



The Bengal Criminal Law (Arms and Explosives) Act, 1932

Act 21 of 1932

Keyword(s):

Enhanced Punishment, The Indian Arms Act, 1878, The Explosive Substances Act, 1908

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Bengal Act XXI of 1932

[THE BENGAL CRIMINAL LAW (ARMS AND EXPLOSIVES) ACT, 1932.]¹

REPEALED IN PART .. Ben. Act XVI of 1946.

ADAPTED .. [The Indian Independence
(Adaptation of Bengal and
Punjab Acts) Order, 1948.

[12th January, 1932.]

XI of 1878.
VI of 1908.

An Act to provide enhanced punishment for certain offences under the Indian Arms Act, 1878, and Explosive Substances Act, 1908, in their application to Bengal and to make special provision for the trial of certain offences under the Indian Arms Act, 1878.

WHEREAS it is expedient to provide enhanced punishment for certain offences under the Indian Arms Act, 1878, and the Explosive Substances Act, 1908, in their application to Bengal, and for this purpose to amend the said Act in the manner hereinafter appearing;

AND WHEREAS it is also expedient to make special provision for the trial of certain offences under the Indian Arms Act, 1878;

5 & 6 Geo.
V, c. 61;
6 & 7 Geo.
V, c. 37;
9 & 10 Geo.
V, c. 101.

AND WHEREAS the previous sanction of the Governor-General has been obtained, under sub-section (3) of section 80A of the Government of India Act, to the passing of this Act;

It is hereby enacted as follows:—

1. (1) This Act may be called the Bengal Criminal Law (Arms and Explosives) Act, 1932.

Short title
and extent.

(2) It extends to the whole of ²[West Bengal].

2. The Indian Arms Act, 1878, and the Explosive Substances Act, 1908, shall, in their application to ²[West Bengal], be amended in the manner provided in this Act.

Amendment
of Indian
Arms Act,
1878, and
Explosive
Substances
Act, 1908.

¹For Statement of Objects and Reasons, see the *Calcutta Gazette* of 1932, Pt. IV, page 466; and for Proceedings of the Council—see the Proceedings of the Bengal Legislative Council, Vol. XL, No. 2, page 218.

²The words within square brackets were substituted for the word "Bengal" by Art. 3(2)

[Ben. Act XXI of 1932.]

(Sections 3-8.)

Insertion of
new section
19A in Act
XI of 1878.

3. After section 19 of the Indian Arms Act, 1878, the following section shall be inserted, namely:— XI of 1878.

For breaches
of sections
6, 13, 14 and
15 in respect
of certain
arms.

“19A. Notwithstanding anything contained in section 19, whoever commits an offence under clause (c) or clause (e) or clause (f) of section 19 shall, if the offence is committed in respect of a pistol, revolver, rifle or shot gun, be punished with transportation for life or any shorter term, or with imprisonment for a term which may extend to fourteen years, or with fine.”

Amendment
of section 20
of Act XI of
1878.

4. At the end of section 20 of the Indian Arms Act, 1878, the following proviso shall be added, namely:—

“Provided that if an offence committed under this section is in respect of a pistol, revolver, rifle or shot gun, the offender shall be punished with transportation for life or any shorter term, or with imprisonment for a term which may extend to fourteen years, or with fine.”

Insertion of
new section
5A in Act VI
of 1908.

5. After section 5 of the Explosive Substances Act, 1908, the following section shall be inserted, namely:— VI of 1908.

Enhanced
punishment
for offences
under
sections 3, 4
and 5 in
certain
cases.

“5A. Notwithstanding anything contained in section 3, section 4, or section 5, if an offence under any of these sections is tried by Commissioners appointed under the Bengal Criminal Law Amendment Act, 1925, or by a Special Magistrate under the Bengal Suppression of Terrorist Outrages Act, 1932, any person found guilty of such offence shall be punished with transportation for life or any shorter term, to which fine may be added, or with imprisonment for a term which may extend to fourteen years, to which fine may be added.”

Ben. Act XII
of 1932.

6, 7, 8.—[*Rep. by s. 3 and the Second Sch. of the Bengal Repealing and Amending Act, 1946 (Ben. Act XVI of 1946).*]