

# THE INLAND EMIGRATION ACT, 1882.

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# ACT No. I OF 1882.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 6th  
January, 1882.)*

An Act to amend the law relating to Emigration to the Labour-districts of Bengal and Assam.

**WHEREAS** it is expedient to amend the law relating to the emigration of natives of India to the districts of Chittagong, the Chittagong Hill Tracts, Lakhimpúr, Sibságar, Naugong, Darrang, Kamrup, Goálpára, Khásí Hills, Káchár and Silhat; It is hereby enacted as follows :—

Preamble.

## CHAPTER I.

### PRELIMINARY.

1. This Act may be called "The Inland Emigration Act, 1882." Short title.

It extends to the territories respectively administered by the Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioners of Oudh and Assam : Local extent.

And it shall come into force at once. Commence-  
ment.

2. Bengal Act No. VII of 1873 (*to amend the law relating to the emigration of labourers to the districts of Assam, Cachar and Silhat and to regulate contract-labour and service*), Bengal Act No. II of 1878 (*to extend the provisions of Bengal Act VII of 1873 to the district of Chittagong and to the Chittagong Hill Tracts*) and Regulation No. IV of 1877 (*a Regulation for extending to the Chief Commissionership of Assam, Chapter 13 of Bengal Act VII of 1873*) are hereby repealed. Repeal of  
enactments.

All

All contracts entered into, rules and appointments made, orders and notifications published and licenses granted under the said Bengal Act No. VII of 1873, or any of the Acts thereby repealed, and now in force, shall be deemed to have been respectively entered into, made, published and granted under this Act.

Interpretation-clause.

3. In this Act, unless there is something repugnant in the subject or context,—

“Labour-districts”:

The expression “the labour-districts” means the districts of Chittagong, the Chittagong Hill Tracts, Lakhimpúr, Sibságar, Naugong, Darrang, Kamrup, Goálpára, Khási Hills, Káchár and Silhat; and the expression “a labour-district” means any one of such districts:

“Magistrate”:

“Magistrate” means a Magistrate of a district, Sub-divisional Magistrate, and any other person appointed, by name or by virtue of his office, by the Local Government to perform the functions of a Magistrate under this Act:

“Superintendent,” “Registering officer,” “Inspector” and “Assistant Inspector”:  
“Contractor,” “sub-contractor,” “recruiter” and “local agent”:

“Superintendent,” “Registering officer,” “Inspector” and “Assistant Inspector” mean respectively a Superintendent of Emigration, a Registering officer, an Inspector of Labourers and an Assistant Inspector of Labourers appointed under this Act:

“Contractor,” “sub-contractor,” “recruiter” and “local agent” mean respectively a contractor, a sub-contractor, a recruiter and a local agent licensed under this Act:

“Labour-contract”:

“Labour-contract” means a contract entered into in accordance with the provisions of this Act to labour for hire in a labour-district, otherwise than as a domestic servant:

“Labourer”:

“Labourer” means any person bound by a contract under the provisions of the said Bengal Act No. VII of 1873 or by a labour-contract under the provisions of this Act. And it also includes any person registered under section thirty-two or section sixty-six as a labourer:

“Estate”:

“Estate” means the land upon which any labourers

or more than fifty other persons have been engaged to labour:

“Employer” means the chief person for the time being in charge of any estate upon which labourers or more than fifty other persons are employed: “Employer”

“Emigrate” denotes the departure of any native of India of the age of sixteen years or upwards (other than a native of a labour-district) from any part of the territories administered by the Lieutenant-Governor of Bengal, not being a labour-district, or from the territories respectively administered by the Lieutenant-Governor of the North-Western Provinces and the Chief Commissioner of Oudh, for the purpose of labouring for hire in a labour-district otherwise than as a domestic servant: “Emigrate”

“Dependent” means any woman (not being a labourer), any child and any aged or incapacitated relative or friend accompanying any labourer with the consent of a contractor, sub-contractor, recruiter, local agent or garden-sardár: “Dependent”

“Vessel” includes anything made for the conveyance by water of human beings or property: “Vessel”

“Master” means the person for the time being in charge of a vessel: “Master”

“Writing” and “written” include “printing” and “lithography.” “Writing” and “written.”

And all words defined in the Indian Contract Act, 1872, and used in this Act, shall have the meanings respectively assigned to them by that Act. Words to be understood as defined in Contract Act.

4. The Local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, declare that any labour-district within the territories administered by such Government shall, from a day specified in such notification, cease to be subject to all the provisions or any specified provision of this Act; and from such day such labour-district shall cease to be subject to the provisions of this Act or to the provision so specified, as the case may be. Power to exempt labour-district.

5. The Local Government may, with the previous sanction Local Government may prohibit emi-

gration to any labour-district or part thereof.

sanction of the Governor General in Council, by notification in the local official Gazette, prohibit, from a day specified in such notification, all natives of India, or any specified class of such natives, from emigrating from the whole or any specified part of the territories under its administration, to any labour-district or to any specified portion of any such district.

The Local Government may with the like sanction inlike manner vary or cancel any such notification.

Notification under sections 4 and 5 not to affect prior acts, &c.

6. The publication of a notification under section four or section five shall not affect any act done, offence committed or proceedings commenced before such publication.

Saving of free emigration and of ordinary contract law.

7. Save as provided by section five, nothing in this Act shall be deemed to prohibit any native of India from emigrating to, or entering into a contract to labour in, a labour-district otherwise than under the provisions of this Act.

Appointment of officers.

8. The Local Government may appoint, either by name or by virtue of their office, so many persons as it thinks necessary to be Superintendents of Emigration, Registering officers, Embarkation Agents, Debarkation Agents, Inspectors of Labourers, Assistant Inspectors of Labourers and Medical Inspectors under this Act respectively, and, with respect to any such officer, may, subject to the control of the Governor General in Council, declare the local area situate in the territories subject to its administration within which he shall exercise the powers and perform the duties conferred and imposed upon him by this Act or any rule made hereunder.

The Local Government may suspend or remove any persons whom it so appoints.

Every person so appointed shall be deemed a public servant within the meaning of the Indian Penal Code.

CHAPTER II.

LABOUR-CONTRACTS GENERALLY.

Essentials of labour-contract.

9. Every labour-contract shall be in writing, and shall

shall be executed in duplicate on substantial paper. Every such contract shall specify—

- (a) the names of the labourer and his employer;
- (b) the term for which the labourer is to labour;
- (c) his monthly wages in money and the price at which rice is to be supplied to him;
- (d) the labour-district in which, and, if the labourer so request, the estate on which, he is to labour.

Every such contract shall be in the form prescribed in the schedule hereto annexed.

No such contract shall be made for a term exceeding five years, commencing from the date of its execution; or shall stipulate for a less rate of monthly wages for a completed daily task regulated in accordance with the provisions of this Act than five rupees in the case of a man and four rupees in the case of a woman for the first three years of the term of the contract, or six rupees in the case of a man and five rupees in the case of a woman for the fourth and fifth years of such term.

No contract made in contravention of, or not in accordance with, the provisions of this section shall be enforceable under this Act as a labour-contract against the labourer entering into it.

10. Unless the labour-contract specifies the particular estate on which the labourer is to labour, the labourer shall be deemed to have contracted to labour on any estate in charge of the employer for whom he has contracted to labour, and situate in the labour-district specified in the contract :

Provided that no labourer shall, without his own consent, be separated from his dependents (if any) or from any other labourer who is the wife, husband, son or daughter of such labourer.

11. Notwithstanding anything to the contrary in the Indian Contract Act, 1872, it shall be lawful for any person of the age of sixteen years or upwards to enter into a labour-contract.

If contract does not specify estate, labourer to be deemed to have contracted to labour on any estate in charge of employer and situate in labour-district.

Persons of sixteen years of age may contract to emigrate.

CHAPTER III.

RECRUITING BY CONTRACTORS, SUB-CONTRACTORS AND RECRUITERS.

*A.—Contractors and Sub-contractors.*

Superintendent may license contractors.

Superintendent may license sub-contractors.

Form of, and fee for, contractor's and sub-contractor's licenses.

Period for which contractor's and sub-contractor's license to remain in force.

Appeal against order cancelling license.

Duties of contractors.

12. Any Superintendent specially empowered in this behalf by the Local Government may grant to such persons as he thinks fit licenses to be contractors within the whole or any part of the local area for which such Superintendent has been appointed. He may also, on the application of any contractor, grant to such persons as he thinks fit licenses to be sub-contractors on behalf of such contractor, within the whole or any part of the local area for which such contractor is licensed.

13. Every license to a contractor or sub-contractor shall be in such form, and subject to the payment of such fee, not exceeding, in the case of a contractor, one hundred rupees, and in the case of a sub-contractor, fifty rupees, as the Local Government may by rule prescribe.

14. No such license shall be granted for a longer period than one year from the date thereof, and, if the licensee fails to comply with any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any such license may at any time be cancelled by the Superintendent who granted the same.

A contractor or sub-contractor may, within one month from the date of any order of a Superintendent cancelling his license, appeal against such order to the Local Government.

The order of the Local Government on such appeal shall be final.

15. Every contractor, in addition to the special duties herein assigned to him, shall afford such information to the Superintendent and furnish him with such returns and reports as he may, subject to any rules which may be framed by the Local Government in this behalf, require.

16. A

16. A sub-contractor may be licensed to act on behalf of more than one contractor :

• Provided that he obtains a separate license in the case of each contractor for whom he desires to act.

Sub-contract or may be licensed to represent more than one contractor.

17. A contractor or sub-contractor may act as a recruiter, and shall, when so acting, be subject to all the provisions hereinafter contained relating to recruiters.

Contractor or sub-contractor may act as recruiter.

18. Every contractor shall be liable for the acts and defaults as a sub-contractor or recruiter of any person licensed to be a sub-contractor or recruiter on his behalf, and shall be bound to make good all payments which, under this Act or any rule made hereunder, any such person is ordered to make.

Liability of contractors for sub-contractors' and recruiters' acts and defaults.

The Superintendent may cancel the license of any contractor whenever the license of any person so licensed on his behalf is liable to be cancelled under this Act.

Nothing in this section shall be deemed to render a contractor criminally liable for any act or default on the part of any person licensed to be a sub-contractor or recruiter on his behalf.

19. Every contractor shall establish and maintain, at such places as the Local Government may direct, suitable depôts for the reception and lodging, previous to their despatch to the labour-districts, of labourers engaged by him or by sub-contractors or recruiters licensed to act on his behalf, and shall provide at his own expense all necessary food, clothing and medical treatment for such labourers during their stay at such depôts.

Contractor to establish depôts.

20. No such depôt shall be used for the reception and lodging of labourers until it has been inspected and approved of by the Superintendent and the Medical Inspector. Every such depôt shall be under the supervision of the Superintendent, the Magistrate of the district or such other officer as the Local Government may appoint in this behalf, and shall be open at all times to inspection by the Superintendent, the

Inspection and supervision of depôts.



Magistrate of the district or such officer, and by the Medical Inspector.

Whenever the Superintendent considers that any such depôt is unhealthy, or has become unsuitable for the purpose for which it was established, he may by order in writing prohibit the using of such depot for the reception and lodging of labourers.

Establishment of hospital-depôts.

21. In addition to the depôts hereinbefore provided for, the Local Government may establish a separate hospital-depôt for the reception of labourers suffering from any dangerously infectious or contagious disease.

Contractor to contribute towards establishment and maintenance of hospital-depôt.

22. Whenever any such hospital-depôt is established by any Local Government, such Government may require any contractor having a depôt in the neighbourhood of such hospital-depôt to contribute to the expense of the establishment and maintenance of such hospital-depôt such reasonable sum as it may direct. Such sum may be recovered as an arrear of land-revenue due from any contractor so required.

Every hospital-depôt so established shall be under the charge of a medical officer appointed by the Local Government. Any Medical Inspector may direct the transfer of any labourer from a depôt established within the local limits of his jurisdiction to a hospital-depôt established within such local limits.

*B.—Recruiters.*

Superintendent may license recruiters.

23. Any Superintendent empowered in this behalf by the Local Government may, on the application of any contractor or of any sub-contractor acting on behalf of a contractor, grant to such persons as he thinks fit licenses to be recruiters on behalf of such contractor within the whole or any specified part of the local area for which such contractor has been licensed.

Form of, and fee for, recruiter's license.

24. Every license to a recruiter shall be in such form and subject to the payment of such fee, not exceeding sixteen rupees, as the Local Government may by rule prescribe.

Period for which license is granted.

25. No such license shall be granted for a longer period than one year from the date thereof; and if

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the licensee fails to comply with any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any such license may be cancelled by the Superintendent who granted the same.

26. Every recruiter shall hold a certificate in writing authorizing him to act as such and signed by the contractor or sub-contractor on whose application he was licensed.

Recruiter must hold a certificate.

27. No recruiter shall in any local area engage or attempt to engage any person as a labourer unless such recruiter's license bears the countersignature of a Magistrate having jurisdiction throughout such local area.

Countersignature of recruiter's license.

No such Magistrate shall countersign a recruiter's license unless and until he has satisfied himself by such enquiry as he thinks fit that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act, that he holds the certificate mentioned in section twenty-six, and that sufficient and proper accommodation has been provided in a suitable place and is available for such labourers, or persons intending to become labourers, as may be collected by such recruiter pending their removal to a depôt.

28. Every Magistrate shall have, for the supervision, inspection and regulation of the place situate within the local limits of his jurisdiction where such accommodation is provided, the same powers as are by this Act conferred on the Superintendent in respect of depôts.

Magistrate to supervise accommodation.

Any Magistrate of a district or division of a district may authorize any Magistrate subordinate to him, or any officer of police above the rank of sub-inspector, to visit and inspect such place at any time; and all recruiters or other persons in charge of such place shall afford to subordinate Magistrates and officers of police so authorized every facility for making such visits and inspections.

29. If any Magistrate who has countersigned a recruiter's

Magistrate may cancel countersig-

nature in certain cases.

recruiter's license afterwards finds reason to think that the licensee is by character or from any other cause unfitted to be a recruiter under this Act, or that the accommodation provided under section twenty-seven has become insufficient or improper or has ceased to be available, or that the place in which it is provided has become unsuitable, he may require the licensee to produce his license and may cancel his countersignature thereon, or he may impound the license and send it for cancellation to the Superintendent who granted the same.

Notice to Superintendent of refusal to countersign or cancellation.

Every Magistrate refusing to countersign a recruiter's license or cancelling his countersignature thereon shall at once report such refusal or cancellation and the grounds thereof to the Superintendent who granted such license.

*C.—Procedure before Arrival at Depot.*

Intending labourer to be taken for examination to medical officer.

**30.** Every recruiter who desires to engage any person as a labourer shall appear with such person before such medical officer as the Local Government may appoint to examine such persons within the local limits of the jurisdiction of the Magistrate by whom such recruiter's license was countersigned, or, if no such officer has been appointed, before such medical officer as the Registering officer, before whom such person is taken for registration as hereinafter provided, may direct.

The medical officer shall thereupon examine such person, and shall, if satisfied that he is in a fit state of health and able in point of physical condition to proceed to the labour-district in which he intends to labour, give him a certificate to that effect.

If certified to be fit, intending labourer to be brought before Registering officer.

**31.** Every person who obtains a certificate under section thirty, together with any persons about to proceed to a labour-district as his dependents, shall thereupon be brought by the recruiter before the Registering officer having jurisdiction within the local area for which such recruiter is licensed. The recruiter shall at the same time produce and show his license to such Registering officer.

**32.** The

32. The Registering officer shall thereupon inspect the certificate given under section thirty, and the license of the recruiter, and, if he finds that such certificate has been duly given and that the recruiter is duly licensed, shall then examine such person, with reference to his intended labour-contract, and explain the same to him.

Intending labourer to be examined by Registering officer.

If it appears that such person is competent to enter into such contract, and understands the same as regards the locality, period and nature of the service, and the rate of wages and the price at which rice is to be supplied to him, that the terms thereof are in accordance with law, that he has not been induced to agree to enter therein by any coercion, undue influence, fraud, misrepresentation or mistake, and that he is willing to fulfil the same, the Registering officer shall register in a book to be kept for the purpose such particulars regarding him and the persons (if any) whom he wishes to have registered as his dependents as the Local Government may by rule prescribe; and the labourer and his dependents (if any) shall thereupon be deemed to be registered under this Act.

Intending labourer to be registered.

33. The Registering officer shall furnish to the person so registered a certified copy of such particulars written on substantial paper.

Copy of registration to be given to labourer.

34. Every officer registering any person under section thirty-two shall forthwith forward a certified copy of such particulars and the original certificate of the medical officer regarding him to the Superintendent having jurisdiction over the depôt to which such person is to proceed.

Copy of registration and medical certificate to be sent to Superintendent.

35. For every such person produced before a Registering officer for the purpose of being registered as a labourer the recruiter shall pay to the officer such fee not exceeding one rupee as the Local Government may by rule direct.

Fee for registration.

36. No recruiter shall remove or attempt to remove any person to a depôt, or induce or attempt to induce him to go to a depôt, or to leave the local limits of the jurisdiction of the Registering officer before whom

Recruiter when to remove person to depôt.

such person ought to be brought under section thirty-one, or aid or attempt to aid him in going to a depôt, or leaving any such local limits, unless and until such person has been registered under section thirty-two.

Conveyance of labourer to depôt.

**37.** Every labourer shall, after he has been registered under section thirty-two, be conveyed with all convenient despatch by the recruiter by whom he has been engaged to the depôt established by the contractor on whose behalf such recruiter has been licensed.

Recruiter to accompany labourer or depute person approved by Registering officer.

All labourers shall, while proceeding to the depôt, be accompanied throughout the journey either by the recruiter himself, or by a competent person deputed by him with the approval of the Registering officer by whom such labourers have been registered. The Registering officer shall give to the person so deputed a certificate under his signature, stating that he has been deputed for the journey to the depôt.

Recruiter must provide food and lodging for labourer on journey.

**38.** Every recruiter or person deputed by him as aforesaid shall, throughout the journey to the depôt, provide such labourer and his dependents (if any) with proper and sufficient food and lodging.

*D.—Procedure at Contractors' Dépôts.*

Contractor to report arrival of labourer.

**39.** Within twenty-four hours after a labourer arrives at a depôt, the contractor by whom such depôt is maintained, or the person in charge thereof, shall give to the Superintendent, within the local limits of whose jurisdiction such depôt is situate, a notice in writing of such arrival, which notice shall be in such form, and shall contain such particulars, as the Local Government may by rule prescribe.

Duties of Medical Inspector.

**40.** The Medical Inspector shall, as soon as may be after the labourer arrives at the depôt, examine such labourer and his dependents (if any) to ascertain that they are in a fit state of health to undertake the journey to the labour-district to which they intend to proceed.

The Medical Inspector shall give a certificate to the Superintendent stating whether he is or is not satisfied

satisfied of the fitness of the labourer and his dependents (if any) to undertake such journey.

• 41. If the Medical Inspector gives a certificate of fitness under section forty with respect to any labourer, and in the opinion of the Superintendent there is no valid reason why such labourer should not enter into a labour-contract, such labourer and the employer with whom he intends to contract, or the agent of such employer, shall, within thirty days after the arrival of the labourer at the depôt, execute a labour-contract in the presence of the Superintendent.

If certificate of fitness granted, labourer to enter into labour-contract.

42. Before the labourer executes such contract, the Superintendent shall personally explain it to him, and shall, after the same has been executed by such labourer and his employer, or the agent of such employer, attest such contract and certify at the foot thereof that he has personally explained the same to the labourer.

Contract to be explained to labourer by Superintendent.

An abstract of every such contract shall be entered in a register to be kept by the Superintendent for the purpose; and after such abstract has been so entered, one copy of the contract shall be given to the labourer and the other to his employer or his employer's agent.

Abstract to be made of contract, and copies of contract given to labourer and employer.

43. In the following cases (namely):—

(a) where the Medical Inspector, on making the examination required by section forty, or at any subsequent time during the stay at the depôt of any labourer, finds that such labourer is or has become unfit to undertake the journey to the labour-district to which he intends to proceed, and the Superintendent considers that such labourer has not dishonestly represented himself as fit to undertake such journey, or

Power to cancel contract and order payment of expenses home of labourer in certain cases.

(b) where the Superintendent finds that any such irregularity has occurred in the recruitment or treatment by the recruiter of any such labourer as makes it just to refuse to permit a labour-contract to be executed or to rescind such contract if executed, or

(c) where

(c) where the contractor on whose behalf or by whom the labourer has been registered does not within thirty days after the arrival of such labourer at the depôt tender to him a labour-contract for execution under section forty-one, or the employer or his agent refuses or neglects to execute such contract as required by that section,

the Superintendent may cancel the labour-contract executed by such labourer, and in that case, or if no labour-contract has been executed, may order the contractor at once to pay such labourer such reasonable sum as is necessary to enable him to return to the place at which he was registered, and such further sum by way of compensation as the Superintendent thinks reasonable; and may take any other steps he thinks necessary for the conveyance of such labourer to such place.

Labourer when to be lodged, &c., at depôt till he can return home.

**44.** Any labourer who from his state of health is, in the opinion of the Medical Inspector, unfit to undertake such return-journey, shall be entitled to be fed, lodged, clothed and (if necessary) medically treated at the depôt at the expense of the contractor by whom such depôt is maintained, until he is reported by the Medical Inspector to be fit to undertake such return-journey.

Contractor omitting to provide food, &c., for labourer.

If such contractor negligently or wilfully omits to provide food, lodging, clothing or medical treatment for such labourer, the Superintendent may order the contractor at once to pay such reasonable sum as is necessary to provide such food, lodging, clothing or medical treatment.

Like provisions in case of dependents and relatives.

**45.** When an order is made under section forty-three with reference to any labourer, any person registered as his dependent, or any labourer being the wife, husband, son or daughter of such labourer, may claim—

- (a) to be conveyed at the expense of the contractor with such labourer to the place at which he was registered, and
- (b) if such labourer is unable to travel, to be fed, lodged,

lodged, clothed and (if necessary) medically treated in the depôt at the expense of the contractor until such labourer is able to travel ;

and the Superintendent may include such expenses in an order made under section forty-three or section forty-four with respect to such labourer.

46. If, upon the arrival of any labourer at a depôt, it appears that during the journey to the depôt such labourer or any person registered as his dependent has suffered any ill-treatment at the hands of the recruiter or person deputed by him to accompany such labourer, or that such recruiter or such person has failed to provide the labourer or any person registered as his dependent with proper and sufficient food and lodging, the Superintendent may order the contractor by whom such depôt is maintained to pay such labourer a reasonable sum by way of compensation.

Compensation to labourer for ill-treatment on the journey.

47. If the Medical Inspector has reason to think that any person registered as the dependent of a labourer is not in a fit state of health to undertake the journey to the labour-district to which the labourer whose dependent he is intends to proceed, the Medical Inspector shall so certify to the Superintendent to whom notice of the arrival of such labourer was given. The provisions of sections forty-three and forty-four shall thereupon apply to such dependent as if he were a labourer, and the Superintendent may make such orders regarding him as he may make under those sections with regard to a labourer.

Procedure when dependent declared unfit to proceed to labour-district.

48. The labourer to whom such dependent is attached shall thereupon be entitled, if he or she so wishes, and if he or she be the husband, wife, son or daughter of such dependent, to receive from the contractor at whose depôt he or she arrived such reasonable sum as is necessary to enable him or her to return to the place where he or she was registered. If such labourer so return, then any other persons registered as his or her dependents, and any other labourer being the wife, husband, son or daughter of such labourer,

Labourer and relatives entitled to be returned with dependent.



labourer, shall also be entitled to receive a like sum from such contractor.

Failure of contractor to pay sums ordered to be paid under section 43, 44, 45, 46, 47 or 48.

49. On failure of the contractor for twenty-four hours to comply with an order of the Superintendent to pay any sum ordered to be paid under section forty-three, section forty-four, section forty-five, section forty-six, section forty-seven or section forty-eight, the Superintendent may pay the same to or on behalf of the labourer or dependent.

Every sum so paid shall be recoverable from the contractor with interest thereon at the rate of twelve per cent. per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Superintendent gave the contractor an order to pay such sum, and that the contractor for twenty-four hours failed to comply with such order.

Provisions for way-bill.

50. All labourers despatched from a contractor's depôt to a labour-district shall during their journey be accompanied by a person appointed by such contractor. Such person shall take with him a way-bill in such form and containing such particulars and instructions as the Local Government may prescribe.

He shall also present such way-bill at all such places and to all such officers as may be thereupon indicated; and shall carry out all instructions contained therein for his guidance.

#### CHAPTER IV.

#### RECRUITING BY GARDEN-SARDÁRS AND LOCAL AGENTS.

##### A.—Garden-sardárs.

Employer may grant certificate to garden-sardár.

51. Any employer may grant to any person a certificate authorizing him, within such local area as may be specified in such certificate, to enter into labour-contracts with persons desirous of becoming labourers upon any estate of which such employer is in charge.

Every person to whom such certificate has been granted is hereinafter called a garden-sardár.

If

If any labourer is granted a certificate under this section, his employment as a gardener-sardár shall be deemed to be employment under his labour-contract.

52. Every such certificate shall be in such form and shall contain such particulars as the Local Government of the territories in which it is granted may prescribe in this behalf.

Form and particulars to be contained in such certificate.

Any employer granting a certificate to a garden-sardár may, before such certificate is accepted and signed as hereinafter provided, specify therein the name of the local agent (if any) to whom such garden-sardár is to report himself for orders, and the time within which he is to return to such employer, and any other instructions for his conduct that he may think proper.

53. Every such certificate shall be accepted and signed by the garden-sardár in the presence of the Inspector or a Magistrate having jurisdiction over the place where the employer granting such certificate resides.

Certificate to be accepted and signed in presence of Inspector or Magistrate.

54. Such Inspector or Magistrate shall inquire into the facts stated in such certificate; and upon being satisfied of the truth of the statement shall, unless it appears to him that the person so accepting and signing such certificate is by character or from any other cause unfitted to be a garden-sardár, countersign and date such certificate.

Inspector or Magistrate to countersign certificate.

55. On the application of the employer by whom any certificate so countersigned has been granted to a garden-sardár, such Inspector or Magistrate may, without requiring the appearance of the garden-sardár or making the inquiry prescribed by section fifty-four, countersign a fresh certificate to be granted by such employer to such garden-sardár in renewal of any existing certificate.

Provision for grant of fresh certificate.

Every such fresh certificate shall be forwarded by the Inspector or Magistrate countersigning it to the Magistrate of the district in which the garden-sardár to whom it is granted is employed; and such sardár shall, on receiving notice from such Magistrate, appear

Such fresh certificate to be forwarded to Magistrate of district where garden-sardár is employed, and to be accepted and

before

signed by garden-sardár.

before him and accept and sign such fresh certificate in his presence.

Certificate when to come into force.

56. No certificate granted to a garden-sardár shall come into force unless and until it has been accepted and signed by the garden-sardár and countersigned by the Inspector or Magistrate, and no such certificate shall continue in force for a longer period than one year from the date of its countersignature.

Accommodation to be provided by garden-sardár.

57. Every garden-sardár shall provide sufficient and proper accommodation in a suitable place for such labourers, or persons intending to become labourers, as may be collected by him pending their removal to a labour-district.

The Magistrate of a district or of a division of a district, or a Magistrate subordinate to him, or an officer of police above the rank of sub-inspector authorized by him in this behalf, shall visit and inspect such accommodation; and all garden-sardárs or other persons in charge of such places shall afford to such Magistrate, Subordinate Magistrate or officer of police every facility for making such visits and inspections.

In every such place the garden-sardár providing the accommodation shall make such sanitary arrangements as the Local Government may prescribe.

Certificate may be cancelled in certain cases.

58. Whenever a garden-sardár contravenes any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any Magistrate, Superintendent or Inspector, within the local limits of whose jurisdiction such garden-sardár is employed, may cancel his certificate.

*B.—Local Agents.*

Local agents may be licensed.

59. Any Superintendent authorized in this behalf by the Local Government may, on the application of any employer, grant licenses to persons to be local agents for the purpose of representing such employer within such local area and for such period as such employer may desire: Provided that no contractor shall be licensed as a local agent.

Powers and duties of local agents.

60. A local agent may within such local area represent his employer in all matters connected with the

the engagement of labourers; and shall furnish such information and make such returns as the Local Government may by rule direct.

61. The Superintendent authorized as aforesaid may, on the application of any employer other than the employer on whose application a local agent has been licensed, make an order in writing permitting such agent to become the local agent of such additional employer within the local area for which he was licensed. The Superintendent making such order shall forthwith send a copy thereof to the Magistrate of the district in which such agent resides; and such Magistrate shall, on the agent's application, insert in his license the name of such additional employer.

Local agent may represent more than one employer.

62. Any Superintendent authorized as aforesaid may, with the consent of all the employers of a local agent, grant a special license to such agent, permitting him to engage on behalf of any employer specified in such special license, but without the intervention of a garden-sardár, persons to be labourers.

Local agent may be specially licensed to contract direct with labourers.

Every agent when so engaging persons to be labourers may, if he thinks fit, appear with them for registration before a Registering officer, and require them when so registered to execute a labour-contract, and in such case shall for the purposes of this Act be deemed to be a garden-sardár.

63. When any garden-sardár to whom a certificate has been granted under this Act by any employer commits any offence punishable under this Act, any local agent of such employer may prosecute the sardár for such offence.

Local agent may prosecute garden-sardár.

64. The Magistrate of any district within which a local agent acts as such may by order cancel the license of such local agent if the employer so require, or if it is shown to the satisfaction of such Magistrate that such local agent has—

On what grounds local agent's license may be cancelled.

(a) employed any contractor's recruiter to engage on his behalf persons to be labourers; or

(b) permitted persons engaged as labourers by or on behalf of any contractor to use the accommodation

provided

provided for the persons engaged as labourers by any garden-sardár under such local agent's control; or

(c) allowed any garden-sardár under his control to transfer persons engaged as labourers by such sardár to contractors or to their recruiters or to any employer other than the employer by whom such sardár's certificate was granted; or

(d) himself taken over persons engaged as labourers by any garden-sardár with intent to despatch them to any employer other than the employer by whom such sardár's certificate was granted.

An appeal shall lie to the Local Government from any order made under this section, clause (a), (b), (c) or (d). Such appeal must be presented within three months next after the date of the order, and the decision of the Local Government thereon shall be final.

*C.—Procedure to be followed by Garden-sardár.*

Garden-sardár and labourer to appear before Registering officer for registration.

**65.** Every garden-sardár who desires to engage any person as a labourer shall appear with such person, together with any persons about to proceed to a labour-district as dependents of such person, before the Registering officer having jurisdiction within the local area specified in the certificate of such sardár.

Registration of persons engaged by garden-sardár.

**66.** The Registering officer shall thereupon inspect the certificate of the garden-sardár, and, if he finds that such certificate is in force, shall examine, with reference to the intended labour-contract, the person whom the sardár so desires to engage and explain the contract to such person.

If it appears that such person is competent to enter into such contract, and understands the nature of the same, as regards the locality, period and nature of the service, and the rate of wages and the price at which rice is to be supplied to him, that the terms thereof are in accordance with law, that he has not been induced to agree to enter thereinto by any coercion, undue influence, fraud, misrepresentation or mistake, and that he is willing to fulfil the same, the Registering officer shall register in a book to be kept

for

for the purpose such particulars regarding him and his dependents (if any) as the Local Government may by rule prescribe; and the labourer and his dependents (if any) shall thereupon be deemed to be registered under this Act.

67. If it appears to such officer that any such person, or any dependent of such person, is not in a fit state of health to undertake the journey to the labour-district to which he intends to proceed, the officer may, before registering any such person or dependent, if himself a medical man, medically examine such person or dependent, or, if not himself a medical man, send such person or dependent to a medical man for such examination. If upon such examination such person or dependent is declared unfit to undertake the journey to such place, the officer may refuse to register such person or dependent.

Medical examination.

68. For every person appearing before a Registering officer for the purpose of being registered as a labourer, the garden-sardár who appears with him shall pay to the officer such fee not exceeding one rupee as the Local Government may direct.

Fee to be paid for every labourer produced for registration.

69. When any person has been registered under section sixty-six as a labourer he shall, within fifteen days from the day on which he was so registered, execute a labour-contract with the employer with whom he intends to contract. Such contract shall be signed in the presence of the Registering officer by such person and, on behalf of the employer, by the garden-sardár who appears with such person before such officer. The officer shall satisfy himself that the contract is in accordance with any instructions specified in the certificate of the garden-sardár. If the officer is so satisfied, he shall, before the labourer signs the contract, personally explain it to him, and shall, after the same has been executed as aforesaid, attest such contract and certify at the foot thereof that he has personally explained the same to the labourer.

Labour-contract to be executed.

An abstract of every such contract shall be entered in a register to be kept for the purpose by the Registering officer, and, of the two copies of the contract,

one

one shall then be given to the labourer and the other to the garden-sardár or the local agent.

If any garden-sardár, without reasonable cause, refuses or neglects to execute a contract with a labourer as required by this section within fifteen days from the day on which he was so registered, the Registering officer may order such sardár to pay to the labourer such reasonable compensation, not exceeding twenty rupees, as such officer thinks fit.

Procedure when employer requires medical examination previous to registration.

70. If the employer of a garden-sardár has in the instructions specified in the certificate of the sardár directed that all labourers engaged by him shall before registration be examined by a competent medical man and certified by him to be in a fit state of health to undertake the journey to, and labour in, the labour-districts to which they intend to proceed, no Registering officer shall register as a labourer any person appearing before him with such sardár until such certificate from such medical officer as aforesaid has been produced and shown to him.

Medical officer entitled to fee.

71. If the employer has in the instructions specified in the certificate of the garden-sardár directed that such examination shall be made by any medical officer in the service of Government, such officer making the examination shall be entitled to receive from the local agent or sardár such a fee not exceeding eight annas for each labourer so examined as the Local Government may fix.

Garden-sardár when to remove labourer to labour-district.

72. Unless and until a person engaged as a labourer has been registered under section sixty-six no garden-sardár shall remove or attempt to remove him to a labour-district, or induce or attempt to induce him to go to a labour-district, or to leave the local area specified in the certificate of such sardár, or aid or attempt to aid him in proceeding to a labour-district, or in leaving any such local area.

Garden-sardár to accompany labourers or send competent person with them.

73. A garden-sardár shall either himself accompany labourers engaged by him throughout their journey from the place in which the labour-contract was entered into to the labour-district wherein they have

have contracted to labour, or shall send with them some competent person appointed by him with the approval of the local agent of his employer; or, if his employer has no local agent, with the approval of the officer by whom such labourers were registered.

When the number of labourers (exclusive of dependents) proceeding on their journey to such labour-district is more than twenty, for every twenty labourers so in excess, or for any number of labourers less than twenty so in excess, one additional garden-sardár or person so appointed by him shall accompany the labourers so proceeding.

74. A garden-sardár may, subject to the instructions specified in his certificate, engage any number of persons as labourers; and subject to the provisions of section seventy-three, any number of labourers may be despatched at the same time to the labour-districts.

No restriction on number of persons engaged by garden-sardár.

75. Any garden-sardár may, with the previous consent in writing of the local agent of the employer by whom his certificate was granted, or, if such employer has no local agent, with the previous consent in writing of such employer, be appointed under section seventy-three as a competent person to accompany labourers other than those engaged by him.

In certain cases garden-sardár may be appointed to accompany labourers not engaged by him.

76. Every garden-sardár or person appointed by him as aforesaid who accompanies labourers to the labour-districts shall present to the officer by whom such labourers have been registered a way-bill in such form and containing such particulars and instructions as the Local Government may prescribe. He shall also present such way-bill at all such places and to all such officers as may be thereupon indicated; and shall carry out all instructions contained therein for his guidance.

Provision for way-bill.

77. Every garden-sardár or person appointed by him as aforesaid who accompanies labourers to the labour-districts shall provide such labourers and their dependents (if any) with proper and sufficient food and lodging throughout the journey.

Garden-sardár must provide food and lodging for labourers and dependents on journey.

78. If



If such not provided, Magistrate may award compensation or cancel contract.

78. If it appears to any Magistrate, on the complaint of any such labourer at any place on the journey, that he or any person registered as his dependent has suffered any ill-treatment during the journey at the hands of the garden-sardár or person appointed by him accompanying such labourer, or that such sardár or person has failed to provide such labourer or any of his dependents with proper and sufficient food and lodging, or has wilfully abandoned such labourer or any of his dependents, such Magistrate may either order the sardár or person so appointed to pay to such labourer a reasonable sum by way of compensation, or may cancel the labour-contract entered into by such labourer and order such sardár or person to pay to such labourer such reasonable sum as is necessary to enable him with his dependents (if any) to return to the place at which he was registered.

Procedure on failure of garden-sardár to comply with order.

79. On failure for twenty-four hours by any garden-sardár or person appointed by him as aforesaid to comply with an order under section seventy-eight to pay any sum, the Magistrate may pay the same to or on behalf of such labourer.

Every sum so paid shall be recoverable from the employer by whom the certificate of such garden-sardár was granted, or from the local agent of such employer, with interest thereon at the rate of twelve per centum per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Magistrate gave such garden-sardár or person an order to pay such sum and that such garden-sardár or person for twenty-four hours failed to comply with such order.

Medical inspection of labourers en route.

80. Any Magistrate or any Embarkation Agent may, if himself a medical man, examine, and if not himself a medical man, send for examination by a medical man, any labourer or dependent who, while on the journey to the district to which he intends to proceed, appears to such Magistrate or Agent not to be in a fit state of health to proceed thereto.

Detention and return of labourer de.

81. If such labourer or dependent is on such examination declared not to be in a fit state of health

to undertake the journey to the labour-district to which he intends to proceed, the Magistrate or Embarkation Agent may order him to be detained at such place as he thinks fit until the labourer or dependent is in a fit state of health to undertake such journey, when he shall either be forwarded to such district or sent back to the place where he was registered, according as the garden-sardár or person appointed by him accompanying such labourer or dependent, or the employer by whom the certificate of such sardár was granted, or his local agent, may direct.

clared when  
*en route* to  
be unfit to  
travel.

While any labourer or dependent is so detained he shall be entitled to be fed, lodged, clothed and (if necessary) medically treated at the cost of the employer with whom such labourer or the labourer to whom such dependent is attached has contracted to labour.

32. When an order under section eighty-one has been made with reference to any labourer, any person registered as his dependent, and any labourer being the wife or husband of such labourer, shall be entitled,

Dependents  
of labourer  
when to be  
fed, &c.

(a) until such labourer is in a fit state of health to undertake such journey, to be fed, lodged, clothed and (if necessary) medically treated at the place where such labourer is detained and at the cost of the employer with whom such labourer has contracted to labour, and

(b) if such labourer is sent back to the place where he was registered, to be sent back to such place.

When any such order has been made with reference to any dependent, the labourer to whom he is attached shall thereupon, until such dependent is in a fit state of health to undertake the journey to the labour-district, be entitled, if the labourer so wishes, and, if he or she be the husband, wife, son or daughter of such dependent, to be fed, lodged, clothed and (if necessary) medically treated at the place where such dependent is detained, and at the cost of the employer

Labourer to  
whom de-  
pendent is  
attached  
when to be  
fed, &c.

with

with whom such labourer has contracted to labour; and if such dependent is sent back to the place where he was registered, such labourer shall, if he or she so wishes, and if he or she be the husband, wife, son or daughter of such dependent, be sent back to such place.

If such labourer is entitled and claims to be so fed, lodged, clothed and (if necessary) medically treated, or to be so sent back, any person registered as his or her dependent, and any other labourer being the wife or husband of such labourer, shall be entitled, as the case may be,

(a) to be fed, lodged, clothed and (if necessary) medically treated at the place where such dependent is detained and at the cost of such employer until such dependent is in a fit state of health to undertake the journey to the labour-district, or

(b) to be sent back to the place where he or she was registered.

Payment of expenses of detention and return-journey of labourer.

**83.** If the garden-sardár or person appointed by him accompanying any labourer or dependent fails to provide such labourer or dependent with food, lodging, clothing and medical treatment, or to send him back as required by section eighty-one or section eighty-two, the Magistrate or Embarkation Agent may order such sardár or person to pay such sum as is necessary to provide such food, lodging, clothing and medical treatment, or to defray the cost of the return-journey of such labourer or dependent, as the case may be, to the place where he was registered; and, on failure for twenty-four hours of such sardár or person to comply with such order, he may pay the sum specified in the order to or on behalf of such labourer or dependent.

The provisions of section seventy-nine shall, *mutatis mutandis*, apply to the recovery of sums paid by the Magistrate or Embarkation Agent under this section.

Agent in Calcutta may procure order from Superintendent

**84.** If any labourer whose labour-contract has been executed by a garden-sardár on behalf of his employer is brought to Calcutta on his way to the district

district in which he has contracted to labour, any person empowered to act as the agent or representative of such employer may require such labourer to appear before the Superintendent for the cancellation of such contract. If such reasonable sum as is necessary to enable such labourer and his dependents (if any) to return to the place at which he was registered be paid to such labourer in his presence, the Superintendent may declare the contract cancelled, and in that case shall make an endorsement to that effect on the labourer's copy of the contract, and attest it with his signature.

cancelling the labour-contract on payment of expense of return.

85. When the Superintendent declares the labour-contract of any labourer to be cancelled, any other labourer who is the wife, husband, father, mother, son or daughter of such labourer, and who may have entered into a labour-contract at the same place with the same employer, may claim to have her or his labour-contract cancelled at the same time. On such claim being made, the Superintendent shall declare the labour-contract of the claimant to be cancelled, and shall order the agent or representative of the claimant's employer to pay to the claimant such reasonable sum as is necessary to enable him and his dependents (if any) to return to the place at which he was registered.

In that case contracts of relatives to be cancelled.

On failure for twenty-four hours of the agent or representative to comply with such order, the Superintendent may pay the sum specified in the order to or on behalf of the claimant; and the provisions of section seventy-nine shall, *mutatis mutandis*, apply to the recovery of any sum so paid.

## CHAPTER V.

### TRANSPORT BY RIVER.

#### A.—*Passenger-vessels.*

86. Nothing in this chapter shall apply to the transport by sea of natives of India to the labour-districts of Chittagong and the Chittagong Hill Tracts.

Transport by sea to Chittagong.

Vessels to carry more than 20 passengers must be licensed.

**87.** No master shall receive more than twenty passengers being natives of India on board his vessel for the purpose of transporting them to a labour-district unless a license to carry passengers in such vessel has been granted to him by an Embarkation Agent duly empowered in that behalf by the Local Government.

Power to exempt vessels.

The Local Government may, by notification in the official Gazette, exempt from the provisions of this section any vessel or class of vessels.

Application for license.

**88.** The master or owner of any vessel who desires to obtain a license under this Act to carry passengers in such vessel shall make a written application for a license to an Embarkation Agent empowered as aforesaid.

Contents of application.

Every such application shall state such particulars respecting the vessel as the Local Government may by rule prescribe.

Grant of license.

**89.** If such Embarkation Agent is of opinion that the vessel is in all respects suitable for carrying passengers being natives of India to a labour-district, he shall give to the master of the vessel a license to carry passengers therein, specifying the number of passengers being natives of India which may be received on board.

Fee for license.

**90.** Such fee, not exceeding sixteen rupees, as the Local Government may with reference to the size of such vessel by rule direct shall be paid for every such license. No such license shall be in force for more than one voyage :

Provision for annual licenses.

Provided that the Embarkation Agent may, from time to time, with the previous sanction of the Local Government, grant a license to the master of any vessel for any term not exceeding one year, on payment of such fee not exceeding one hundred rupees, and on such conditions, as the Local Government may by rule direct.

Embarkation Agent may limit number to be received

**91.** Any Embarkation Agent may, in accordance with such rules as the Local Government may prescribe in this behalf, direct by order in writing that, on any

any particular voyage or part of a voyage, any master licensed hereunder shall not receive on board his vessel more than a specified number of passengers being natives of India, which number shall be less than the number specified in the license granted to such master.

on board on any particular voyage.

92. In computing the number of persons on board of any vessel, two children under the age of ten years shall for the purposes of this Act be reckoned as one person only.

Two children under ten to be counted as one person.

93. Every master to whom a license is granted hereunder shall keep such lists, submit such returns and make such reports in regard to the passengers carried in his vessel as the Local Government may by rule prescribe.

Master to make returns.

94. Every such master shall have on board his vessel carrying labourers and their dependents such supplies of provisions and clothing, and such medical and other officers, cooks and attendants, as the Local Government may by rule prescribe.

Provisions, clothing, medical and other officers, cooks, &c.

95. No medical officer shall be appointed to any vessel in respect of which a license is granted hereunder unless he holds a license granted by such authority as the Local Government may appoint in that behalf; and any medical officer so licensed shall be forthwith removed from his appointment on the requisition of any officer empowered by the Local Government to make such requisition.

Medical officer to be licensed.

*B.—Departure of Passenger-vessels and Procedure during Voyage.*

96. Whenever it appears to any Embarkation Agent that the departure of any vessel in respect of which a license is granted hereunder is unduly delayed beyond the date fixed by order of a Superintendent or the Local Government, or notified by advertisement in the public press, for such departure, he may order the master of such vessel to proceed on his voyage at once.

Embarkation Agent may order departure of vessel if delay occurs.

97. No master licensed hereunder shall proceed on a voyage with his vessel carrying labourers until

Master to receive way-bills from

he

Embarkation Agent.

he has received from the Embarkation Agent the way-bills relating to all labourers on board. The Embarkation Agent and the master of the vessel shall together personally ascertain that the number of labourers on board corresponds with the number entered in such way-bills.

The Embarkation Agent shall send a copy of such way-bills to the Magistrate of the labour-district to which such labourers are proceeding.

Labourers not allowed finally to leave vessel at any place other than that mentioned in way-bill.

**98.** No such master shall cause or permit any labourer finally to leave his vessel at any place other than that named in the way-bill as the destination of such labourer :

Provided that this section shall not be deemed to prevent the master of any vessel from permitting such labourers to disembark at any place or places on the voyage so long as such disembarkation is not intended or known to be likely to be final, nor to prevent the final disembarkation of any such labourers, or the transfer of such labourers with their dependents to any other vessel in case of accident or other unavoidable necessity. Such accident or necessity shall forthwith reported by the master to the Embarkation Agent by whom he was licensed, and to the nearest Magistrate in the district within which such accident has occurred or necessity has arisen.

Master to stop his vessel at certain places where there is a Magistrate.

**99.** Every master licensed hereunder shall stop his vessel carrying passengers being natives of India at such places, being places where a Magistrate is stationed, and shall, unless the Magistrate permits him to depart earlier, remain at each such place for such time, not exceeding six hours of daylight, as the Local Government may direct. Such master shall, on arriving at any such place, immediately report to the Magistrate the number of the crew and other persons on board, the general state of their health, and the number of deaths (if any) which have occurred among the persons who embarked on board his vessel.

Magistrate may at any time inspect vessel.

**100.** A Magistrate may, while any vessel is under the spect of which a license is granted hereunder is w

the local limits of his jurisdiction, go on board such vessel and inspect the vessel and all persons being natives of India on board. The master and officers of such vessel shall afford to such Magistrate every facility for such inspection, and give him all such information as he may reasonably require respecting the labourers or other persons on board, the deaths, if any, which may have occurred on board, and any other facts which may affect the health of the passengers.

Master to give information required.

101. At any time while any such vessel is within the local limits of his jurisdiction, the Magistrate may regulate the communication between such vessel and the land, and may prohibit all persons from leaving such vessel and all persons on land from proceeding on board her.

Magistrate may regulate communication between vessel and land.

102. Any Magistrate may, if he has reason to believe that any passengers being natives of India on board any such vessel within the local limits of his jurisdiction are, or are likely to be, affected with any dangerously infectious or contagious disease, detain such vessel and require the civil medical officer of the district or other qualified medical officer to inspect such passengers and to report on their health, stating whether any or what measures are requisite for the removal or prevention of such disease. After the receipt of such report, the Magistrate may order any such passenger suffering from any such disease to be disembarked and detained for medical treatment. If in the opinion of the inspecting medical officer it is dangerous to the health of the general body of the passengers to allow such vessel to proceed until measures have been taken to cleanse and disinfect her, the Magistrate may detain the vessel for a further period, not exceeding three days, for the purpose of carrying out such measures.

Magistrate may detain vessel for inspection and for removal of disease, and may detain sick native passengers.

103. If, on receiving a report of a medical officer, it appears to a Magistrate that any labourer or any dependent of any labourer, though not suffering from any such disease as last aforesaid, is not in a fit state of health to proceed to the labour-district in which

Magistrate may detain sick labourers;

such



and shall arrange for their accommodation and treatment.

such labourer has contracted to labour, he may order such labourer or dependent to be detained, and shall cause all necessary arrangements to be made for the accommodation, support and medical treatment of the labourer or dependent so detained.

Expenses how to be recovered.

104. All expenses incurred under section one hundred and three by a Magistrate in respect of any labourer or dependent so detained shall be recoverable from the employer of such labourer together with interest at six per centum per annum.

Measures to be taken if excess number of native passengers is found on board.

105. Whenever it appears to a Magistrate making an inspection of any vessel in respect of which a license is granted hereunder that the number of passengers on board being natives of India is larger than the number specified in such license or than the number specified in an order of an Embarkation Agent made under section ninety-one, he may remove the excess number and detain them until another opportunity of forwarding them to their destination is found. The necessary expense of maintaining such passengers while so detained and of forwarding them to their destination shall be paid by such Magistrate, and shall be recoverable from the master or owner of such vessel.

Infraction of the Act and rules to be reported.

106. Whenever, on making an inspection of any vessel in respect of which a license is granted hereunder, a Magistrate finds that any of the provisions of this Act or of any rule of the Local Government made hereunder have not been complied with in respect of such vessel, he shall report the same to the Embarkation Agent by whom such license was granted; and, if he considers it necessary to do so, he may detain the vessel until such provisions have been so complied with as to make it possible for the voyage to be further prosecuted with safety and reasonable comfort to the emigrants.

Vessel may be detained.

Power to make rules regulating disembarkation and other matters.

107. The Local Government may make rules regulating—

- (a) the disembarkation of labourers and their dependents, and their inspection and accommodation on arrival at their destination :

(b) the

- (b) the detention of such labourers or dependents at debarkation-depôts :
- (c) the forwarding of labourers to their destination and the closing and return of way-bills by employers.

All expenses incurred by any Magistrate or Debarkation Agent in accordance with such rules shall be recoverable from the employers of such labourers together with interest at the rate of twelve per centum per annum.

108. The Magistrate of a district, or of a division of a district, may from time to time authorize any subordinate Magistrate, medical officer or officer of police above the rank of sub-inspector to exercise the powers and authorities conferred, and to perform the duties imposed, on a Magistrate under sections ninety-nine to one hundred and six, both inclusive.

Magistrate may depute a subordinate Magistrate to discharge the functions of the Magistrate.

## CHAPTER VI.

### PROVISIONS AS TO THE LABOUR-DISTRICTS.

#### *A.—Annual Rate payable by Employers.*

109. Every employer shall, on the first day of January and the first day of July in each year, pay in respect of each labourer then in his employ such rate, not exceeding an annual sum of one rupee, as the Local Government may by notification in the official Gazette direct.

Annual rate payable by employer.

110. If any employer fails, for the space of one month after the receipt of a notice in such form and served in such manner as the Local Government may prescribe, to pay any sum due by him under the provisions of the last preceding section, such sum shall be recoverable as if it were an arrear of land-revenue due from such employer.

Payment of rate how to be enforced.

#### *B.—Local Labour-contracts.*

111. Notwithstanding anything hereinbefore contained,

Labour-contracts made within

labour-districts.

tained, any employer may enter into a labour-contract with any native of India within a labour-district. When any employer has executed any such contract with any such native within a labour-district, he shall, within one month from the date of the execution of such contract, forward it in duplicate to the Inspector within the local limits of whose jurisdiction such employer resides. On receipt of the contract so forwarded, the Inspector shall enter an abstract thereof in a register to be kept by him for the purpose, and shall then give one copy of the contract to the labourer and the other copy to his employer.

Registration of such contracts.

When such contracts may be cancelled.

When, for the first time after the registration of any such contract with a labourer, the Inspector visits the estate on which such labourer is employed, the employer shall cause such labourer to appear before the Inspector, and such labourer may thereupon apply to the Inspector to cancel the contract; and, if he shows cause sufficient in the opinion of the Inspector to justify the cancellation, the Inspector may cancel the contract, and shall thereupon endorse on the labourer's copy of the contract, or if such copy be not forthcoming, shall give to the labourer, a certificate of such cancellation.

Execution of labour-contract before Inspector or Magistrate.

112. Any employer desirous of entering into a labour-contract with any native of India in a labour-district may, instead of executing such contract under section one hundred and eleven, appear either in person or by agent with such native before the Inspector or Magistrate within the local limits of whose jurisdiction such employer resides.

Such Inspector or Magistrate shall thereupon explain the labour-contract to such native, and shall, if satisfied that he is competent to enter into and understands the same, call upon him and the employer or his agent to execute it in his presence; and, if they execute it, shall attest such execution with his signature.

An abstract of every such labour-contract shall be entered in a register to be kept by the Inspector or Magistrate for the purpose; and one copy of such contract

contract shall then be given to the labourer and the other copy to his employer or his agent.

In respect of every labour-contract an abstract whereof is registered under section one hundred and eleven or under this section, the employer who executes such contract in person or by agent shall pay to the Inspector or Magistrate such fee, not exceeding one rupee, as the Local Government may direct.

*C.—Employers' Returns and Magistrates' Inspections.*

113. Every employer shall keep such registers of all labourers and other persons employed on the estate of which he is in charge, in such form, and shall make to the Inspector within the local limits of whose jurisdiction such estate is situate such periodical returns in writing, as the Local Government may by rule prescribe. The Inspector may examine such registers and muster all labourers and other persons employed on any estate within such local limits, and may verify the accuracy of the entries in such registers, or in any prescribed periodical return.

Registers to be kept and returns made by employers.

114. Any Inspector or Magistrate, or any person authorized by either of them in writing in this behalf, may at any time enter and inspect all lands and houses wholly or partially used by or for labourers, or by or for any other natives of India employed on any estate who are not natives of the labour-district in which such estate is situate, and may require that any labourer or other such native shall be brought before him, and that a copy of the labour-contract of any labourer shall be produced, and may make any inquiries which he thinks proper touching the condition or treatment of any labourer or other such native.

Inspector and Magistrate may at any time inspect lands, &c., used by labourers, &c.

*D.—Regulation of Labour.*

115. Every employer shall prepare a schedule specifying the daily task to be executed by each labourer employed on the estate of which such employer is in charge, and may from time to time alter any schedule so prepared.

Schedule of task-work to be prepared.

One copy of every such schedule shall be filed in a book which shall be open to the examination of the Inspector, and another copy thereof in the Bengálí language shall be stuck up in some conspicuous place accessible to the labourers to whom such schedule relates.

The minimum payment for each daily task shall be the quotient resulting from dividing the monthly wage of the labourer concerned by the whole number of days in the current month.

Limitations and conditions of task work.

**116.** No labourer shall be bound to labour more than six days in one week, or more than six consecutive hours, or more than nine hours in any one day. Every labourer shall, for one day in each week, receive wages as for a full task done, without being required to labour for the same. The employer shall, on six days in each week, provide for each labourer work sufficient to enable him to earn at least his minimum daily wage. Failing such due provision of work, the labourer shall, if he can show that he was able and willing to labour for the same, be entitled to claim his minimum daily wage.

Provisions for revision of schedule by Inspector subject to appeal to committee.

**117.** If the Inspector considers that any schedule of daily tasks, or any part thereof, is unreasonable, he may by order in writing direct that a reduction specified in such order be made of such tasks. The employer shall at once make such reduction, but may, if dissatisfied with the Inspector's order, by notice in writing require the Inspector to refer the schedule to a committee for consideration. Such committee shall consist—

- (a) of the Inspector,
- (b) of some person to be nominated by the employer whose schedule is to be considered, and,
- (c) if practicable, of a medical officer.

Where the employer fails to nominate a person within seven days after being thereunto requested in writing by the Inspector, the Inspector, instead of the employer so failing, may nominate a person.

When the committee consists only of the Inspector and

and of a person nominated by the employer or Inspector, the Inspector shall have the casting vote.

118. If such committee, or a majority thereof, is of opinion that the daily tasks specified in such schedule or any of them are unreasonable, they shall modify and reduce them in such manner as they think fit. The employer shall thereupon alter his schedule accordingly, and copies of the schedule so altered shall be filed and stuck up in the manner directed in section one hundred and fifteen, and shall, as between him and the labourers concerned, take the place of the former schedule.

Committee revise schedule.

119. Notwithstanding anything contained in any such schedule, the Inspector may order that any specified labourer, who is in his opinion unable from weakness to earn by his labour the sum of one anna and a half per diem, according to the said schedule, shall receive, in lieu of such actual earnings, subsistence-allowance at the rate of one anna and a half per diem, or diet on a scale to be approved by such Inspector. Such subsistence-allowance shall be recoverable as if it were an arrear of wages.

Provision for weakly labourers.

*E.—Incapacity for Labour.*

120. The Inspector within the local limits of whose jurisdiction any labourer is employed may release such labourer, for such period as he thinks fit, from performing his labour-contract, if he be, in the judgment of such Inspector, temporarily unfitted for the performance thereof by reason of sickness, or other sufficient cause.

Inspector may suspend contract of any labourer temporarily unfitted for labour.

Every such release shall be endorsed by the Inspector on the labour-contract, and the time during which the release continues shall not be reckoned as part of the term for which the labourer is bound to serve. Every such labourer shall, during such release, receive such subsistence-allowance from his employer as the Inspector thinks sufficient.

121. If any labourer is compelled to absent himself from work on account of sickness, he shall receive from his employer for each day of such absence subsistence-

Labourer absent from sickness.

sistence-

sistence-allowance of one anna and a half, or, if in hospital, sick diet on a scale to be approved by the Inspector.

If such absence exceeds the total number of thirty days in any one year, and the employer, as soon as such number is exceeded, gives the labourer a notice in writing to that effect, each day of absence in excess of such number shall be added to the term of the labour-contract, unless the labourer refunds to the employer the sum of one anna and a half for each day so in excess. The Inspector shall from time to time, when visiting the estate, endorse on the labourer's labour-contract, after such enquiry as may be necessary, the number of days so added to the term thereof.

Discharge of labourer permanently incapacitated.

122. If, in the opinion of the Inspector, any labourer is permanently incapacitated for the performance of his labour-contract or any material part thereof, the Inspector shall certify to that effect in writing and deliver such certificate to the employer of such labourer or his agent, and from the date of such certificate the labour-contract of such labourer shall wholly determine. Every labourer whose labour-contract so determines shall be entitled to receive from his employer such sum, not exceeding three months' wages, as the Inspector may award.

Such sum and any subsistence-allowance mentioned in sections one hundred and twenty and one hundred and twenty-one shall be recoverable as if they were arrears of wages.

*F.—Accommodation for Labourers.*

House-accommodation, water-supply and sanitary arrangements to be provided.

123. Every employer shall be bound to provide for the labourers employed on the estate of which he is in charge such house-accommodation, water-supply and sanitary arrangements as the Local Government may by rule direct.

Supply of food-grain by employer.

124. When the food-grain commonly used by any class of labourers is not procurable by such labourers at reasonable prices in the local markets near the estate on which such labourers are employed, the

the employer of such labourers shall be bound to supply them with such grain at a reasonable price. The Local Government may by notification in the official Gazette determine, either generally or for each district or part of a district, what shall for the purposes of this section be deemed to be a reasonable price.

125. Subject to any rules which may be made by the Local Government in this behalf, any Inspector may, by order in writing,

Provisions for rationing.

(a) direct that, on any specified estate within the local limits of his jurisdiction, all the labourers or any specified class of labourers shall be furnished by their employer with rations, cooked or uncooked, on such scale, for such period not exceeding three months from the date of their arrival on the estate, as may be specified in such order;

(b) exempt any specified labourer from the effect of any such general order if he is satisfied that such labourer is able to earn a full wage and desires to provide himself with proper and sufficient food;

(c) direct that any specified labourer shall be furnished with rations for any term not exceeding six months, and renew any such order for a like term.

The cost of each labourer's ration furnished to him in accordance with any order made under this section shall be calculated at current rates as determined by the Inspector, and shall be deducted from any wages earned by the labourer during the period for which such order is in force.

126. If any employer does not, in the opinion of the Inspector, provide such hospital-accommodation in a suitable place available to the labourers employed upon the estate of which he is in charge, or does not make such provision for the medical treatment of such labourers, as the Local Government may direct, the Local Government may require such employer to contribute to the support of a central hospital to be established, or to the pay of a medical officer to be appointed, for the medical treatment of such labourers, such sum,

Provision for hospital-accommodation and medical attendance.

proportionate



proportionate to the number of labourers so employed, as it thinks fit.

Inquiry whether employer has failed to provide accommodation, &c., as required by the rules.

127. Any Inspector or Assistant Inspector who is himself a Magistrate may, with respect to any estate situate within the local limits of his jurisdiction, institute an inquiry whether the employer in charge of such estate has provided for his labourers house-accommodation, water-supply, sanitary arrangements, food-grains and rations in accordance with the rules prescribed by the Local Government. At the instance of any Inspector or Assistant Inspector a similar inquiry may be made by a Magistrate. Every such inquiry shall be held at some place on the estate to which it relates, or within ten miles of such estate, and shall be conducted and dealt with as if it were an inquiry of a Magistrate under the Code of Criminal Procedure.

*G.—Localities unfit for the Residence of Labourers.*

Inspector to report.

128. If in the opinion of the Inspector any estate or portion of an estate situate within the local limits of his jurisdiction is at any time, by reason of climate, situation or condition, unfit for the residence of labourers, or of any particular class of labourers, he shall give notice in writing of such opinion to the Magistrate of the district; and such Magistrate shall forthwith, by order in writing, summon a Committee to inquire into the matter.

Magistrate to summon Committee.

Such Committee shall consist of the Magistrate, the Inspector, the medical officer of the district and one or more employers of labourers, when such employers are available.

If the Magistrate is unable to procure the service on such Committee of any employer of labourers, he may, with the previous sanction of the Commissioner of the division, appoint one or more persons qualified to serve on such Committee.

Proceedings of Committee.

129. Such Committee shall as soon as may be inquire into the healthiness of the estate or portion to which the order appointing the Committee relates, and shall

shall hear and record such information on the subject as the owner of such estate or portion, or the employer in charge thereof or the Inspector, may desire to place before it.

If such Committee or the majority thereof is of opinion that such estate or portion, or any part of such estate or portion, is unfit for the residence of labourers generally, or of any particular class of labourers, it shall record a finding to that effect.

If Committee finds estate unfit, labour-contract to be void as regards such estate.

When such finding has been recorded, no labourer, or no labourer of the particular class to which such finding relates, as the case may be, shall be bound by any labour-contract to labour on the estate or portion, or part of such estate or portion, as the case may be, which is found unfit for the residence of such labourers.

When any labourer is released under this section from the performance of a labour-contract to labour on any estate, he shall be bound to labour on any other estate belonging to his employer and situate in the same labour-district; or, where the finding relates only to a portion or part of an estate, on any other portion or part of the same estate.

Labourer bound to labour elsewhere.

**130.** Whenever it appears to the Local Government that the number of labourers employed on an estate who have died thereon, or on any portion thereof, during the last preceding twelve months, or that the average annual number of labourers employed on an estate who have died thereon or on any portion thereof during the last preceding three years, bears a larger proportion to the whole number of labourers employed thereon during such period of twelve months or three years, as the case may be, than seven per centum, the Local Government may direct the civil medical officer of the district or other qualified medical officer to inquire into and report on the following matters:—

Local Government bound to proceed if mortality in past year exceeds seven per cent., or if the average mortality for three years exceeds seven per cent.

Matters to be enquired into.

- (a) the cause or causes of such mortality;
- (b) the want (if any) of due care or precaution, and of the adoption of proper and available sanitary measures, on the part of the owner of such estate or

portion

portion thereof, or the employer in charge of such estate or portion, causing or contributing to such mortality ;

(c) the fitness or otherwise of such estate or portion for the residence of labourers.

Medical officer to report.

**131.** Such medical officer shall, as soon as may be, inquire into such matters, and shall hear and record such information relating thereto as the owner of such estate or portion, or the employer in charge of the same, or the Inspector, may place before him, and shall visit and inspect such estate or portion, and shall make a report expressing the reasons for his opinion, and transmit the same to the Local Government together with the information so recorded and the notes of his inspection of such estate or portion.

Local Government may declare estate unfit for residence.

**132.** If the Local Government, after perusal and consideration of the said report, information and notes, is of opinion that such mortality was caused by the want, on the part of the owner of such estate or portion, or the employer in charge of the same, of due care or precaution, or of the adoption of proper and available sanitary measures, and that such estate or portion is thereby rendered unfit for the residence of labourers, it may declare in writing that such estate or portion is unfit for the residence of labourers. Such declaration of the Local Government shall have the same effect as the finding of a Committee under section one hundred and twenty-nine.

Effect of declaration.

Power to certify fitness of estate or portion found or declared to be unfit.

**133.** If it at any time appears to the Inspector that any estate or portion thereof, or any part of such portion, found under section one hundred and twenty-nine, or declared under section one hundred and thirty-two, to be unfit for the residence of labourers, or any particular class of labourers, has become fit for the residence of such labourers or such particular class of labourers, as the case may be, he shall, with the previous sanction of the Magistrate of the district in which such estate, portion or part is situate, give a certificate to that effect signed by him. Thereupon all labourers who have been released under section one hundred and twenty-nine or section one hundred and thirty-two

thirty-two from the performance of a contract to labour on such estate, portion or part, shall again be bound to labour on the estate, portion or part, as the case may be, to which the certificate relates.

*H.—Complaints made by Labourers.*

134. If any labourer states to his employer, or any person acting on behalf of his employer, that he desires to make a complaint to the Inspector or to any Magistrate of personal ill-usage or breach, on the part of his employer or such person, of any provisions of this Act or of any rule of the Local Government made hereunder, the person to whom such statement is made shall forthwith send such labourer to the Inspector or Magistrate within the local limits of whose jurisdiction the estate wherein he is employed is situate: Provided that, if more than ten labourers at any one time so state their desire to make such a complaint, the person to whom the statement is made may, instead of sending such labourers to such Inspector or Magistrate, give him notice in writing of their complaint.

If labourer wishes to complain of personal ill-usage or breach of Act, employer to send him to Inspector or Magistrate.

135. Whenever any such complaint is made to an Inspector or Magistrate, or whenever any Inspector or Magistrate receives notice in writing of any such complaint, or has other reasonable grounds for believing that any employer or person acting on his behalf has personally ill-used, or committed any breach mentioned in section one hundred and thirty-four in respect of, any labourer, such Inspector or Magistrate shall, as soon as may be, proceed to some place not more than ten miles from the principal place of business of such employer situate within the local limits of his jurisdiction, and inquire into the matter complained of:

Inspector or Magistrate how to proceed if complaint is made to him, or if he has reason to believe that there is ground for a complaint.

Provided that, if the place in which an Inspector or Magistrate has reasonable grounds for believing that such ill-usage or breach has been committed is situate beyond the local limits of his jurisdiction, he shall, instead of inquiring into the matter himself, forthwith send information thereof in writing to the

Inspector

Inspector or Magistrate within the local limits of whose jurisdiction such ill-usage or breach has been committed.

Power to summon witness.

For the purposes of an inquiry under this section, the Inspector or Magistrate may summon and examine any person as a witness.

If complaint is untrue or frivolous.

**136.** If, upon such inquiry made on the complaint of a labourer, the Inspector or Magistrate is of opinion that the complaint is untrue or frivolous or vexatious, he shall dismiss the complaint; and in such case shall endorse on the employer's copy of the complainant's labour-contract the number of days during which the complainant has been absent from work in consequence of the inquiry, and the number of days so endorsed shall be added to the period for which the complainant contracted to labour.

Every such endorsement shall be conclusive evidence that the complainant has absented himself from his labour voluntarily and without reasonable cause during the number of days so endorsed.

Award of compensation to employer.

**137.** When any complaint is dismissed under section one hundred and thirty-six, the Inspector or Magistrate may award to the employer any reasonable compensation on account of any expense incurred by him in connection with such complaint, and shall endorse the amount of such compensation on the complainant's copy of the labour-contract. The complainant shall be bound to pay the amount so awarded; and in default of such payment his labour-contract shall not be deemed to have determined until he has worked off such amount at the rate of one day's labour for each four annas of such amount.

If on inquiry there is sufficient ground for proceeding.

**138.** If, upon such inquiry by a Magistrate or by an Inspector who is a Magistrate, such Magistrate or Inspector is of opinion that there is sufficient ground for proceeding with the case, he shall dispose of the same according to law. If the Inspector is not a Magistrate and is of such opinion, he shall without delay send the complainant and his witnesses (if any) to the nearest Magistrate; and such Magistrate

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trate shall thereupon dispose of the case according to law.

139. If, upon the complaint of any labourer, it is proved to the satisfaction of a Magistrate that the wages of such labourer are in arrear for two months, or if the wages of any person whose labour-contract has determined are proved to the satisfaction of a Magistrate to have been withheld for any period after such determination, the Magistrate may award to such labourer or person the amount which appears to be then due to him; and also, by way of compensation, such further sum, not exceeding that amount, as to such Magistrate seems just; and, in case of default in payment of the amount so awarded, the Magistrate shall levy such amount by distress and sale of any moveable property belonging to the employer of such labourer or person.

Recovery of arrears of wages.

Compensation may be given.

140. Whenever it is proved to the satisfaction of a Magistrate—

Power to cancel contract on conviction of employer,

(a) that any employer, or any person placed by him in authority over any labourer, has been convicted of any offence causing injury to the person, or loss or damage to the property, of such labourer and under the Code of Criminal Procedure triable exclusively by the Court of Session, or

(b) that any employer, or other person as aforesaid, has been twice convicted of any such offence against such labourer and under the said Code triable by a Magistrate, or

(c) that the wages of any labourer are in arrear to an amount exceeding the whole of such labourer's wages for four months, or

or if wages are in arrear for more than four months,

(d) that any labourer has been compelled by his employer or by any person placed by his employer in authority over him to perform any labour while he was unfit for it, or has been subjected to ill-usage by his employer or any such person,

or if ill-usage is proved.

such Magistrate may, if he thinks fit, on the application of the labourer aggrieved, cancel the labour

labour-contract of such labourer, and award to him compensation not exceeding thirty rupees.

Every such cancelment shall be certified by the Magistrate on the back of the labourer's copy of the labour-contract, or, if the same be not forthcoming, by writing under the Magistrate's hand delivered to the labourer.

*I.—Determination of Labour-contract.*

Endorsement  
of determination  
on  
labour-con-  
tract.

141. Whenever a labour-contract determines, the employer shall endorse on the labourer's copy of the contract the fact of such determination, or, if such copy be not forthcoming, shall give to the labourer a certificate of such determination; and, if the employer refuses or neglects to do so, the Inspector may, on application by the labourer, make such endorsement or give such certificate.

The employer shall give to the Inspector notice in writing of such determination within one month from the date thereof.

Power to re-  
deem labour-  
contract.

142. If any labourer is able and desirous to redeem the unexpired term of his labour-contract or of the labour-contract of any member of his family, by payment of a sum equivalent to the value of such unexpired term, such labourer may require his employer to take him, or allow him to go, before the Inspector within the local limits of whose jurisdiction he may be employed; and, on his depositing such sum with such Inspector, the Inspector shall give notice to the employer that the labourer requires him, within one week, to show cause why the labourer, the unexpired term of whose contract is proposed to be redeemed, should not be released from his contract. If no sufficient cause is shown, the Inspector shall require such labourer's copy of the contract to be produced, and on production thereof shall endorse thereon a certificate that he has been released under this section from such contract, or, if such copy be not forthcoming, shall deliver to the labourer a certificate under his hand to that effect; and shall in  
either

either case hold the sum so deposited to the credit of the employer of such labourer.

The value of the unexpired term of a labour-contract shall, for the purposes of this section, be deemed to be the aggregate amount of one rupee for every month of the unexpired portion of the first year, of three rupees for every such month of the second year, and of five rupees for every such month of the third, fourth and fifth years of the original term of the contract.

Value of unexpired term of labour-contract.

## CHAPTER VII.

### SUPPLEMENTARY POWERS.

143. The Local Government may make rules consistent with this Act—

Power of the Local Government to make rules.

- (a) to define and regulate the powers and duties of the several officers appointed by it under this Act;
- (b) to prescribe what returns and reports shall be made under this Act by any such officers or by any contractors or local agents within the territories under its administration and the form in which they shall be respectively so made;
- (c) to prescribe the forms of all registers, licenses, certificates and notices required under this Act with respect to the territories under its administration;
- (d) to prescribe the particulars to be registered by a Registering officer in respect of each person who is brought before him in any district under its administration for registration as a labourer or dependent;
- (e) to prescribe the fees to be paid for any license granted under this Act by any officer appointed by it and for the registration of labourers or dependents in any district under its administration;
- (f) to prescribe the conditions upon which any officer



officer appointed by it may grant licenses to masters of vessels carrying passengers to any labour-district; to provide for the ventilation, cleanliness and water-supply of such vessels in respect of which licenses are granted hereunder by any such officer; and to prescribe the lists, returns and reports to be kept and submitted by the masters of such vessels;

- (g) to prescribe the description, quantity and quality of provisions, medical drugs and other stores to be taken on board such vessels carrying labourers when such vessels are within the territories under its administration, and the daily allowance to be issued to each labourer and dependent during the journey through such territories; to prescribe the number of officers, cooks and other servants to be carried on board such vessels, and to provide generally for the accommodation of labourers and their dependents on such vessels;
- (h) to provide for the accommodation, food, clothing and medical treatment of all labourers and dependents detained on account of sickness by order of a Magistrate at any place within any district under its administration;
- (i) to declare the routes through the territories under its administration by which labourers and their dependents shall not travel to the labour-districts;
- (j) to prescribe the house-accommodation, water-supply, sanitary arrangements and amount and kind of food-grains to be provided by employers for their labourers, and to regulate the rations to be supplied to labourers under this Act in the labour-districts under its administration;
- (k) to provide for the hospital-accommodation and medical treatment of labourers in such labour-districts, and to prescribe the nature, quality

quality and quantity of medical drugs and other stores to be provided for such labourers;

- (l) to provide for the management and regulation of contractors' depôts and of hospital-depôts situate within the territories under its administration, and for the support and medical treatment of labourers and their dependents passing through such depôts;
- (m) to prescribe the clothing to be supplied to labourers and their dependents while proceeding to the labour-districts through the territories under its administration; and, generally,
- (n) to give effect to the provisions of this Act within the districts subject to its administration.

144. The Lieutenant-Governor of Bengal and the Chief Commissioner of Assam may further respectively make rules consistent with this Act to provide for the detention and inspection of vessels in respect of which licenses are granted hereunder and passengers being natives of India carried thereon while in transit through the territories respectively administered by them.

Special power of the Lieutenant-Governor of Bengal and Chief Commissioner of Assam.

145. The Local Government may, subject to the control of the Governor General in Council, by rule prescribe as a penalty for the infringement of any rule made by it hereunder, or of any provision of this Act for a breach of which a penalty is not expressly provided, a fine which may extend to five hundred rupees.

Power to prescribe penalties.

All rules made under this Act by the Local Government shall be published in the local official Gazette, and shall thereupon have the force of law.

Publication of rules.

## CHAPTER VIII.

### PENALTIES AND PROCEDURE.

146. Whoever knowingly induces or assists, or attempts

Inducing native to emigrate in

contravention of a notification under section 5.

attempts to induce or assist, any native of India to emigrate in contravention of a notification published under section five shall be punished with fine which may extend to fifty rupees for every such native whom he so induces or assists, or attempts to induce or assist.

Recruiter removing, &c., unregistered persons.

**147.** Whoever, being a recruiter, removes, or attempts to remove, any person to a depôt before he has been registered under section thirty-two, or induces or attempts to induce him to go to a depôt or to leave the local limits of the jurisdiction of the Registering officer before whom such person ought to be brought under section thirty-one, or aids or attempts to aid such person in going to a depôt or in leaving any such local limits, before he has been so registered,

or induces or attempts to induce any person who has been so registered to proceed to any place other than the depôt which has been established by the contractor on whose behalf such recruiter is licensed, or conveys or attempts to convey him to such place,

shall be punished in respect of every such person with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to one month.

Recruiter not supplying proper food, &c.

**148.** Whoever, being a recruiter or a person deputed by him to accompany labourers to a depôt, fails to provide any labourer or any dependent whom he accompanies on the journey to the depôt with proper and sufficient food and lodging, or otherwise ill-treats such labourer or dependent on such journey, shall be punished with fine which may extend to fifty rupees ; and, in default of payment of such fine within twenty-four hours, with imprisonment for a term which may extend to one month.

The convicting Magistrate may award the whole or any portion of any fine levied under this section as compensation to the labourer in respect of whom, or of whose dependent, such failure or ill-treatment has occurred.

**149.** Any

149. Any labourer engaged by a recruiter and who, having been registered under section thirty-two, without reasonable cause refuses or neglects when at the depôt to execute, within thirty days after his arrival at such depôt, a labour-contract in conformity with the terms made known to him when he was registered, shall be punished with fine which may extend to the amount of the expense incurred in registering him and conveying him to the depôt and maintaining him therein; and, in default of payment of such fine, with imprisonment for a term which may extend to one month.

Labourer refusing without reasonable cause to execute contract at depôt.

Any labourer so punished may be forthwith discharged from the depôt.

Every fine levied under this section shall be paid to the contractor, sub-contractor or recruiter by whom such expense was incurred.

150. Any labourer registered under section sixty-six who, without reasonable cause, refuses or neglects to execute, within fifteen days from the day on which he was so registered, a labour-contract in conformity with the terms made known to him when he was registered, shall be punished with fine which may extend to twenty rupees or to the amount of the expense reasonably incurred by the garden-sardár in procuring his registration, whichever amount is least.

Labourer refusing to execute contract with garden-sardár.

Every fine levied under this section shall be paid to the garden-sardár by whom such expense was incurred.

151. Whoever, being a garden-sardár, fails, within fourteen days after his arrival in the local area within which he is authorized to enter into contracts under this Act, to report himself to the local agent (if any) specified in his certificate, or

Garden-sardár failing to report himself, &c.

removes or attempts to remove any person to a labour-district before he has been registered as provided by section sixty-six, or

induces or attempts to induce any person to go to a labour-district or to leave the local area specified in

the

the certificate of such sardár before he has been so registered, or aids or attempts to aid him in proceeding to a labour-district or in leaving any such local area before he has been so registered, or

fails without sufficient cause to return to his employer within the time specified in his certificate, or

fails to account for the money advanced to him by his employer for the purpose of engaging labourers, and

whoever being a garden-sardár or a person appointed under section fifty or section seventy-three to accompany labourers to a labour-district wilfully abandons any labourer or his dependent on the way to such district,

shall be punished with imprisonment for a term which may extend to one month.

**152.** Any garden-sardár who

Garden-sardár making over labourers to contractors, &c.

makes over to any contractor, sub-contractor or recruiter, or to the garden-sardár or local agent of any employer other than the employer by whom his certificate was granted, any persons engaged as labourers by him, or

allows any persons engaged as labourers by any other contractor or sub-contractor or recruiter to share the accommodation provided by him under section fifty-seven, or

places any person engaged as a labourer by him in a contractor's depôt or in the place of accommodation provided by a recruiter in accordance with the provisions of section twenty-seven,

shall be punished with fine which may extend to ten rupees; and his certificate may be impounded by the convicting Magistrate.

Any Magistrate impounding a certificate under this section shall send it for cancellation to the Magistrate by whom it was countersigned.

Garden-sardár failing to comply with instructions indorsed on way-bill.

**153.** Any garden-sardár or person appointed by him as provided by section seventy-three, who accompanies labourers to the labour-districts, and fails to present a way-bill as required by section seventy-six

or

or to carry out any of the instructions entered in such way-bill, shall be punished with fine which may extend to twenty rupees.

**154.** Any master not licensed under section eighty-nine who, in contravention of section eighty-seven, knowingly receives on board his vessel more than twenty passengers being natives of India, and

Master receiving native passengers on board in contravention of Act.

any master licensed as aforesaid who knowingly receives on board his vessel any such passengers in excess of the number specified in his license or in any order of an Embarkation Agent under section ninety-one, for the purpose of transporting them to a labour-district,

shall be punished with fine which may extend to two hundred rupees for each passenger so received.

Nothing in this section applies to the master of a vessel exempted under section eighty-seven.

**155.** Any master licensed under section eighty-nine who with intent to defraud does or suffers to be done any act or thing whereby the state of his vessel is altered, so that such vessel is unfit for the accommodation of the number of passengers specified in his license or in any order made under section ninety-one by an Embarkation Agent, shall be punished with fine which may extend to two hundred rupees.

Fraudulent alteration of vessel after grant of license.

**156.** Any master licensed as aforesaid who proceeds on his voyage with his vessel carrying labourers without having complied with the provisions of section ninety-four shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months.

Master not complying with section 94.

**157.** Any master licensed as aforesaid who fails to comply with an order of an Embarkation Agent made under section ninety-six shall be punished with fine which may extend to two hundred rupees for each day during which he fails to comply with such order after the day on which the order was received by him.

Master not complying with order under section 96.

**158.** Any master licensed as aforesaid causing or permitting a labourer finally to leave his vessel con-

Master permitting labourer to

trary

leave vessel  
contrary to  
section 98.

trary to the provisions of section ninety-eight shall be punished with fine which may extend to two hundred rupees for each labourer so leaving his vessel.

Master or  
officer wil-  
fully omit-  
ting to stop  
vessel at  
certain  
places.

159. Any master licensed as aforesaid who wilfully omits to comply with the provisions of section ninety-nine shall be punished with fine which may extend to two hundred rupees.

Person dis-  
obeying  
Magistrate's  
order as to  
communica-  
tion between  
vessel and  
land.

160. Any person who disobeys any order made under section one hundred and one by a Magistrate shall be punished with fine which may extend to two hundred rupees.

Master or  
medical  
officer dis-  
obeying or  
neglecting to  
enforce rules.

161. Any master licensed as aforesaid, or any medical officer in charge of his vessel, who wilfully omits or neglects to obey or enforce on board of such vessel any provision of this Act or any rule made hereunder, shall be punished with fine which may extend to two hundred rupees.

Labourer  
deserting,  
&c., after re-  
gistration.

162. Any labourer who, having been registered under section thirty-two or section sixty-six, deserts while on his journey from the district in which he has been so registered to a labour-district, or

without reasonable cause refuses or neglects to proceed from the district in which he has been so registered, or to embark in any vessel when called upon to do so by an Embarkation Agent,

shall be punished with imprisonment for a term which may extend to three months.

Employer  
refusing or  
omitting  
to keep re-  
gisters,  
&c.

163. Any employer who refuses or wilfully omits to keep such registers, or to make such periodical returns in writing to the Inspector, as may be prescribed by any rule made hereunder, or who knowingly keeps an incorrect register or makes an incorrect return, or who wilfully omits to prepare, file or stick up a schedule as required by section one hundred and fifteen, shall be punished with fine which may extend to two hundred rupees.

Employer or  
other person  
obstructing

164. Any employer, or any person acting under his orders or on his behalf, who wilfully obstructs any entry,

entry, inspection or inquiry made under section one hundred and fourteen shall for every such offence be punished with fine which may extend to two hundred rupees.

inspection  
under section  
114.

165. Any employer, or any person acting under his orders or on his behalf, who compels any labourer to perform any labour, knowing that he is at the time unfit to perform such labour, shall be punished with fine which may extend to two hundred rupees.

Employer or  
other person  
compelling  
labourer to  
perform  
labour for  
which he is  
unfit.

166. Any person who buys the rations which have been furnished under section one hundred and twenty-five to any labourer, and any labourer who sells any such rations, shall be punished with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to one month.

Persons buy-  
ing labourer's  
rations.

167. Any employer who wilfully omits to provide house-accommodation, water-supply, sanitary arrangements, food-grains or rations in accordance with the provisions of this Act or any rule made hereunder, shall be punished with fine which may extend to five hundred rupees; and the convicting Magistrate may order him to comply with such provisions within a reasonable time to be fixed in the order.

Employer  
omitting  
to provide  
house-accom-  
modation,  
&c.

If the employer wilfully omits to comply with such order within the time so fixed, he shall be punished with fine which may extend to one hundred rupees for each day during which such omission continues.

If the employer fails to pay the last-mentioned fine, the person on whose account he has been acting shall be liable to pay such fine.

168. Any employer who fails to provide such hospital-accommodation for, or to make such provision for the medical care and treatment of, labourers, as is required by any rule made under this Act, shall be punished with fine which may extend to two hundred rupees for each week during which such default continues.

Employer  
neglecting  
to provide  
hospital-accommoda-  
tion.

169. Where any estate or portion thereof has been found under section one hundred and twenty-nine,

Employer  
causing  
labourer to

nine,



reside on  
estate de-  
clared unfit.

nine, or declared under section one hundred and thirty-two, unfit for the residence of labourers or any class of labourers, as the case may be, every employer who, until a certificate has been given under section one hundred and thirty-three, causes or permits such labourers or class of labourers to reside or labour upon such estate or portion, shall be punished with fine which may extend to two hundred rupees.

Unlawful  
absence from  
work.

170. Every employer may, on or before the fifteenth day of each month, send to the Inspector a statement in writing containing the names of all or any of his labourers who, voluntarily and without reasonable cause, absented themselves from labour during the preceding month, and specifying the periods of such absence. When any employer sends any such statement in writing, he shall at the same time notify to each labourer concerned the fact that he has done so.

Any Inspector who receives any such statement shall, when next visiting the estate on which the labourers to whom such statement relates are employed, inquire into each such case of absence, in the presence of the labourer concerned, and, if satisfied that the labourer has voluntarily and without reasonable cause absented himself, shall, unless the labourer consents to forfeit to his employer the sum of four annas for each such day of absence, endorse such days of absence on the labour-contract of such labourer, and add them to the term of such contract.

Labourer  
absent with-  
out cause.

171. Any labourer who, voluntarily and without reasonable cause, absents himself from his labour for more than seven consecutive days, or for more than seven days in any one month, shall be liable to forfeit his wages for the period of such absence, and to pay to his employer a sum not exceeding four annas for each such day of absence, and shall also be liable to imprisonment for a term which may extend to fourteen days; and in case such absence has extended to twenty days in any two consecutive months, to imprisonment for a term which may extend to one month.

*Explanation.*

*Explanation.*—Ill-treatment of such labourer by his employer, or failure of the employer to fulfil any condition of the labour-contract binding on the employer, is reasonable cause within the meaning of section one hundred and seventy and this section.

172. If any labourer deserts from his employer's service, such employer, or any person acting on his behalf, may, without a warrant and without the assistance of any police-officer, arrest such labourer wherever he may be found: Provided that, if such labourer be found within five miles of the place where a Magistrate resides or in the service of another employer, he shall not be arrested without warrant.

Deserter may be apprehended without warrant.

Every police-officer shall assist in arresting any such labourer if so required by the employer or person acting on his behalf.

Whoever arrests a labourer under this section shall without delay take him to the police-station nearest to the place of the arrest; and if he fails to do so shall be punished with fine which may extend to two hundred rupees.

173. The police-officer in charge of such station shall on the appearance of the parties take down in writing the statement of the person arresting the labourer, and shall then forthwith send the labourer to the nearest Magistrate.

Procedure at police-station.

Such Magistrate shall either inquire into and dispose of the case himself, or, if the estate of the employer from whose service the labourer deserted is not situate within the local limits of such Magistrate's jurisdiction, he shall forward the labourer to the Magistrate within the local limits of whose jurisdiction such estate is situate.

The Magistrate to whom the labourer is forwarded shall dispose of the case according to law.

174. Whenever an employer or a person acting on his behalf complains to a Magistrate that a labourer has deserted from his employer's service, such Magistrate may, without previously examining the complainant, issue a summons for the attendance of such

Procedure on complaint of desertion.

labourer,

labourer, or a warrant for his arrest, and fix a day for hearing the complaint.

Punishment  
for desertion.

175. Every labourer who deserts from his employer's service shall be punished with imprisonment for a term which may extend to one month. For a second conviction for a like offence he shall be punished with imprisonment for a term which may extend to two months. For a third and every subsequent conviction for a like offence he shall be punished with imprisonment for a term which may extend to three months.

Compensa-  
tion for  
wrongful ar-  
rest.

176. If it appears to the Magistrate trying a labourer for deserting from his employer's service that such labourer was arrested without sufficient cause, such Magistrate may impose a fine, which may extend to fifty rupees, on the employer or person acting on his behalf by whom, or at whose instance, such labourer was arrested. The Magistrate may in his sentence direct that the whole or any part of such fine be paid by way of compensation to the labourer so arrested.

Cancellation  
of contract by  
desertion.

177. Whenever any labourer has actually suffered imprisonment for terms amounting in the whole to six months for desertion from his employer's service, the Inspector shall cancel the labour-contract of such labourer, and shall endorse on his copy of the contract a certificate of such cancellation; or, if such copy be not forthcoming, he shall give to the labourer a written certificate of such cancellation.

Penalty for  
drunkenness  
or neglect of  
sanitary re-  
gulations.

178. Any labourer guilty of habitual drunkenness, or wilfully disregarding any sanitary regulation approved by the Inspector and duly notified for the guidance of the labourers on the estate on which such labourer is employed, shall be punished with fine which may extend to five rupees or with imprisonment for a term which may extend to one week.

Portion of  
sentence may  
be cancelled  
on applica-  
tion of em-  
ployer.

179. The employer of any labourer sentenced to imprisonment for any offence under this Act, or any person authorized to act in this behalf for such employer, may apply to the Magistrate, at any time pre-  
vious

vious to the expiry of such sentence, that such labourer be made over to him for the purpose of completing his labour-contract. On such application being made, the Magistrate may, if he thinks fit, order that such labourer be made over or forwarded to his employer;

and in that case such Magistrate shall cancel the remainder of the sentence passed on the labourer, and shall endorse on his copy of the labour-contract a certificate of such cancellation, or, if such copy be not forthcoming, shall give him a written certificate of such cancellation.

Nothing in this section shall be deemed to affect the provisions of section one hundred and seventy-seven.

180. Every employer who obtains an order of a Magistrate for the making over or forwarding of any labourer shall be liable to defray the expense (if any) incurred in such making over or forwarding; and shall, before the order is issued, deposit with the Magistrate a sum sufficient in the Magistrate's opinion to defray such expense.

Expense of forwarding labourer to be paid by employer.

181. On the expiry of any sentence of imprisonment for any offence under this Act, the Magistrate shall, subject to the provisions of section one hundred and seventy-seven, make over such labourer to any person appointed on the part of his employer to take charge of him; and no conviction under this Act, or imprisonment under such conviction, shall, save as aforesaid, operate as a release to any labourer from the terms of his labour-contract:

Conviction not to operate as a release.

If no person is present on the part of the employer to take charge of the labourer at the expiry of his sentence, the Magistrate shall forward such labourer to the principal place of business of his employer situate within the local limits of such Magistrate's jurisdiction, and the expense of such forwarding shall be recoverable from such employer as if it were an arrear of land-revenue.

182. When any labourer is convicted under section one hundred and seventy-one of absence from labour

Time of unlawful absence or im-

prisonment to be excluded from contract period.

labour or is sentenced to imprisonment for an offence under this Act, the Magistrate so convicting or sentencing him shall endorse on the employer's copy of the labour-contract the period during which such labourer is convicted of being absent from his labour, or the term for which he is sentenced to imprisonment, or both, as the case may be.

The period so endorsed shall be added to the term for which such labourer contracted to serve; and such labourer shall not be deemed to have performed his labour-contract till he has served for the term specified therein in addition to the period so endorsed.

Other person enticing away, harbouring or employing labourer under labour-contract.

**183.** Whoever, knowing that any labourer is bound by his labour-contract to labour for any employer, voluntarily entices or attempts to entice such labourer to leave such employer, or harbours or employs any such labourer who has, in contravention of the terms of his labour-contract, left his employer, shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both.

The convicting Magistrate may in his discretion award to the employer with whom such labourer has contracted the whole or any part of any fine levied under this section.

Employer or other person neglecting to send labourer before Magistrate as provided by section 134.

**184.** Whenever, being bound by section one hundred and thirty-four to send any labourer before, or to give notice of any complaint to, an Inspector or Magistrate, refuses or neglects so to send such labourer, or to give such notice, shall be punished with fine which may extend to two hundred rupees.

Employer refusing to endorse labour-contract, &c., as required by section 141.

**185.** Any employer who—  
refuses or wilfully neglects to endorse the labourer's copy of his contract as required by section one hundred and forty-one, or

detains a labourer after the determination of his labour-contract, or

fails to give to the Inspector notice in writing of such determination within one month of the date thereof,

shall

shall be punished with fine which may extend to two hundred rupees.

\* 186. Any employer or person acting for an employer who refuses or neglects to comply with the request of a labourer made under section one hundred and forty-two shall be punished with fine which may extend to two hundred rupees.

Emplo  
other I  
neglect  
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of labour  
wishing  
redeem  
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Abetmen

187. Whoever abets within the meaning of the Indian Penal Code any offence against this Act or any rule made hereunder shall be punished with the punishment provided for such offence.

188. Whoever commits any offence against this Act or any rule made hereunder shall be triable for such offence in any place in which he may be found as well as in any other place in which he might be tried under any law for the time being in force.

Place of t  
for offence

189. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made hereunder, or from being liable under any other law to any penalty higher than that provided by this Act for such offence: Provided that no person shall be punished twice for the same offence.

Saving of  
prosecutions  
under other  
laws.

## CHAPTER IX.

### MISCELLANEOUS.

190. All arrears of wages due under any labour-contract shall be a charge upon the estate upon which the labourer to whom such labour-contract relates has been engaged to labour; or if he has engaged to labour upon any one of several estates managed by the same employer, shall be a charge upon that one of such estates upon which such labourer for the time being actually labours.

Wages due  
under labour-  
contract a  
charge upon  
estate.

191. Whenever an estate on which any labourer has under this Act contracted to labour is transferred by act of parties or operation of law, or devolves, the person to whom it is so transferred or on whom it

Owner of  
estate for  
time being  
has all rights  
and remedies  
in respect of

devolves

labour-con-  
tracts  
charged on  
it.

devolves shall be bound by the labour-contract of such labourer in the same manner and to the same extent as the person by or from whom it is transferred or devolves would have been bound by such contract, and shall have the same rights and remedies under such contract as such person would have had thereunder, if the estate had not been transferred or had not devolved.

Determina-  
tion of  
ownership  
determines  
liability.

No person who has ceased to be the owner of the estate upon which any labourer has under this Act contracted to labour shall be liable in respect of any breach of the labour-contract of such labourer which occurs after he has ceased to be such owner.

Fines, fees  
and rates to  
be credited to  
"Inland  
Labour  
Transport  
Fund."

192. Subject to the power of a Magistrate under this Act or the Code of Criminal Procedure to award fines in whole or in part as compensation to or for the benefit of any complainant or other person, the Local Government shall credit all fines, fees and rates levied and paid under this Act in the territories under its administration to a fund which shall be called the "Inland Labour Transport Fund;" and such fund shall be at the disposal of such Local Government, in such manner as the Government of India may direct, for paying the salaries and allowances of all officers and establishments appointed under this Act by such Local Government and their pensionary and leave allowances, and generally for defraying the expenses of carrying out the purposes of this Act and the rules of the Local Government made hereunder. The annual surplus accruing in such fund shall be applied to reducing the annual rate or the registration-fees leviable under this Act, and not otherwise.

Expenditure  
on roads  
legalized.

193. All sums heretofore expended on roads or other communications by the Lieutenant-Governor of Bengal out of the Inland Labour Transport Fund constituted by the said Bengal Act No. VII of 1873 shall be deemed to have been expended in accordance with law.

Duty of  
Assistant  
Inspector.

194. An Assistant Inspector shall perform all such duties and exercise all such powers of an Inspector as he

is

is authorized in writing by the Inspector to perform or exercise.

• 195. All powers conferred by this Act on the Local Government or on any Superintendent, Medical Inspector, Emigration Agent or other officer may be exercised from time to time as occasion requires.

Powers of Local Government and officers exercisable from time to time.

### THE SCHEDULE.

(See section 9.)

#### *Form of Labour-contract between Labourer and Employer.*

This contract, made under the Inland Emigration Act, 1882, between *A B* (hereinafter called *the labourer*) of the one part, and \**C D* (*agent or local agent or garden-sardár*) on behalf of] *E F* (hereinafter called *the employer*) on the other part, witnesseth that the said\* [*agent or local agent or garden-sardár* on behalf of the said] employer doth hereby promise the said labourer, that if he, the said labourer, do remain and labour on the  $\frac{X \text{ estate}}{Y \text{ estates}}$  † of his said employer in the labour-district of \_\_\_\_\_ for the term of \_\_\_\_\_ years from the date of the execution of this contract, he, the said employer, will, from the date on which the said labourer commences to labour on such  $\frac{\text{estate}}{\text{estates}}$ , pay or cause to be paid to the said labourer monthly wages at the rate of Rs. ‡ \_\_\_\_\_ for a completed daily task regulated in accordance with the provisions of the said Act, and, when such task is not completed, monthly wages calculated at the same rate in proportion to the amount of work actually done, and that during such period he, the said employer, will supply to the said labourer rice at a price of Rs. — per maund, and will faithfully comply with all rules regarding house-accommodation, medical treatment and the supply of food-grains or rations to the said labourer, which the Local Government may from time to time prescribe; and this contract further witnesseth that the said labourer doth hereby, in consideration of the aforesaid promise, agree so to remain and labour for the said employer. In witness whereof the said parties to these presents have hereunto set their hands at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.

\* Parts in brackets to be omitted if the contract is made with out the intervention of an agent, local agent or garden-sardár.  
† As the case may be.

‡ State rates for various periods of contract.

*Signature of labourer and of employer (or of his agent, local agent or garden-sardár).*



*Inland Emigration.* [ACT I, 1882.]

*Form of Description of Labourer.*

NAME.	Father's Name.	Age.	Sex.	Caste.	RESIDENCE.			Descriptive marks.
					District.	Thána.	Village.	

*[Endorsement to be filled up by Registering officer before whom the contract is executed.]*

I hereby certify that, before the said *A B* signed this contract, I personally explained it to him.

Signed \_\_\_\_\_  
*Registering officer.*

*[Endorsement on labourer's copy of contract, to be left blank until the contract is determined.]*

I hereby certify that the foregoing contract has been determined by effluxion of time (or by mutual consent, or under the provisions of section \_\_\_\_\_ of Act \_\_\_\_\_, as the case may be).

*Dated at*

*This            day of*

} \_\_\_\_\_

*Signature of Employer  
or of Inspector.*