

## ACT No. XXXIV OF 1920.

[PASSED BY THE INDIAN LEGISLATIVE COUNCIL.]

(Received the assent of the Governor-General on the 9th  
September, 1920.)

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

WHEREAS it is expedient to take power to  
require passports of persons entering British  
India; It is hereby enacted as follows:—

Short title  
and extent.

1. (1) This Act may be called the Indian Pass-  
port Act, 1920.

(2) It shall extend to the whole of British India,  
including British Baluchistan, the Sonthal Parganas  
and the district of Angul.

Definitions.

2. In this Act, unless there is anything repug-  
nant 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 author-  
ity 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.

Power to  
make rules.

3. (1) The Governor General in Council may  
make rules requiring that persons entering British  
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 British India or any  
part thereof of any person who has not  
in his possession a passport issued to  
him;

(b) prescribe

- (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 condition, 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 order 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 Gazette of India, and shall thereupon have effect as if enacted in this Act.

4. (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 Local 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. Power of arrest.

(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 61 of the Code of Criminal Procedure, 1898, shall, so far as may be, apply in the case of any such arrest. V of 1898.

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