

## Emigration Act, 1983

### Section 43 - Power to Make Rules

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- (1) The Central Government may, by notification, make rules to carry out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:--
  - (a) the powers and duties of officers and employees appointed for the purposes of this Act and the terms and conditions of their service;
  - (b) the form of--
    - (i) a certificate to commence or carry on the business of recruitment, and of an application for the issue or renewal thereof;
    - (ii) a permit for the recruitment of persons for employment outside India, and of an application for the issue thereof;
    - (iii) an application for emigration clearance;
    - (iv) an appeal to be preferred to the Central Government;
  - (c) the manner and form in which an authorisation by way of emigration clearance may be given;
  - (d) particulars to be contained in an application for a certificate or a permit or for an emigration clearance;
  - (e) the manner in which different inquiries required to be held under this Act may be held;
  - (f) the manner in which the amount of security for securing the due performance of the terms and conditions of the certificate of permit or for compliance with the provisions of this Act shall be furnished;
  - (g) the manner of verifying or authenticating documents and copies of documents for the purposes of this Act;
  - (h) the procedure to be followed in hearing an appeal preferred to the Central Government;
  - (i) the fees to be paid in respect of applications and other matters under this Act;
  - (j) the charges which a recruiting agent may recover from an emigrant in respect of services rendered and the scales and limits of such charges;

(k) the terms and conditions subject to which a certificate or a permit or an emigration clearance may be issued under this Act;

(l) the period of the validity of a certificate or a permit issued under this Act-

(m) the authority competent to extend the period of validity of a permit or to forfeit security or to require any additional security or fresh security under this Act;

(n) the accommodation, the provisions, the medical stores and staff, the life saving and sanitary arrangements and other provisions and arrangement for the well-being, security and protection of emigrants which shall be provided and the records which shall be maintained in any emigrant conveyance.

(o) any other matter which is required to be, or may be, prescribed.