



**THE  
ARMS  
(AMENDMENT)  
ACT  
1988**

# **THE ARMS (AMENDMENT) ACT 1988**

**(NO. 42 OF 1988)**

**1<sup>st</sup> September 1988**

*An Act further to amend the Arms Act, 1959*

Be it enacted by Parliament in the Thirty-ninth Year  
of the Republic of India as follows -

## **1. Short title and commencement -**

- (1) This Act may be called the Arms (Amendment) act, 1988.
- (2) It shall be deemed to have come into force on the 27<sup>th</sup> day of May 1988.

## **2. Amendment of Section 2-**

In Section 2 of the Arms Act, 1959 (54 of 1959)(hereinafter referred to as the principal Act, in sub-section (I)-

- (i) in clause (b), in sub-clause (i), for the words “and other like missiles”, the words” and other missiles” shall be *substituted*;

(ii) in clause (h), after the word “shells,” the word “missiles,” shall be *inserted*.

**3. Amendment of section 5-** In sub section

(1) of section 5 of the principal Act in clause (a) for the word “manufacture”, the word “use”, manufacture” shall be *substituted*.

**4. Amendment of section 7- ]**

In section 7- of the principal act in clause (b) for the word “manufacture”, the words “use manufacture” shall be *substituted*.

**5. Amendment of Section 25 -**

In section 25 of the principal Act-

(a) sub-section (I), clause(c) shall be omitted;

(b) sub-section (I-A) shall be renumbered as sub-section (I-AAA) thereof, and before sub-section (I-AAA) as so renumbered, the following sub-sections, shall be *inserted*, namely;-

“(I-A) Whoever acquires, has in his possession or carries any prohibited arms or prohibited ammunition in contravention of section 7 shall be punishable with imprisonment for a

term which shall not be less than five years, by which may extend to ten years and shall also be liable to fine.

(I-AA) Whoever manufactures, sells, transfer, converts, repairs, tests or proves, or exposes or offers for sale or transfer or has in his possession for sale, transfer, conversion, repair, test or proof, any prohibited arms or prohibited ammunition in contravention of section 7 shall be punishable with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and shall also be liable to fine”.

**6. Substitution of new section for Section 27-**

For section 27 of the principal Act, the following section shall be *substituted*, namely-

*“27, Punishment for using arm, etc-*

(1) Whoever uses any arms or ammunition in contravention of section 5 shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine.

(2) Whoever uses any prohibited arms or prohibited ammunition in contravention of section 7 shall be punishable with imprisonment for a term which shall

not be less than seven years but which may extend to imprisonment for life and shall also be liable to fine.

- (3) Whoever uses any prohibited arms or prohibited ammunition or does any act in contravention of section 7 and such use or act results in the death of any other person, shall be punishable with death”.

## **7. Repeal and savings-**

- (1) The Arms (Amendment) Ordinance, 1988 (Ord. 5 of 1988), is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed, to have been done or taken under the principal Act, as amended by this Act.