Rule 113 Serial No. 24		Issuance of NOC by incharge police station of respective area for issuance of shot firer's certificate (blaster's certificate).	
Rule 115		Cancellation of NOC if the licensee has ceased to have any right for the lawful possession of the premises or is convicted and sentenced for any criminal offence or the cancellation of no objection certificate is absolutely necessary for public peace and safety	
Rule 118		Suspension, revocation and cancellation of licences granted by District Magistrate under Schedule IV Part 1.	