

IMMIGRANTS (EXPULSION FROM ASSAM) ACT, 1950

10 of 1950

[1st March, 1950]

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STATEMENT OF OBJECTS AND REASONS During the last few months a serious situation had arisen from the immigration of a very large number of East Bengal residents into Assam. Such large migration is disturbing the economy of the Province, besides giving rise to a serious law and order problem. The Bill seeks to confer necessary powers on the Central Government to deal with the situation - Gaz. of Ind. 24-12-1949, Pt. V, page 503.

1. Short title and extent :-

(1) This Act may be called The Immigrants (Expulsion from Assam) Act, 1950.

(2) It extends to the whole of India.

2. Power to order expulsion of certain immigrants :-

If the Central Government is of opinion that any person or class of persons, having been ordinarily resident in any place outside India, has or have, whether before or after the commencement of this Act, come into Assam and that the stay of such person or class of persons in Assam is detrimental to the interests of the general public of India or of any section thereof or of any Scheduled Tribe

in Assam, the Central Government may by order-

(a) direct such person or class of persons to remove himself or themselves from India or Assam within such time and by such route as may be specified in the order; and

(b) give such further directions in regard to his or their removal from India or Assam as it may consider necessary or expedient:

Provided that nothing in this section shall apply to any person who on account of civil disturbances or the fear of such disturbances in any area now forming part of Pakistan has been displaced from or has left his place of residence in such area and who has been subsequently residing in Assam.

3. Delegation of power :-

The Central Government may, by notification ¹ in the Official Gazette, direct that the powers and duties conferred or imposed on it by Section 2 shall, subject to such conditions, if any, as may be specified in the notification, be exercised or discharged also by-

(a) any officer subordinate to the Central Government;

(b) the ² [Government of Assam, Meghalaya] or any officer subordinate to that Government.

1. See Notification No. F. 17-I-/50-Pak. III, dated 20th March, 1950, published in Gaz. of Ind., 1950, Pt. I, page 388.

2. Substituted for the words "Government of Assam" by G.S.R. 7(E), Gaz. of Ind., 2-1-1974, Pt. II-3(i), Ext., p. 29.

4. Power to give effect to orders, etc :-

Any authority empowered by or in pursuance of the provisions of this Act to exercise any power may, in addition to any other action expressly provided for in this Act, take or cause to be taken such steps, and use or cause to be used such force, as may in its opinion be reasonably necessary for the effective exercise of such power.

5. Penalties :-

Any person who-

(a) contravenes or attempts to contravene or abets the contravention of any order made under Section 2, or

(b) fails to comply with any direction given by any such order, or

(c) harbours any person who has contravened any order made under Section 2 or has failed to comply with any direction given by any such order,

shall be punishable with imprisonment which may extend to three years and shall also be liable to fine.

6. Protection to persons acting under this Act :-

No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

7. Repeal and saving :-

Repealed by the Repealing and Amending Act, 1957 (36 of 1957), Section 2 and Sch. I (17-9-1957).]