

The Immigrants (Expulsion From Assam) Act, 1950

ASSAM

India

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Act 10 of 1950

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The Immigrants (Expulsion From Assam) Act, 1950 ACT NO. 10 OF 1950

1402.

[1st March, 1950]An Act to provide for the expulsion of certain Immigrants from Assam.Be it enacted by Parliament as follows:--

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 power.

The Central Government may, by [notification] [See Notification No. F. 17-1/50-Pak. III, dated 20th March, 1950, in Gazette of India, 1950 Pt. I, p. 388.] 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 [Government of Assam, Meghalaya] or Nagaland] [Substituted by the State of Nagaland (Adaptation of Laws on Union Subjects) order, 1965, for "Government of Assam" (w.e.f. 1-12-1963). Substituted by the North-Eastern Areas (Reorganisation) (Adaptation of Laws on Union Subjects) Order, 1974, for "Government of Assam" (w.e.f. 21-1-1972).]or any officer subordinate to that Government.

4. Power to give effect 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 in good faith done or intended to be done under this Act.

7. [Construction of references to Assam. [Section 7 inserted by the State of Nagaland (Adaptation of Laws on Union Subjects) Order, 1965 (w.e.f. 1-12-1963). Former section 7 was repealed by Act 36 of 1957, s 2 and Sch. I.]

In this Act, except in section 3, references to Assam shall be construed as including also a reference to [the States of Meghalaya and Nagaland and the Union territories of Arunachal Pradesh and Mizoram.] [Substituted by the North-Eastern Areas (Reorganisation) Adaptation of Laws on Union Subjects) Order, 1974, for "the State of Nagaland" (w.e.f. 21-1-1972).]]