

PASSPORTS (AMENDMENT) SECOND ORDINANCE, 2001 30.12.2001

/ 2001 REGISTERED NO. DL.33004/2001 70) No. 70) Che Gazette of India EXTRAORDINARY PART 11 — Section 1 PUBLISHED BY AUTHORITY 30, 2001 / 9, 1923 NEW DELHI, SUNDAY, DECEMBER 30, 2001 / PAUSA 9, 1923 Separate paging is given to this Part in order that It may be med as a separate compilation. MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department) New Delhi, the 30th December, 2001/Pausa 9, 1923 (Saka) THE PASSPORTS (AMENDMENT) SECOND ORDINANCE, 2001 No. 11 OF 2001 Promulgated by the President in the Fifty-second Year of the Republic of India. An Ordinance further to amend the Passports Act, 1967. WHEREAS the Passports (Amendment) Ordinance, 2001 was promulgated by the President on the 23N day of October, 2001 ; AND WHEREAS the Passports (Amendment) Bill, 2001 for replacing the said Ordinance was introduced in the Council of States and is pending in the Council of States; AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the provisions of the said Bill with certain modifications; NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance 1. (1) This Ordinance may be called the Passports (Amendment) Second Ordinance, 2001. (2) It shall be deemed to have come into force on the 23rd day of October, 2001. Short title and commencement. Insertion of new sections IOA and 10B. Suspension of passports or travel documents in certain cases. Validation of intimations. THE GAZETTE OF INDIA EXTRAORDINARY 2. After section 10 of the Passports Act, 1967 (hereinafter referred to as the principal Act) , the following sections shall be inserted, namely:- 'IOA. (1) Without prejudice to the generality of the provisions contained in section 10, if the Central Government or any designated officer is satisfied that the passport or travel document is likely to be impounded or caused to be impounded or revoked under clause (c) of sub-section (3) of section 10 and it is necessary in the public interest so to do, it or he may, (a) by order, suspend, with immediate effect, any passport or travel document; (b) pass such other appropriate order which may have the effect of rendering any passport or travel document invalid, for a period not exceeding four weeks: Provided that the Central Government or the designated officer may, if it or he considers appropriate, extend, by order and for the reasons to be recorded in writing, the said period of four weeks till the proceedings relating to variation, impounding or revocation of passport or travel document under section 10 are concluded: Provided further that every holder of the passport or travel document, in respect of whom an order under clause (a) or clause (b) of this sub-section had been passed, shall be given an opportunity of being heard within a period of not later than eight weeks reckoned from the date of passing of such order and thereupon the Central Government may, if necessary, by order in writing, modify or revoke the order passed under this sub-section. (2) The designated officer shall immediately communicate the orders passed under sub-section (1), to the concerned authority at an airport or any other point of embarkation or immigration, and to the passport authority. (3) Every authority referred to in sub-section (2) shall, immediately on receipt of the order passed under sub-section (1), give effect to such order. 10B. Every intimation given by the Central Government or the designated officer, before the commencement of the Passports (Amendment) Second Ordinance, 2001, to any immigration authority at an airport or any other point of embarkation or immigration, restricting or in any manner prohibiting the departure from India of any holder of the passport or travel document under sub-section (3) of section 10, shall be deemed to be an order under sub-section (1) of section IOA and such order shall continue to be in force for a period of three months from the date of commencement of the Passports (Amendment) Second Ordinance, 2001 or the date of giving such intimation, whichever is later. 15 of 1967. SEC. 1] THE GAZETTE OF INDIA EXTRAORDINARY 3 Ord. 8 of 2001. Explanation.- For the purposes of sections IOA and 10B, the expression "designated officer" means such officer or authority designated, by order in writing, as such by the Central Government.'. 3. (1) The Passports (Amendment) Ordinance, 2001 is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Ordinance. K. R. NARAYANAN President. SUBHASH C. JAIN, Secy. to the Govt. of India. BUNTE) MANA(m, INDIA PRESS (PW), ROAD, NEW DELHI AND PUBLISHED BY CONNOU OF PUBLICATIONS, Delhi, 2001. Repeal saving. and ag-l (au-nor 30 2001

3TEAÜQT, 2001 2001 11 1967 2001 23 2001 2001 t; ft-g 123 (1) 1 . (1) (#Qfrü7) 2001 10 (2) 23 2001 q-rq-rrrl 2. 3Tfâfi--qq, 1967 1967 15 t) 10 10 (1) 10 3Tfh-r?r q-ra-r *r 10 zv-trær (3) 3Tfhfr, 10 q-r7T 1967 15 2001 10 2001 arr frtr 10 (3) a--&r ur-r 10 (1) q-r-q7TT 2001 - 10 10 "RT*läg 3TfhTtr" q-r?r QI-É--q-t 3. (1) 2001 3i•-aTfrT 3pa-a-r V-1T- ä-a-ai7

