

(2) In particular, and without prejudice to the generality of the foregoing power, orders made under this section may provide that the foreigner—

- (a) shall not enter British India, or shall enter British India only at such times and by such route and at such port or place and subject to the observance of such conditions on arrival as may be prescribed ;
 - (b) shall not depart from British India, or shall depart only at such times and by such route and from such port or place and subject to the observance of such conditions on departure as may be prescribed ;
 - (c) shall not remain in British India or in any prescribed area therein ;
 - (d) shall remove himself to, and remain in, such area in British India as may be prescribed ;
 - (e) shall comply with such conditions as may be prescribed or specified—
 - (i) requiring him to reside in a particular place,
 - (ii) imposing any restrictions on his movements,
 - (iii) requiring him to furnish such proof of his identity and to report such particulars to such authority in such manner and at such time and place as may be prescribed or specified ;
 - (iv) requiring him to allow his photograph and finger impressions to be taken and to furnish specimens of his hand-writing and signature to such authority and at such time and place as may be prescribed or specified ;
 - (v) prohibiting him from association with persons of a prescribed or specified description ;
 - (vi) prohibiting him from engaging in activities of a prescribed or specified description ;
 - (vii) prohibiting him from using or possessing prescribed or specified articles ; or
 - (viii) otherwise regulating his conduct in any such particular as may be prescribed or specified ;
 - (f) shall enter into a bond with or without sureties for the due observance of, or as an alternative to the enforcement of, any or all prescribed or specified restrictions or conditions ; or
 - (g) shall be arrested and detained or confined ;
- and may make provision for such incidental and supplementary matters as may, in the opinion of the Central Government,

Government, be expedient or necessary for giving effect to this Ordinance.

4. (1) Any foreigner (hereinafter referred to as an internee) ^{Internees.} in respect of whom there is in force any order made under clause (g) of sub-section (2) of section 3, directing that he be detained or confined, shall be detained or confined in such place and manner and subject to such conditions as to maintenance, discipline and the punishment of offences and breaches of discipline as the Central Government may from time to time determine.

(2) No person shall—

- (a) knowingly assist an internee to escape from custody or knowingly harbour an escaped internee; or
- (b) give an escaped internee any assistance with intent thereby to prevent, hinder or interfere with the apprehension of the internee.

(3) The Central Government may by order provide for regulating access to, and the conduct of persons in, places in British India where internees are detained and for prohibiting or regulating the despatch or conveyance from outside such places to or for internees therein of such articles as may be prescribed.

(4) No proceedings shall be taken by virtue of sub-section (2) or sub-section (3) against any person in respect of any act done by him when he is himself an internee.

5. (1) No foreigner who is in British India on the date ^{Change of name.} on which this Ordinance came into force shall, while in British India after that date, assume or use or purport to assume or use for any purpose any name other than that by which he was ordinarily known immediately before the said date.

(2) Where, after the date on which this Ordinance came into force, any foreigner carries on or purports to carry on (whether alone or in association with any other person) any trade or business under any name or style other than that under which that trade or business was being carried on immediately before the said date, he shall, for the purposes of sub-section (1) be deemed to be using a name other than that by which he was ordinarily known immediately before the said date.

(3) In relation to any foreigner who, not having been in British India on the date on which the Ordinance came into force, thereafter enters British India, sub-sections (1) and (2) shall have effect as if for any reference in those sub-sections to the

to the date on which this Ordinance came into force there were substituted a reference to the date on which he first enters British India thereafter.

(4) For the purposes of this section—

- (a) the expression "name" includes a surname, and
- (b) a name shall be deemed to be changed if the spelling thereof is altered.

(5) Nothing in this section shall apply to the assumption of use—

- (a) of any name in pursuance of a Royal licence; or
- (b) by any married woman, of her husband's name.

Obligations of masters of vessels, etc.

6. Any District Magistrate and any Commissioner of Police or, where there is no Commissioner of Police, any Superintendent of Police, may, for any purpose connected with the enforcement of this Ordinance or any order made thereunder, enter, with such assistance as he may think fit, any vessel or aircraft at any port or place in British India and may—

(a) direct the master of the vessel or the pilot of the aircraft, as the case may be,—

(i) before any passenger disembarks, or before the vessel or aircraft leaves such port or place, or, as the case may be, to furnish a list in writing of the passengers who are on board or who have been carried on board at any time since the vessel or aircraft commenced its journey, and who have signified their intention of departing from British India on board such vessel or aircraft, setting out the ports or places at which they embarked, the ports or places of disembarkation or intended disembarkation, and such other particulars as may be prescribed; and

(ii) to answer to the best of his ability any questions relating to the passengers who are on board or who have disembarked in any part of British India; and

(b) if any foreigner seeking to enter British India on board such vessel or aircraft does not show satisfactory reasons for entering British India, either—

(i) refuse to allow such foreigner to disembark from such vessel or aircraft, or

Attempts, etc.,
to contravene
the provisions
of this Ordinance,
etc.

11. (1) Any person who attempts to contravene, or abets, or attempts to abet, or does any act preparatory to, a contravention of, the provisions of this Ordinance or of any order made or direction given thereunder, or fails to comply with any direction given in pursuance of any such order, shall be deemed to have contravened the provisions of this Ordinance.

(2) Any person who, knowing or having reasonable cause to believe that any other person has contravened the provisions of this Ordinance or of any order made or direction given thereunder, gives that other person any assistance with intent thereby to prevent, hinder or otherwise interfere with his arrest, trial or punishment for the said contravention, shall be deemed to have abetted that contravention.

(3) The master of any vessel or the pilot of any aircraft, as the case may be, by means of which any foreigner enters or leaves British India in contravention of any order made under, or direction given in pursuance of, section 3 shall, unless he proves that he exercised all due diligence to prevent the said contravention, be deemed to have contravened this Ordinance.

Penalties.

12. If any person contravenes the provisions of this Ordinance or of any order made thereunder, or any direction given in pursuance of this Ordinance or such order, he shall be punished with imprisonment for a term which may extend to five years and shall also be liable to fine; and if such person has entered into a bond in pursuance of clause (f) of sub-section (2) of section 3, his bond shall be forfeited, and any person bound thereby shall pay the penalty thereof, or show cause to the satisfaction of the convicting Court why such penalty should not be paid.

Protection to
persons acting
under this
Ordinance.

13. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Ordinance.

Application of
other laws not
barred.

14. The provisions of this Ordinance shall be in addition to, and not in derogation of, the provisions of the Foreigners Act, 1864, the Registration of Foreigners Act, 1939, and of any other enactment for the time being in force.

LINLITHGOW,
Viceroy and Governor General