

THE ARMS ACT, 1959



Introduction



Preliminary Provisions



Sections 1 & 2



THE
CONSTITUTION
OF INDIA

WE, THE PEOPLE OF INDIA,
SOVEREIGN SOCIALIST SECULAR
DEMOCRATIC REPUBLIC:

JUSTICE, social, economic and political;
LIBERTY of thought, expression, belief, faith and
worship;
EQUALITY of status and of opportunity; and
FRATERNITY assuring the dignity of the individual
and the unity and integrity of the Nation;

IN OUR CONSTITUENT ASSEMBLY,
this twenty-sixth day of November, 1949, do
HEREBY ADOPT, ENACT AND GIVE TO
OURSELVES THIS CONSTITUTION.



CAN YOU ANSWER?

1 SITUATION 1



Grandfather's
licensed revolver



Grandson keeps it



OFFENCE?

2 SITUATION 2



Sword during
wedding procession



LICENCE REQUIRED?

3 SITUATION 3



Five live cartridges



No firearm



ARMS ACT APPLICABLE?

TODAY'S ROADMAP



➤ TODAY'S OBJECTIVE ➤



Birth of Arms Act



Constitutional Background



Section 1



Section 2



MCQs

BIRTH OF THE ARMS ACT



1959

Passed by Parliament



23 DECEMBER 1959

Presidential Assent



1 OCTOBER 1962

Came into Force

Act No. 54 of 1959




**THE
CONSTITUTION
OF
INDIA**

—सत्यमेव जयते—

WHY ARMS ACT?

PENAL CODE



PUNISHES CRIME



ARMS ACT, 1959



CONTROLS WEAPONS



PREVENTION > PUNISHMENT

SECTION 1



SHORT TITLE



The Arms Act, 1959



EXTENT



Whole of India



COMMENCEMENT

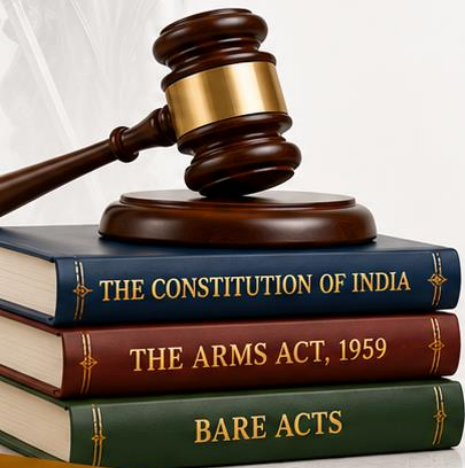


**Official Gazette
Notification**



1 OCTOBER 1962





JOURNEY THROUGH DEFINITIONS





WHAT IS **NOT** AN ARM?



LATHI



WALKING STICK



TOY WEAPON



THESE ARE **NOT ARMS UNDER THE LAW**

WHAT IS A FIREARM?



“firearms” means arms of any description designed or adapted to **discharge a projectile or projectiles** of any kind by the action of any explosive or other forms of energy, and includes—

(i)



artillery, hand-grenades, riot-pistols or weapons of any kind designed or adapted for the discharge of any **noxious liquid, gas or other such thing**,

(ii)



accessories for any such firearm designed or adapted to **diminish the noise or flash** caused by the firing thereof,

(iii)



parts of, and **machinery for manufacturing**, firearms,

(iv)



carriages, platforms and appliances for **mounting, transporting and serving** artillery;



Key Idea: Firearms cover not only the weapon itself, but also related devices, parts, machinery and equipment used with or for it.

WHAT IS AMMUNITION?



“**ammunition**” means ammunition for any firearm, and includes—

- (i) Rockets, bombs, grenades, shells and other missiles



- (ii) Article designed for torpedo service and submarine mining



- (iii) Other articles containing, or designed or adapted to contain, explosive, fulminating or fissionable material or noxious liquid, gas or other such thing, whether capable of use with firearms or not



- (iv) Charges for firearms and accessories for such charges



- (v) Fuses and friction tubes



- (vi) Parts of, and machinery for manufacturing, ammunition



- (vii) Such ingredients of ammunition as the Central Government may, by notification in the Official Gazette, specify in this behalf



Key Idea: Ammunition is not limited to bullets. It includes bombs, rockets, explosives, charges, fuses, parts, machinery and even ingredients notified by the Government.





WHAT ARE PROHIBITED ARMS?



“prohibited arms” means—

- (i) firearms so designed or adapted that, if **pressure is applied to the trigger**, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty, or



- (ii) weapons of any description designed or adapted for the discharge of any **noxious liquid, gas** or other such thing,



and includes **artillery, anti-aircraft and anti-tank** firearms and such other arms as the Central Government may, by notification in the **Official Gazette**, specify to be prohibited arms;



Key Takeaway: Prohibited arms are those that pose exceptional danger due to their continuous firing capability or their ability to discharge harmful substances, and certain arms notified by the Central Government.



WHAT ARE PROHIBITED AMMUNITION?



“**prohibited ammunition**” means any ammunition containing, or designed or adapted to contain, any **noxious liquid, gas** or other such thing, and includes rockets, bombs, grenades, shells, missiles, articles designed for torpedo service and submarine mining and such other articles as the Central Government may, by notification in the **Official Gazette**, specify to be prohibited ammunition;

INCLUDES



Rockets



Bombs



Grenades



Shells



Missiles



Articles designed for
torpedo service



Articles designed for
submarine mining



and such other articles as the Central Government may, by notification in the **Official Gazette**, specify to be prohibited ammunition;



KEY TAKEAWAY: Prohibited ammunition includes any explosive or harmful substance in any form, and other items notified by the Central Government in the **Official Gazette**.

WHAT IS ACQUISITION?



“**acquisition**”, with its grammatical variations and cognate expressions, includes **hiring**, **borrowing**, or **accepting as a gift**;

INCLUDES



HIRING

Temporary use
for consideration



Example: Hiring a shotgun
for shooting practice.



BORROWING

Taking temporarily
with promise to return



Example: Borrowing a pistol
from a friend.



ACCEPTING AS A GIFT

Receiving voluntarily
without consideration



Example: Receiving a licensed
pistol as a gift.



COGNATE EXPRESSIONS

All related forms
are covered



Example: Obtain, secure,
procure, take possession, etc.



KEY TAKEAWAY: Acquisition is a wide term — not limited to purchase.
It covers hiring, borrowing, accepting as a gift, and all related expressions.



The Arms Act received Presidential assent on:

- A. 1 October 1962
- B. 23 December 1959
- C. 26 January 1960
- D. 15 August 1959

The Arms Act came into force on:

A. 23 December 1959

B. 26 January 1960

C. 1 October 1962

D. 1 January 1963

Which of the following is NOT an arm under the Act?

- A. Sword
- B. Revolver
- C. Ordinary Walking Stick
- D. Rifle

"Magistrate" under the Arms Act means:

- a. Judicial Magistrate First Class
- b. Executive Magistrate under CrPC, 1973
- c. Commissioner of Police
- d. None of the above

Acquisition includes:

- A. Purchase only
- B. Purchase and Gift only
- C. Hiring, Borrowing and Gift
- D. Sale only