

Public (1899) Department.

ORDINARY PRINTED.

G.O., No. 1257

DATED 7 - 11 - 99

[Despatch Abstract.]

Bills - Legislative. Coming to the High Court, the Advocate-General, the Board of Rev, and the Colly of Gaujam, for opinion, letter from the Govt of India forwarding copies of a Bill to make better provision for the health, supervision and control of Emigrants proceeding to and from the labour districts of Assam; directing that the Bill be published in the Fort St George Gazette in English and in Telugu; and requesting the Supt. Govt Press, to report the dates of publication in the Gazette.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Choi's 3182, 3318, 3322
13253 9/11

[Pub.]
29
1,600-11-8

Public (1899) Department.

CURRENT No. 2916

From

The Govt. of India,
Leg. Dept.

Order

No. 1956.

Dated 14th
Received 19th
Registered 20th } October 1899

Enclosures two

Spare copies. 39 copies of each enclosure

SUBJECT.

Forwarding 40 copies of a Bill
to make better provision for
the health, supervision and
control of emigrants proceeding
to or from the labour districts
of Assam with statement of
Objects and Reasons

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Government {1899} of Madras. PUBLIC.

Recd.

Regd.

} 1899.

Enclosures

Spare copies

G.O., No. 1257, 7th November 1899.

NOVEMBER.

Bills—Legislative.

Communicating to the High Court, the Advocate-General, the Board of Revenue, and the Collector of Ganjam, for opinion, letter from the Government of India forwarding copies of a Bill to make better provision for the health, supervision and control of Emigrants proceeding to and from the labour-districts of Assam; directing that the Bill be published in the *Fort St. George Gazette* in English and in Telugu; and requesting the Superintendent, Government Press, to report the dates of publication in the Gazette.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From J. M. MACPHERSON, Esq., C.S.I., Secretary to the Government of India, Legislative Department, to the Chief Secretary to the Government of Madras, dated Simla, 14th October 1899, No. 1956.

I am directed to forward herewith forty copies of the papers noted on the margin, and to request that the Governor in Council will favour the Government of India in this department with an expression of his opinion on the provisions of the Bill, and with the opinions of the Honourable the Judges of the High Court and of such selected officers and other persons as the Governor in Council may think fit to consult on the subject.

2. I am also to request that the Bill and Statement may be published in the *Fort St. George Gazette* in English and in such other languages as the Governor in Council may deem proper, and that the dates of publication of both may be communicated in your reply.

3. The reply to this letter should be sent in by the 15th December.

ORDER—No. 1257, Public, dated 7th November 1899.

Communicated to the Honourable the Judges of the High Court, the Honourable the Advocate-General, the Board of Revenue, and the Collector of Ganjam for favour of an expression of opinion on or before December 1st next.

2. The Bill, with the Statement of Objects and Reasons, will be published in the *Fort St. George Gazette* in English and Telugu.

3. The dates of publication in the Gazette will be reported to Government by the Superintendent, Government Press.

(True Extract.)

G. STOKES,
Chief Secretary.

To the Honourable the Judges of the High Court (with C.L.).

- „ Government Solicitor.
- „ Board of Revenue (Separate Revenue).
- „ Collector of Ganjam.
- „ Telugu Translator to Government.
- „ Superintendent, Government Press.

A
BILL

TO

Make better provision for the health, supervision and control of Emigrants proceeding to or from the labour-districts of Assam.

WHEREAS it is expedient to make better provision for the health, supervision and control of emigrants proceeding to or from the labour-districts of Assam; It is hereby enacted as follows :—

1. (1) This Act may be called the Assam Short title, extent and commencement. Emigrants' Health Act, 1900.

(2) It extends to the whole of British India, inclusive of the Santhal Parganas; but

(3) It shall not come into force in any part thereof until the Local Government has, as hereinafter provided, declared it to be applicable thereto.

(4) The Local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, apply this Act to the whole or any part of the Province, and may, in like manner, cancel, vary or amend any such notification.

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

(a) "agent" means a person who engages or assists a native of India to emigrate otherwise than in accordance with the provisions of the Assam Labour and Emigration Act, 1900, but includes a garden-sardar specially employed under section 93, or working under the control of an approved agency or association under section 94, of the said Act :

(b) "dependant" means any woman (not being herself an emigrant), child or aged or incapacitated relative or friend accompanying an emigrant with the consent of the agent :

(c) "emigrant" means a native of India engaged or assisted by an agent to emigrate :

(d) "emigrate" denotes the departure of any native of India of the age of sixteen years or upwards (not being a native of a labour-district) from any part of [British] India for the purpose of labouring for hire in a labour-district otherwise than as a domestic servant : and

- (e) "labour-district" means any of the districts of Lakhimpur, Sibsagar, Nowgong, Darrang, Kamrup, Goalpara, Cachar and Sylhet in the Province of Assam.

3. (1) The Local Government may, with the Power to make rules previous sanction of the Governor General in Council, by notification in the local official Gazette, make rules to provide for the health, supervision and control of emigrants proceeding through the Province to or from the labour-districts of Assam.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

- (a) prescribe the routes by which emigrants and their dependants are to travel on their way to or from the labour-districts:
- (b) require depôts and rest-houses to be provided by, and at the cost of, agents for the accommodation of emigrants and their dependants on or off such routes, and provide for the sanitation and superintendence of such depôts and rest-houses:
- (c) prescribe the mode, and the numerical strength of the parties, in which emigrants and their dependants are to travel, the arrangements to be made by, and at the cost of, agents for facilitating the journey of emigrants, the length of the daily marches of emigrants by road, and the provision to be made by, and at the cost of, agents for the carriage of emigrants and their dependants when suffering from sickness:
- (d) regulate the food to be supplied to emigrants and their dependants by, and at the cost of, agents, and the provision to be so made for the proper cooking of such food:
- (e) regulate the water-supply to be maintained by, or at the cost of, agents for the use of emigrants and their dependants:
- (f) prescribe the clothing to be supplied to emigrants and their dependants by, and at the cost of, agents:
- (g) require suitable hospital accommodation, medical treatment and maintenance to be provided by, or at the cost of, agents for emigrants or their dependants when suffering from sickness on their way to or from any of the labour-districts, and the arrangements to be so made, and the maintenance to be so provided, for an emigrant and his dependants when either he or any of them is so suffering:

- (h) regulate the disposal by, and at the cost of, agents of the dead bodies of emigrants and their dependants: and

- (i) regulate the powers of entry and inspection which may be exercised for the purposes of any rule under this Act, and the authorities by whom those powers may be exercised.

(3) In making any rule under this Act, the Local Government may direct that a breach thereof shall be punishable with fine which may extend to five hundred rupees, and, where the breach is a continuing breach, with a further fine which may extend to fifty rupees for every day after the first in regard to which the offender is convicted of having persisted in the breach.

(4) Where an agent fails to perform any act which he is by any rule hereunder required to perform, any officer authorized by the Local Government in this behalf may cause the act to be performed, and the cost, together with simple interest thereon at the rate of six per cent. *per annum*, may be recovered, on application to a Magistrate having jurisdiction where the agent is for the time being resident, by the distress and sale of any moveable property within the limits of the Magistrate's jurisdiction belonging to the agent.

4. The Inland Emigrants' Health Act, 1889, Bengal Act I of 1889, and so much of the Repealing and Amending Act, 1897, as relates to that Act, are hereby repealed. V of 1897.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

A
BILL
TO

Make better provision for the health,
supervision and control of Emigrants
proceeding to or from the labour-dis-
tricts of Assam.

(*Mr. Rivaz.*)

STATEMENT OF OBJECTS AND REASONS.

By an Act of the Bengal Council No. I of 1889, entitled the Inland Emigrants' Health Act, 1889, provision is made for securing proper arrangements with a view to guarding against sickness and mortality among labourers recruited otherwise than in accordance with the provisions of the Assam Labour and Emigration Act, 1882, on their way to Assam from Lower Bengal, the operation of the enactment being, of course, confined to the latter Province. It is proposed now to repeal that Act and to replace it by an Act of the Governor General's Council capable of application to any part of British India. This Bill has been prepared accordingly, and its provisions are intended also to supplement the new provisions which have, with the object of facilitating emigration to the labour-districts, been included in another Bill to consolidate and amend the law relating to such emigration, which it is proposed to introduce simultaneously in the Supreme Council.

The 7th October, 1899.

C. M. RIVAZ.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

ANNEXURE

TO

Bill to make better provision for the health, supervision and control of Emigrants proceeding to or from the labour-districts of Assam.

(Statement of Objects and Reasons.)

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Short title, extent and commencement. 1900.

(2) It extends to the whole of British India, inclusive of the Santhal Parganas; but

[Cf. Act III of 1898, s. 1, (3)(4).] (3) It shall not come into force in any part thereof until the Local Government has, as hereinafter provided, declared it to be applicable thereto.

(4) The Local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, apply this Act to the whole or any part of the Province, and may, in like manner, cancel, vary or amend any such notification.

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

(a) "agent" means a person who engages or assists a native of India to emigrate otherwise than in accordance with the provisions of the Assam Labour and Emigration Act, 1900, but includes a garden-sardar specially employed under section 93, or working under the control of an approved agency or association under section 94, of the said Act :—of 1900.

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under the age of 16

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The 7th October, 1899.

C. M. RIVAZ.

1899

Public Dept.

Encls. No. 2

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ORDER
P.S.

No. 1257 of 7-4-99

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3. The dates of publication in the Gazette will be reported to Govt. by the Supdt. Govt. Press.

The Hon. the Judges of the
High Court (with C.L.)

dt. Govt. Press.

Note. Spare copies of enclos. to be filed with all spare copies of G.Os.

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