

THE FOREIGNERS (RESTRICTED AREAS) ORDER, 1963¹

In exercise of the powers conferred by section 3 of the Foreigners Act, 1946 (31 of 1946) read with the Foreigners Law (Application and Amendment) Act, 1962 (42 of 1962), the Central Government hereby makes the following Order, namely:—

1. Short title and commencement.—(1) The Order may be called the Foreigners (Restricted Areas) Order, 1963.

(2) It shall come into force at once.

2. Definitions.—In this Order,—

- (a) "person of Chinese origin" means a person who, or either of whose parents, or any of whose grand-parents, was, at any time, a Chinese National;
- (b) "Restricted Area" means any of the areas specified in Schedule I;
- (c) "Schedule" means a Schedule to the Order.

3. Restrictions on entry into restricted areas.—Notwithstanding anything contained in the Foreigners (Exemption) Order, 1957, no foreigners shall enter into or remain in, any restricted areas ²[except under and in accordance with a permit issued—

- (i) by Central Government; or
- (ii) by any officer of a State Government or Indian diplomatic or consular authority abroad authorised by the Central Government in this behalf; or
- ³[(iii) by the District Magistrate concerned or such other District Officer as may be authorised by the Central Government in this behalf and subject to such conditions as may be prescribed:]

Provided that the provisions of this Order shall not apply to, and in relation to,—

- (a) any person who, not being a person of Chinese origin, is a subject of Bhutan ⁴[***] or
- (b) any other person who has been ordinarily resident in that restricted area for a period of not less than five years immediately preceding the date of publication of this Order and who is not a Chinese National or a person of Chinese origin:

Provided further that a foreigner shall not be required to obtain a permit under this Order in respect of any area falling within the restricted area for which he is

1. *Vide* G.S.R. No. 94, published in the Gazette of India, Extra. Pt. II, Sec. 3(i), p. 61, dated 14th January, 1963.
2. Subs. by G.S.R. 817, dated 10th May, 1963.
3. Sub. by G.S.R. No. 682(E), dated July 30, 1987.
4. The words "or Sikkim" omitted by G.S.R. 47(E), dated 27th January, 1976 and the words "or a national of Nepal" omitted by G.S.R. 1216, dated July 30, 1976.

either in possession of a valid permit issued under and in accordance with the provisions of the Foreigners (Protected Areas) Order, 1958 or has obtained the necessary permission in writing as required by the notification of the Government of India in the Ministry of Home Affairs No. 6/131/59-F 1, dated the 6th November, 1959:

¹[Provided also that any foreigner shall not be required to obtain a permit under this order in respect of any place or area falling within the restricted area if the visa granted to him in pursuance of the Indian Passport Rules, 1950, is made specifically valid for any such place or area:]

²[Provided also that any foreign journalists holding accreditation card issued by the Press Information Bureau of the Government of India, shall not be required to obtain permit under this order in respect of any place or area falling within the Restrictive Area of Punjab:]

³[Provided also that any foreign journalists holding accreditation card issued by the Press Information Bureau of the Government of India, shall not be required to obtain permit under this order in respect of any place or area falling within the Restrictive Area of Assam.]

4. Form of permit.—A permit issued under paragraph 3 shall be in the form specified in Schedule II ⁴[or Schedule II-A, as the case may be,] and shall contain the following particulars, namely:—

- (a) the place of entry into the area specified in Schedule I;
- (b) the place of residence, if any, in the said area;
- (c) the period for which the permit shall be valid; and
- (d) the conditions subject to which the permit is granted.

⁵[SCHEDULE I

(See paragraphs 2 and 3)

RESTRICTED AREAS

1. Every district in the State of Assam.
2. Every district in the State of Meghalaya.
3. Darjeeling, Cooch Behar, Jalpaiguri, Malda and West Dinajpur districts of West Bengal;
4. ⁶[***].
5. ⁶[***].
6. The State of Tripura; ⁷[excluding the portion in that State of the Roads Ambala-Jullundur National Highway, namely, N.H. No. 1: Jullundur-Jammu National

1. Added by G.S.R. 817, dated 10th May, 1963.

2. Ins. by G.S.R. 643(E), dated 9th August, 1985, published in Gazette of India, Pt. II. Sec. 3(i) dated 9-8-1985.

3. Ins. by G.S.R. 807(E), dated 18th October, 1985.

4. Ins. by G.S.R. 761, dated 28th April, 1970.

5. Subs. by G.S.R. 1146, dated 10th October, 1973.

6. Omitted by G.S.R. 289(E), dated 27th June, 1974.

7. Ins. vide G.S.R. No. 640(E), dated 8th August, 1985, published in the Gazette of India, Extra., Pt. II. Sec. 3(i) dated 8th August, 1985.

Highway passing through Pathankot, namely, N.H.No. 1A and Ambala-Chandigarh-Simla National Highway, namely, N.H. No. 22.

7. The Union territory of the Andaman and Nicobar Islands.]

SCHEDULE II

PERMIT

[Under paragraphs 3 and 4 of the Foreigners (Restricted Areas) Order, 1963]

Mr./Mrs./Miss.....a.....national, residing at.....holder of passport No.dated.....is hereby permitted to enter the restricted area via.....and to reside in the said area for purposes.....at places from.....to.....

2. He/She shall, while residing in the said area, comply with the conditions¹ specified below.

3. Mr./Mrs./Miss.....shall not remain in the said area after the.....unless he/she has obtained the prior permission of the authority who issued the permit. Application for any extension of the period of this permit must be made at least 7 days before its expiry.

Place.....

Date.....

Signature of Issuing Authority

SEAL

²[SCHEDULE IIA]

PERMIT

(For visit to Darjeeling)

S. No.

[Under paragraphs 3 and 4 of the Foreigners (Restricted Areas) Order, 1963]

Mr./Mrs./Miss.....a.....national, holder of passport No.....dated.....issued at.....who arrived in India at.....on.....is hereby permitted to enter Darjeeling for the purpose of.....and.....to stay there for a period of seven days from/between.....to/and.....

Mr./Mrs./Miss.shall not remain in Darjeeling after the expiry of the period allowed by this permit, which shall not be extended in any circumstances.

Place.....

Date of issue.....

Signature of Issuing Authority

SEAL

1. Conditions, if any, to be specified by the issuing authority.

2. Ins. by G.S.R. 761, dated 28th April, 1970.