

**FORM XIII**

**Licence to sell, transfer or test (other than proof-test) and to keep for sale: transfer or test, arms or ammunition of categories III ©, III(d), V or VI**

Sl.No. of licence	Name, description and residence of licensee and of duly authorized agent or agents (if any)	Place of business or shop	Description and number of arms	Description and quantity of ammunition	Name of the range or other place where allowed to test	Date and year on which the licence expires.

The 31<sup>st</sup> December, 19..

Signature

The..... Of ..... 19..... SEAL.

Licensing

Authority.....

Designation

.....

Place .....

**FORM OF RENEWAL OF THE LICENCE**

Date and year of renewal	Date of which renewed licence expires	Signature and designation of renewing authority	Seal
1	2	3	4

## **CONDITIONS**

1. (a) This licence is granted subject to all the provisions of the Arms Act, 1959 and of the Arms Rules, 1962.

(b) This licence does not entitle the dealer to take any arms or ammunition for testing to a testing range or other place without a permit for the purpose or to prove any fire-arms.

(c) This licence is valid only so long as he carries on the trade or business in the premises shown in Col. 3 thereof, and will ipso facto lapse if the business is discontinued for a continuous period exceeding six months.

2. The licensee shall maintain registers of all arms and ammunition in stock and of all sales, showing the particulars in such forms as may be prescribed for the purpose by the Central Government.

3. He shall make available for inspection of his stock and his registers on the demand of any Magistrate or any police officer of a rank not below that of Inspector, or, if the Central Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory or shop, a signboard on which shall be painted in large letters in English/Hindi and in the language of the district his name and the words "Licensed to sell/transfer or test (other than proof-test) arms or ammunition."

(2) He shall also affix in his place of business, factory or shop a copy of Sec. 36 of the Act, either in English/Hindi or in the language of the district.

5. He shall not sell arms or ammunition elsewhere than at the place of business, factory or shop specified in Col. 3.

6. He shall not keep Government arms or ammunition except under the special or general orders of the Central Government.

Explanation. – For the purpose of this condition

(a) "Government arms" means a fire-arm or other weapon which is the property of the Government : and

(b) "Government ammunition" means ammunition manufactured in any Government factory or prepared for and supplied to Government other than such ammunition as may be released by Government for civilian use.

7. He shall, at the time of sale or transfer of any arms or ammunition to a person holding a licence in Form III, Form IV, Form V, Form VII or Form VIII. Endorse on the licence –

(a) the name, description and residence of the person who takes delivery of the articles sold or transferred.

(b) the nature and quantity of the articles sold or transferred, and

(c) the date of sale or transfer,

And shall sign the endorsement (and affix his seal).

8. He shall at the time of sale or transfer of a weapon, enter in his register the number and other identification marks, if any stamped on the weapon at the time of manufacture or otherwise.

9. He shall give information of all sales or transfers of arms and ammunition, to such person and in such manner as the Central Government may direct.

10. He shall not sell or transfer ammunition to any person, licensed to possess or carry arms without his first obtaining a written certificate from such person to the effect that, with the quantity of ammunition proposed to be purchased by him, the total quantity of ammunition in his possession will not exceed the maximum quantity which he is entitled to possess at any one time or his total allowance for the year:

Provided that he shall not, in any case, sell or transfer to any person any quantity of ammunition in excess of the maximum which may be fixed by the Central Government for such person or which is endorsed on such person's licence.

11. He shall not sell arms and ammunition to an officer, non-commissioner officer or soldier of the armed forces of the Union, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

12. Where the licence is granted in and for any local area in West Bengal and Assam, the licensee shall not sell arms or ammunition without a special permit from a Magistrate, to any member of a hill-tribe to which the Central Government may, from time to time by notification, apply this condition.

13. The licensee shall not sell or transfer any arms of category V to a person residing in an area to which Sec. 4 applies unless the said person produces a licence, or is exempted from the obligation to take out a licence, to acquire, possess or carry such arms in that area.

14. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms or ammunition covered by the licence.

15. Chlorates shall be kept in a building, constructed of unflammable materials only and separated from any dwelling-house, other building, highway street, public thoroughfare or public place by a distance of not less than 10 feet :

Provided that, where the total quantity stored does not exceed 100 Kgs. Chlorates may be kept exclusively in a closed and secured receptacle placed in a building used for the keeping of the articles not being of an explosive or highly inflammable nature.

16. Sulphur shall not be kept in the same room with saltpeter in the premises specified in Col.3

Provided that when the quantity of each does not exceed 100 Kgs, sulphur and saltpeter may be kept in separate closed receptacles in the same room.

17. No person shall smoke and no open fires shall be allowed at any time in the premises specified in Col. 3, or in the vicinity of the receptacles mentioned in provisions to conditions 15 and 16.

18. Where any building used for storage of such materials is fitted with electric lighting or power, the licensee shall get these installations tested at least once a year or once during the currency of the licence, by an electrical Inspector appointed under the Indian Electricity Act, 1910, to ensue that there is no danger of fire or sparking.

19. Any accident, fire or explosion occurring within the premises specified in Col. 3 which is attended with loss of human life or serious injury to persons or property shall be reported at once by the licensee to the officer-in-charge of the nearest police station having jurisdiction over the place of his business, factory or shop as well as the Inspector of Explosives of the circle concerned.

1(20. Subject to the other conditioned herein, no licensee shall, without reasonable cause, refuse to sell arms or ammunition to any person, who is entitled to purchase or acquire such arms or ammunition under the provisions of the Arms Act, 1959 or the Arms Rules, 1962.

Explanation. – The possibility or expectation of the seller obtaining a higher price at a later date or the refusal by a person to purchase or acquire arms or ammunition partly of a description demanded by him and partly of a different description suggested by the licensee, shall not be deemed to be a reasonable cause for the purpose of this condition).