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THE EMIGRATION ACT, 1983

INTRODUCTION

In the early twentieth century there was an outflow of skilled and unskilled workers from India for employment purposes. The Indians going abroad for seeking avenues of employment, in the beginning got good response and were well accepted but with the increase of persons going abroad for employment, the treatment given to them started deteriorating. The workers were ill-treated, they were made to work more than an ordinary person is supposed to do. They were exploited by the recruiting agents as well as by the employers abroad. To mitigate the problems and to regulate the emigration of skilled and unskilled workers, the Emigration Act, 1922 (7 of 1923) was enacted by the then British Government in India. It was enacted to meet the requirements prevailing during that time. In the seventies of the century, the flow of skilled and unskilled workers seeking employment abroad had a tremendous jump and the subject of emigration had become a matter of increasing concern both for Government and the public in general. The Government had initiated a system of registration of recruiting agents and laid down certain minimum terms and conditions of service on which emigration of different categories of workers was to be allowed. The Supreme Court of India in a case in March, 1979, laid down four basic conditions according to which emigration of Indian workers was to be regulated until the passage of a new legislation. The new legislation could not be enacted by July, 1979 and in August, 1979 the Supreme Court reiterated the need for the new legislation. To consolidate and amend the law relating to emigration of citizens of India the Emigration Bill was introduced in the Parliament.

STATEMENT OF OBJECTS AND REASONS

The Emigration Act, 1983, regulates the terms and conditions of overseas employment and seeks to protect and safeguard the interests of Indian workers going overseas for employment on contractual basis. Under the provisions of the Act, a foreign employer can recruit any citizen of India for employment in any country either through a registered recruiting agent, or directly after obtaining a valid permit from the competent authority.

2. India has a vast reservoir of skilled, semi-skilled and unskilled manpower. A larger number of Indians can emigrate to other countries for work if they are given proper counselling and reorientation keeping in view the needs of the labour market and if their functional capability is enhanced to compete with the workers from other labour exporting countries. This is possible only if there is an agency which can take up such a promotional role. At present, under the provisions of the Act, the Government has neither any role to study the needs and demands of the overseas labour market nor does it provide any training or career counselling to the workers going overseas. It is, therefore, proposed to constitute a Central Manpower Export Promotion Council under this Act.
3. There have been many cases in which emigrants had obtained emigration clearances from the offices of Protector of Emigrants, but on reaching the alien lands, they faced many problems, such as, change of work agreement to their disadvantage by the foreign employers, non-payment or delayed payment of salaries, poor working and living conditions, getting stranded because of the foreign employers' unwillingness to receive them on arrival, non-availability of jobs after arrival in the foreign country, non-payment of compensation in the case of injuries caused by accident in the course of or arising out of employment resulting in partial or total disablement, delays in the transportation of dead bodies of the workers to India by the foreign employers, etc.

4. A few labour exporting countries in the South Asia and South East Asia region have set-up either Welfare Funds or Welfare Boards to provide some financial assistance or relief to emigrant workers who are in distress in foreign countries. It is, therefore, proposed to constitute the Indian Overseas Workers' Welfare Fund for meeting such contingencies, by making payments to the Embassies or High Commissions for arranging return tickets for the workers who get stranded in the foreign countries, or for transportation of dead bodies of the workers and to grant assistance to the workers who become partially or permanently disabled or for similar other purposes. However, there is no proposal to provide assistance to illegal migrants.

5. With a view to achieving the above objectives, it is proposed to amend the Emigration Act, 1983. As a result of the proposed amendments, it is expected that more workers will be deployed abroad for employment on contractual basis resulting in direct increase in remittances of foreign exchange and providing timely financial assistance to the emigrants in distress in alien lands.

6. The Bill seeks to achieve the aforesaid objects.

ACT 31 OF 1983

The Emigration Bill having been passed by both the Houses of Parliament received the assent of the President on 10th September, 1983. It came on the Statute book as THE EMIGRATION ACT, 1983 (31 of 1983).
THE EMIGRATION ACT, 1983

(31 of 1983)  [10th September, 1983]

An Act to consolidate and amend the law relating to emigration of citizens of India.

Be it enacted by Parliament in the Thirty-Fourth Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

1. Short title, extent, application and commencement.—(1) This Act may be called the Emigration Act, 1983.

(2) It extends to the whole of India and applies also to citizens of India outside India.

(3) It shall come into force on such date\(^1\) as the Central Government may, by notification, appoint and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.

2. Definitions.—(1) In this Act, unless the context otherwise requires,—

(a) “certificate” means a certificate of registration issued under section 11;

(b) “conveyance” includes a vessel, vehicle, country-craft and an aircraft;

(c) “dependent” means any person who is related to an emigrant and is dependent on that emigrant;

(d) “emigrant” means any citizen of India who intends to emigrate, or emigrates, or has emigrated but does not include—

(i) a dependent of an emigrant, whether such dependent accompanies that emigrant, or departs subsequently for the purpose of joining that emigrant in the country to which that emigrant haslawfully emigrated;

(ii) any person who has resided outside India at any time after attaining the age of eighteen years, for not less than three years or the spouse or child of such person;

(e) “emigrant conveyance” means any conveyance specially chartered for conveyance of emigrants or for conveying emigrants exceeding such number as may be prescribed:

Provided that the Central Government may, by notification, declare that any conveyance conveying emigrants to such place as may be specified in the notification shall not be deemed to be an emigrant conveyance;

\(^1\) Came into force on 30-12-1983, vide S.O. 940(E), dated 30th December, 1983.
(f) "emigrate" and "emigration" mean the departure out of India of any person with a view to taking up any employment (whether or not under an agreement or other arrangements to take up such employment and whether with or without the assistance of a recruiting agent or employer) in any country or place outside India;

(g) "employer" means any person providing or offering to provide, employment in any country or place outside India;

(h) "employment" means any service, occupation or engagement (not being service, occupation or engagement under the Central Government or a State Government), in any kind of work within the meaning of clause (o), for wages or for reward, and all its grammatical variations and cognate expressions shall be construed accordingly;

(i) "notification" means a notification published in the Official Gazette;

(j) "prescribed" means prescribed by rules made under this Act;

(k) "Protector of Emigrants" means a Protector of Emigrants appointed under section 3 and includes a person authorised under section 5;

(l) "recruiting agent" means a person engaged in India in the business of recruitment for an employer and representing such employer with respect to any matter in relation to such recruitment including dealings with persons so recruited or desiring to be so recruited;

(m) "recruitment" includes the issuing of any advertisement for the purpose of recruitment, the offering by advertisement to secure or assist in securing any employment in any country or place outside India and the entering into any correspondence, negotiation, agreement or arrangement with any individual for or in relation to the employment of such individual in any country or place outside India;

(n) "registering authority" means the officer appointed under section 9 to be the registering authority for the purposes of this Act;

(o) "work" means—

(i) any unskilled work, including any form of industrial or agricultural labour;

(ii) any domestic service;

(iii) any service, not being a service in a managerial capacity, in any hotel, restaurant, tea-house or other place of public resort;

(iv) work as a driver of a truck or other vehicle, mechanic, technician or skilled labourer or artisan;

(v) work as an office assistant or accountant or typist or stenographer or salesman, or nurse or operator of any machine;

(vi) work in connection with, or for the purposes of, any cinema, exhibition or entertainment;

(vii) any such work of a professional or of any other nature as the Central Government may, having regard to the need for the
protection of citizens of India who may be employed in such work outside India and other relevant circumstances, specify by notification:

Provided that the Central Government may, if satisfied that it is necessary so to do having regard to the conditions of service applicable with respect to employment in any of the aforementioned categories of work or any sub-category thereof, whether generally or in relation to any particular country or place and other relevant circumstances, declare by notification that such category of work or sub-category of work shall not be deemed to be work within the meaning of this definition.

(2) Any reference in this Act to any law which is not in force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II

EMISSION AUTHOIRITIES

3. Protectors of Emigrants.—(1) The Central Government may, by notification, appoint a Protector General of Emigrants and as many Protectors of Emigrants, as it deems fit, for the purposes of this Act.

(2) The Central Government may, by general or special order, define the area to which the authority of a Protector of Emigrants so appointed shall extend and, where two or more Protectors of Emigrants are appointed for the same area, also provide, by such order, for the distribution and allocation of the work to be performed under this Act in relation to such area.

(3) The Protectors of Emigrants shall perform the functions assigned to them by or under this Act under the general superintendence and control of the Protector General of Emigrants.

(4) The Protector General of Emigrants may, in addition to the special functions assigned to him by or under this Act, perform all or any of the functions assigned to any Protector of Emigrants.

4. General duties of Protectors of Emigrants.—Subject to the other provisions of this Act, every Protector of Emigrants shall, in addition to the special duties assigned to him by or under this Act—

(a) protect and aid with his advice all intending emigrants and emigrants;

(b) cause, so far as he can, all the provisions of this Act and of the rules made thereunder to be complied with;

(c) inspect, to such extent and in such manner as may be prescribed—

(i) any emigrant conveyance, or

(ii) any other conveyance if he has reason to believe that any intending emigrants or emigrants are proceedings from, or returning to, India to or from a place outside India by such other conveyance;
(d) inquire into the treatment received by emigrants during their voyage or journey to, and during the period of their residence in the country to which they emigrated and also during the return voyage or journey to India and report thereon to the Protector General of Emigrants or such other authority as may be prescribed;

(e) aid and advise, so far as he reasonably can, emigrants who have returned to India.

5. **Power to authorise persons to exercise functions of a Protector.**—The Central Government may, if satisfied that it is necessary so to do in the interest of emigrants or intending emigrants, authorise any person to perform all or any of the functions of a Protector of Emigrants under this Act.

6. **Emigration check-posts.**—(1) Where the Central Government considers that, with a view to preventing or checking the contravention of the provisions of this Act, it is necessary so to do, it may, by notification, set up such number of emigration check-posts at such places as may be specified.

(2) The Central Government may, by general or special order made in this behalf, appoint an officer of the Central Government or of a State Government to be an officer in charge of an emigration check-post set up under subsection (1).

(3) An officer in charge of an emigration check-post shall be subject to the general control and supervision of the Protector of Emigrants within the local limits of whose jurisdiction that emigration check-post is situated.

7. **Other emigration officers and staff.**—The Central Government may appoint such other officers and employees (hereinafter referred to as the emigration officers and emigration employees), as it may think fit, to assist the Protector General of Emigrants and the Protector of Emigrants in the performance of their duties under this Act.

8. **Emigration officers to be public servants.**—The Protector General of Emigrants, Protectors of Emigrants, the officers in charge of emigration check-posts, emigration officers and emigration employees appointed under this Act shall be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

**CHAPTER III**

**REGISTRATION OF RECRUITING AGENTS**

9. **Registering authority.**—The Central Government may, by notification, appoint the Protector General of Emigrants or any other officer of that Government of a rank higher than that of a Protector of Emigrants to be the registering authority for the purposes of this Act.

10. **No person to function as recruiting agent without a valid certificate.**—Save as otherwise provided in this Act, no recruiting agent shall, after the commencement of this Act, commence or carry on the business of recruitment except under and in accordance with a certificate issued in that behalf by the registering authority:

Provided that a person carrying on the business of recruiting agent immediately before the commencement of this Act may continue to carry on
such business without such a certificate for a period of one month from such commencement, and if he has made an application for such certificate under this Act within the said period of one month and such application is in the prescribed form and contains the prescribed particulars, till the disposal of such application by the registering authority.

11. **Application for registration.**—(1) An application for registration shall be made to the registering authority in such form and shall contain such particulars as to the applicant's financial soundness, trustworthiness, premises at which he intends to carry on his business, facilities at his disposal for recruitment, his antecedents (including information as to whether any certificate had been issued to him under this Chapter earlier and if so, whether such certificate had been cancelled) and previous experience, if any, of recruitment and other relevant matters as may be prescribed and shall be accompanied by a receipt evidencing the payment of the prescribed fee and an affidavit giving his current financial standing and an undertaking in the form prescribed to the effect that in the event of any information furnished in or along with the application for registration being found to be false or incorrect in any respect, the certificate shall be liable to be cancelled at any time in accordance with the procedure prescribed:

Provided that no application shall be entertained under this sub-section from a person disqualified under sub-section (6) of section 14 till the expiry of the period of such disqualification.

(2) On receipt of such application, the registering authority shall,—

(a) if the application is not in the prescribed form or does not contain any of the prescribed particulars, return the application to the applicant;

(b) if the application is in the prescribed form and contains the prescribed particulars, inform the applicant that he is eligible for the grant of the certificate applied for and, after giving the applicant an opportunity to be heard, determine, under sub-section (3), the amount of the security which the applicant shall furnish.

(3) The registering authority shall, for securing the due performance of the terms and conditions of the certificate proposed to be issued by it under sub-section (2) to an applicant and for securing compliance with the provisions of this Act and the rules made thereunder and for meeting expenses which may have to be incurred in the event of the repatriation to India of any of the emigrants who may be recruited by the applicant, determine, in accordance with the rules made in this behalf, the amount of security (not being in any case less than one lakh of rupees) which shall be furnished by the applicant.

(4) If an applicant furnishes in the prescribed manner the amount of security determined under sub-section (3) within a period of one month from the date on which the registering authority requires him to furnish such security, he shall be issued the certificate applied for by him together with an endorsement thereon to the effect that the security required has been furnished by him.

(5) If an applicant fails to furnish the security required to be furnished by him within the period specified in sub-section (4) his application shall be deemed to have been rejected by the registering authority on the date of expiry of that period.
12. Terms and conditions of registration.—A certificate issued under section 11 shall be—

(a) in such form as may be prescribed;
(b) valid for such period not exceeding five years as may be prescribed:

Provided that a certificate may be issued for a period shorter than the prescribed period—

(i) if the person to whom it is issued so desires; or
(ii) if the registering authority, for reasons to be communicated in writing to the applicant for the certificate, considers in any case that the certificate should be issued for a shorter period;

(c) subject to such other terms and conditions, including in particular, the maintenance by the holder of the certificate of the prescribed records containing details of his financial transactions in regard to recruitment, persons recruited or assisted to emigrate by him, employers concerned, contracts and other arrangements entered into in connection with recruitment, as may be prescribed:

Provided that a certificate may, contain, in addition to the prescribed terms and conditions, such other terms and conditions as the registering authority may, for securing the purposes of this Act, impose in any particular case.

13. Renewal of registration.—A certificate may be renewed from time to time and the provisions of this Act and the rules made thereunder (including provisions as to fees) shall apply to the renewal of a certificate as they apply to the issue thereof:

Provided that no certificate shall be renewed unless the application for its renewal is made not less than three months prior to the date on which the certificate would, but for such renewal, cease to be valid:

Provided further that the registering authority may entertain an application for the renewal of a certificate which has been made at any time during the period of three months prior to the date on which the certificate would, but for such renewal, cease to be valid if the applicant satisfies the registering authority that he had sufficient cause for not making such application before the said period.

14. Cancellation, suspension, etc., of a certificate.—(1) The registering authority may cancel any certificate on any one or more of the following grounds and on no other ground, namely:—

(a) that having regard to the manner in which the holder of the certificate has carried on his business or any deterioration in his financial position, the facilities at his disposal for recruitment, the holder of the certificate is not a fit person to continue to hold the certificate;

(b) that the holder of the certificate has recruited emigrants for purposes prejudicial to the interests of India or for purposes contrary to public policy;

(c) that the holder of the certificate has, subsequent to the issue of the certificate, been convicted in India for any offence involving moral turpitude;
(d) that the holder of the certificate has, subsequent to the issue of the certificate, been convicted by a court in India for any offence under this Act, the Emigration Act, 1922 (7 of 1922), or any other law relating to passports, foreign exchange, drugs, narcotics or smuggling and sentenced in respect thereof to imprisonment for not less than six months;

(e) that the certificate has been issued or renewed on misrepresentation or suppression of any material fact;

(f) that the holder of the certificate has violated any of the terms and conditions of the certificate;

(g) that in the opinion of the Central Government it is necessary in the interests of friendly relations of India with any foreign country or in the interests of the general public to cancel the certificate.

(2) Where the registering authority, for reasons to be recorded in writing, is satisfied that pending the consideration of the question of cancelling any certificate on any of the grounds mentioned in sub-section (1) it is necessary so to do, the registering authority may, by order in writing, suspend the operation of the certificate for such period not exceeding thirty days as may be specified in the order and require the holder of the certificate to show cause, within fifteen days from the date of receipt of such order, as to why the suspension of the certificate should not be extended till the determination of the question as to whether the registration should be cancelled.

(3) A court convicting a holder of a certificate for an offence under this Act may also cancel the certificate:

Provided that if the conviction is set aside in appeal or otherwise, the cancellation under sub-section (3) shall become void.

(4) An order of cancellation of a certificate may be made under sub-section (3) by an appellate court or by a court exercising its powers of revision.

(5) Before passing an order cancelling or suspending a certificate the registering authority or the court, as the case may be, shall consider the question as to provisions and arrangements which should be made for safeguarding the interests of emigrants and other persons with whom the holder of the certificate had any transactions in the course of his business as recruiting agent and may make such orders (including orders permitting the holder of the certificate to continue to carry on his business with respect to all or any of such emigrants and other persons) as it may consider necessary in this behalf.

(6) Where a certificate issued to any person has been cancelled under this section, such person shall not be eligible to make any application for another certificate under this Chapter until the expiry of a period of two years from the date of such cancellation.

CHAPTER IV
PERMITS FOR RECRUITMENT BY EMPLOYERS

15. Competent authority.—(1) The Central Government may, by notification, appoint the Protector General of Emigrants or any other officer of that Government of a rank higher than that of a Protector of Emigrants to be the
authority (hereinafter referred to as the competent authority) for issuing permits under this Chapter.

(2) Notwithstanding anything contained in sub-section (1), the Central Government may, by notification, authorise any person who is employed under that Government in any country or place outside India to exercise the powers of the competent authority, and issue permits under this Chapter to employers who are not citizens of India for the purpose of recruiting any citizen of India for employment in such country or place and a person so authorised shall endorse a duly certified copy of every permit issued by him under this Chapter to the Protector General of Emigrants.

16. Recruitment by employers to be through recruiting agent or under permit.—Save as otherwise provided by or under this Act, no employer shall recruit any citizen of India for employment in any country or place outside India except—

(a) through a recruiting agent competent under this Act to make such recruitment, or

(b) in accordance with a valid permit issued in this behalf under this Chapter.

17. Procedure for obtaining permits.—(1) An employer desiring to obtain a permit under this Chapter may make an application in that behalf in the prescribed form to the competent authority.

(2) On receipt of such application, the competent authority shall, subject to any rules made in this behalf, make such inquiry as he may deem necessary and grant the permit applied for or reject the application:

Provided that before granting a permit the competent authority may require the applicant to comply with such conditions as may be prescribed, including conditions as to furnishing of security and such other conditions as that authority may, for reasons to be recorded in writing, deem necessary in the interests of the citizens of India likely to be recruited by the applicant.

(3) Subject to the other provisions of this Act, the competent authority may reject an application under sub-section (1) on any or more of the following grounds and on no other ground, namely:—

(a) that the application is not complete in all respects or that any of the material particulars furnished in the application are not true;

(b) that the terms and conditions of employment which the applicant proposes to offer to persons recruited or proposed to be recruited by him are discriminatory or exploitative;

(c) that the employment which the applicant proposes to offer involves work of a nature which is unlawful according to the laws of India or offends against the public policy of India or is violative of norms of human dignity and decency;

(d) that having regard to the antecedents of the applicant, his financial standing, the facilities at his disposal, the working and living conditions of persons employed by him in the past, it would not be in the public interest or in the interest of the persons who may be...
recruited by him, to issue a permit to him;

(e) that having regard to the prevailing circumstances in the country or in the place where the applicant proposes to employ the persons recruited by him, it would not be in the interests of any citizen of India to emigrate for taking up such employment.

(4) Where the competent authority makes an order under sub-section (2) rejecting an application, he shall record in writing a brief statement of his reasons for making such order and furnish the applicant, on demand, a copy of the same:

Provided that if the competent authority is of the opinion that it is necessary or expedient in the interests of friendly relations with a foreign country or in the interests of the general public so to do, he may refuse to provide such copy, or, as the case may be, furnish a copy of only such parts of the statement as he may deem fit.

18. Period of validity of permit.—A permit issued under section 17 shall be valid till the expiry of such period, not exceeding one year, as may be prescribed, from the date of issue thereof, or till the recruitment of the persons for whose recruitment such permit is issued is completed, whichever is earlier:

Provided that where the holder of the permit has been unable for sufficient cause, to complete such recruitment before the expiry of the prescribed period, the prescribed authority may, subject to rules made in this behalf, extend the period of validity of the permit by such further period or periods, not exceeding three months at a time.

19. Registration of certain permits.—Any permit obtained from a person authorised under sub-section (2) of section 15 shall not be valid unless a certified copy thereof is filed in the prescribed manner with the Protector General of Emigrants.

20. Cancellation or suspension of a permit.—The provisions of section 14 relating to cancellation and suspension of a certificate referred to therein shall, subject to such modifications as may be necessary (including modifications for construing the references in that section to registering authority as references to competent authority under this Chapter), apply for the cancellation or suspension of a permit.

21. Power to exempt.—The Central Government may, if satisfied that it is necessary or expedient so to do in the public interest, by notification and subject to such conditions, if any, as may be specified in the notification, exempt any class or classes of employers from the requirement of obtaining a permit under this Chapter.

CHAPTER V

EMISSION CLEARANCE

22. Requirement, etc., as to emigration clearance.—(1) No citizen of India shall emigrate unless he obtains under this Chapter from the Protector of Emigrants authorisation in the prescribed manner and form (such authorisation being hereinafter referred to as emigration clearance) for emigration.
(2) An application for emigration clearance shall be in the prescribed form, shall contain the prescribed particulars and shall be made by the emigrant concerned to the Protector of Emigrants:

Provided that such application may be made through the recruiting agent, if any, through whom the emigrant has been recruited or through the employer concerned.

(3) Every application under sub-section (2) shall be accompanied by—

(a) a true copy (verified and authenticated in the prescribed manner) of the agreement with respect to the employment for the taking up of which the applicant proposes to emigrate and where such agreement does not provide for all or any of the prescribed matters, also a statement (verified and authenticated in the prescribed manner) setting out the particulars with respect to such matters;

(b) a statement (verified and authenticated in the prescribed manner) as to the provision by way of security for meeting the expenses which may be incurred in case it becomes necessary to arrange for the repatriation to India of the applicant;

(c) a receipt evidencing the payment of the prescribed fee;

(d) such other relevant documents or copies of relevant documents as may be prescribed.

(4) The Protector of Emigrants shall, after satisfying himself about the accuracy of the particulars mentioned in the application and in the other documents submitted along with the application, authorise in the prescribed manner and form, the emigration of the applicant or intimate by order in writing the applicant or, as the case may be, the recruiting agent or employer through whom the applications have been made about the deficiencies and require him to make good such deficiencies within such time as may be specified in the order or reject the application.

(5) Subject to the other provisions of this Act, the Protector of Emigrants may reject an application for emigration clearance under this section on any one or more of the following grounds and on no other ground, namely:

(a) that the terms and conditions of employment which the applicant proposes to take up are discriminatory or exploitative;

(b) that the employment which the applicant proposes to take up involves work of a nature which is unlawful according to the laws of India or offends against the public policy of India or is violative of norms of human dignity and decency;

(c) that the applicant will have to work or live in sub-standard working or living conditions;

(d) that having regard to the prevailing circumstances in the country or place where the applicant proposes to take up employment or the antecedents of the employer under whom the applicant proposes to take up employment or any other relevant circumstances, it would not be in the interests of the applicant to emigrate;

(e) that no provision or arrangement has been made for meeting the expenses which may be incurred in case it becomes necessary to
arrange for the repatriation to India of the applicant, or that the provisions or arrangements made in this behalf are not adequate for the purpose.

(6) Every order rejecting an application for emigration clearance shall set out clearly the ground or grounds on which the order has been made and the facts or circumstances on which such ground or grounds are based.

COMMENTS

The Central Government, on being satisfied that having regard to the method of recruitment followed and the conditions of employment and the conditions of living and working provided to emigrants by the employers in Brunei, considers it expedient in public interest so to do, hereby exempt, the Indian Citizens going to Brunei from the operation of the provisions of section 22 of the Act.


CHAPTER VI

APPEALS

23. Appeals.—(1) Any person aggrieved by—

(a) an order of the registering authority rejecting his application for registration or requiring him to furnish any security or to comply with any term or condition (not being a prescribed term or condition) specified in the certificate issued to him or suspending or cancelling or refusing to renew the certificate issued to him; or

(b) an order of the competent authority rejecting his application for a permit or requiring him to comply with any terms or conditions (not being a prescribed term or condition) specified in the permit issued to him, or suspending or cancelling or refusing to extend the period of the validity of the permit issued to him; or

(c) an order of the Protector of Emigrants rejecting his application for emigration clearance; or

(d) an order of the registering authority or the competent authority or the Protector of Emigrants or the prescribed authority requiring him to furnish any security, additional security or fresh security under this Act, or forfeiting or rejecting his claim for refund (whether wholly or partly in either case) of the security, the additional security or the fresh security furnished by him,

may prefer an appeal against such order to the Central Government within such period as may be prescribed.

(2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:

Provided that an appeal may be admitted after the expiry of the period prescribed therefor if the appellant satisfies the Central Government that he had sufficient cause for not preferring the appeal within that period.

(3) The period prescribed for an appeal shall be computed in accordance with the provisions of the Limitation Act, 1963 (36 of 1963), with respect to the computation of periods thereunder.

(4) Every appeal under this section shall be made in such form as may be prescribed and shall be accompanied by a copy of the order appealed against and by such fee as may be prescribed.