

ACT No. XII OF 1908.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 30th October 1908.)

An Act further to amend the Indian Emigration Act, 1883.

WHEREAS it is expedient further to amend the Indian Emigration Act, 1883; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Indian Emigration (Amendment) Act, 1908.

Meaning of "India" in Act XXI of 1883.

2. In the Indian Emigration Act, 1883, the word "India", wherever it occurs, shall bear the meaning given to it by clause (27) of section 3 of the General Clauses Act, 1897.

Omission of proviso in section 6 of Act XXI of 1883.

3. In section 6 of the Indian Emigration Act, 1883, the proviso to clause (2) shall be omitted.

Insertion of new section after section 6 of Act XXI of 1883.

4. After section 6 of the said Act the following section shall be inserted, namely:—

Determination of certain doubts.

"6A. In case of any doubt or dispute as to whether a person should be deemed—

(i) to emigrate, or

(ii) to be a native of India,

within the meaning of this Act, the question shall be determined by such person and in such manner as the Governor General in Council may from time to time, by rules made under this Act, direct, and such determination shall be final."

Amendment of section 18 (1) of Act XXI of 1883.

5. In section 18, sub-section (1), of the said Act,—

(a) for the words "a Medical Inspector" the words "one or more Medical Inspectors" shall be substituted;

(b) after

(b) after the word "lawful" the words "and may apportion their respective duties" shall be inserted; and

(c) for the word "him" the word "them" shall be substituted.

6. In section 80, sub-section (1), the word "and", where it last occurs in clause (p), shall be omitted, and after the said clause the following shall be inserted, namely:—

Addition to
new clause in
section 80
(1) of Act
XXI of
1883.

"(pp) to prescribe the person by whom any doubt or dispute referred to in section 6A shall be determined and the procedure to be followed and the proof to be required in such cases; and".