

Repealed by Act 42 of 1953

Act No. LV of 1949.

H-12-49

RECEIVED
LEGISLATION
ON

[AS PASSED BY THE DOMINION LEGISLATURE]

AN
BILL Act

to provide for the exemption for a limited period of operations affecting ammunition, explosives or inflammable substances from certain restrictions and for the regulation of those operations.

WHEREAS it is expedient to provide for the exemption for a limited period of the loading, unloading, handling, storage or conveyance of ammunition, explosives or inflammable substances from certain restrictions and for the regulation of those operations in the interests of safety;

It is hereby enacted as follows:—

1. Short title, extent, commencement and duration.—(1) This Act may be called the Explosives (Temporary Provisions) Act, 1949.

(2) It extends to all the Provinces of India, and also to every Acceding State to the extent to which the Dominion Legislature has power to make laws for that State with respect to the matters dealt with in this Act.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf and shall remain in force thereafter for a period of two years only.

2. Powers in respect of ammunition, explosives or inflammable substances.—

(1) If the Central Government considers it necessary or expedient so to do, it may, by notification in the official Gazette, declare that such restrictions imposed by or under any law for the time being in force, as may be specified in the declaration shall not apply to the loading, unloading, handling, storage or conveyance of ammunition, explosives or inflammable substances in such circumstances as may be so specified.

(2) When a declaration has been made under sub-section (1), the Central Government, or any authority authorised by it in writing in this behalf, may by order make such provision as appears to it to be required in the interests of safety for regulating the loading, unloading, handling, storage or conveyance of ammunition, explosives or inflammable substances to which the declaration relates.

(3) Any declaration or order made under this section shall apply only to the port of Vizagapatam and to railways over which ammunition, explosives or inflammable substances are carried to or from that port.

3. Effect of declaration or order.—Any declaration or order made under section 2 shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force, and no such declaration or order shall be called in question in any Court.

4. Penalty.—If any person contravenes any order made under sub-section (2) of section 2, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

5. **Protection of action taken.**—(1) No suit or other legal proceeding shall lie against the Central Government for any damage caused or likely to be caused by anything in good faith done or intended to be done under this Act or any declaration or order made thereunder.

(2) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any declaration or order made thereunder.