

THE PASSPORT ENTRY INTO INDIA ACT, 1920

(Act No. 34 of 1920)

[9th September 1920]

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THE PASSPORT ENTRY INTO INDIA ACT, 1920

(Act No. 34 of 1920)

An Act to take power to require passports of persons entering India

Whereas it is expedient to take power to require passports of persons entering India

It is hereby enacted as follows:

1. Short title and extent-

(1) This Act may be called the Indian Passport Entry into India Act, 1920.

(2) It shall extend to the whole of India,

2. Definitions. - In this Act unless there is anything repugnant in the subject or context, -

“Entry” means entry by water, land or air

“Passport” means a passport for the time being in force issued or renewed by the prescribed authority and satisfying the conditions prescribed relating to the class of passports to which it belongs; and

“Prescribed” means prescribed by rules made under this Act.

3. Power to make rules. -

(1) The Central Government may make rules requiring that persons entering India shall be in possession of passports, and for all matters ancillary or incidental to that purpose.

(2) Without prejudice to the generality of the foregoing power such rules may-

(a) Prohibit the entry into India or any part thereof of any person who has not in' his possession a passport issued to him;

(b) Prescribe the authorities by whom passports must have been issued or renewed and the conditions with which they must comply, for the purposes of this Act and

(c) Provide for the exemption, either absolutely or on any conditions, of any person or class of persons from any provision of such rules.

(3) Rules made under this section may provide that any contravention thereof or of any orders issued under the authority of any such rule shall be punishable with imprisonment for a term which may extend to three months, or with fine or with both.

(4) All rules made under this section shall be published in the Official Gazette, and shall thereupon have effect as if enacted in this Act.

4. Power of arrest. -

(1) Any officer of police, not below the rank of a Sub-Inspector, and any officer of the Customs Department empowered by a general or special order of the Central Government in this behalf may arrest without warrant any person who has contravened or against whom a reasonable suspicion exists that he has contravened any rule or order made under Section 3.

(2) Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or to the officer-in-charge of the nearest police station and the provisions of Section ¹[61 of the Code of Criminal Procedure, 1898 (5 of 1898)], shall, so far as may be, apply in the case of any such arrest.

1. See now the Code of Criminal Procedure, 1973.

5. Power of removal. -The Central Government may, by general or special order, direct the removal of any person from India who in contravention of any rule made under Section 3 prohibiting entry into India without passport, has entered there in, and thereupon any officer of the Government shall have all reasonable powers necessary to enforce such direction.

6. Application of Act to Part B States. - [Repealed by the Part B States (Laws) Act. 1951 (3 of 1951) Section 9 and Schedule.]