

THE EXPLOSIVE SUBSTANCES ACT  
[INDIA ACT VI, 1908] (8th June, 1908)

1. This Act extends to the whole of the Union of Burma and applies also to all citizens of the Union and all servants of the Government wherever they may be.

2. In this Act, the expression "explosive substance" shall be deemed to include any materials for making any explosive substance; also any apparatus, machine, implement or material used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance; also any part of any such apparatus, machine or implement.

3. Any person who unlawfully and maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, 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 ten years, to which fine may be added.

4. Any person who unlawfully and maliciously —

(a) does any act with intent to cause by an explosive substance, or conspires to cause by an explosive substance, an explosion in the Union of Burma of a nature likely to endanger life or to cause serious injury to property; or

(b) makes or has in his possession or under his control any explosive substance with

Foot Note: 1. Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.

intent by means thereof to endanger life, or cause serious injury to property in the Union of Burma, or to enable any other person by means thereof to endanger life or cause serious injury to property in the Union of Burma;

shall, whether any explosion does or does not take place and whether any injury to person or property has been actually caused or not, be punished with transportation for a term which may extend to twenty years, to which fine may be added, or with imprisonment for a term which may extend to seven years, to which fine may be added.

5. Any person who makes or knowingly has in his possession or under his control any explosive substance, under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, shall, unless he can show that he made it or had it in his possession or under his control for a lawful object, be punishable with transportation for a term which may extend to fourteen years, to which fine may be added, or with imprisonment for a term which may extend to five years, to which fine may be added.

6. Any person who by the supply of or solicitation for money, the providing of premises, the supply of materials, or in any manner whatsoever, procures, counsels, aids, abets, or is accessory to, the commission of any offence under this Act shall be punished with the punishment provided for the offence.

7. No Court shall proceed to the trial of any person for an offence against this Act except with the consent of the President of the Union.