

The Passport (Entry Into India) Rules, 1950

UNION OF INDIA

India

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Rule THE-PASSPORT-ENTRY-INTO-INDIA-RULES-1950 of 1950

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18.

/828In exercise of the powers conferred by section 3 of the Passport (Entry into India) Act, 1920 (XXXIV of 1920), and in supersession of the Indian Passport Rules, 1921, the Central Government is pleased to make the following rules:-

1.

(1)These rules may be called the [Passport (Entry into India) Rules, 1950.](2)[They extend to the whole of India.] [Added by S.R.O. 1202, dated 2.8.1951.]

2. In these rules, "competent authority" means any person designated by order of the Central Government to exercise all or any of the powers of competent authority under these rules.

3. [Save as provided in rule 4, no person proceeding from any place outside India shall enter, or attempt to enter, India by water, land or air-

(a)unless he is in possession of a valid passport conforming to the conditions prescribed in rule 5, and(b)except through such port (including an airport) or other place as may be specified in this behalf by Central Government, and ports or other places specified under clause (a) of sub-paragraph (1) of paragraph 3 of the Foreigners Order, 1948, shall be deemed to have been so specified.]Explanation .-A person entering India by water or air shall not be deemed to be proceeding from a place outside India by reason only of the fact that he has traversed extra-territorial waters or land in the course of his journey.

4.

(1)The following classes of persons shall be exempted from the provisions of rule 3:[* * *](b)member of Naval, Military or Air Forces of India, entering India on duty, and members of the family of any such person when accompanying such person to India on a Government transport;[* * *] [Clauses (a), (c) and (d) omitted by G.S.R. 1454, dated 20.9.1967.][* * *] [Clauses (a), (c) and (d) omitted by G.S.R. 1454, dated 20.9.1967.][* * *] [Clause (e) omitted by G.S.R. 1208, dated 6.11.1980.](f)person domiciled in India entering India by land or by air over the Nepalese or Bhutanese frontier;(g)Nepalese and Bhutanese entering India by land or by air over the Nepalese or Bhutanese frontier;(h)bona fide Mohemmedan pilgrims domiciled in India returning from Jeddah or Basra;(ha)[persons belonging to minority communities in [Afghanistan, Bangladesh] [Inserted by Notification No. G.S.R. 685(E), dated 7.9.2015.] and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians who were compelled to seek shelter in India due to religious persecution or fear of religious persecution and entered into India on or before the 31st December, 2014-(i)without valid documents including passport or other travel documents; or(ii)with valid documents including passport or other travel document and the validity of any of such documents has expired:Provided that provision of this clause shall take effect from the date of publication of this notification in the Official Gazette.](i)other persons or classes of persons specified by general or special order of the Central Government.(2)In specifying any person or class of persons in accordance with the provisions of clause (i) of sub-rule (1), the Central Government may prescribe any conditions to which the exemption of such persons or class of persons from the provisions of rule 3 shall be subjected.

5. The conditions of a valid passport are-

(i)that it shall have been issued or renewed by or on behalf of the Government of the country of which the person to whom it relates is a national, and shall be within the period of its validity;(ii)that it shall have affixed to it a photograph of the person to whom it relates duly authenticated by the authority issuing the passport except in the following cases:-(a)where a child below the age of 15 years has been included in the passport of either of his parents;(b)where a pardanashin wife has been included in the passport of her husband and is travelling with her husband;(c)where a pardanashin woman has been granted a separate passport for herself only-(1)if she is accompanied by a male attendant who is in possession of a valid passport and visa, and(2)if the name of the male attendant and the particulars of his passport and visa are duly entered in the passport of the pardanashin woman;[* * *](iv)that when issued by or on behalf of the Government of a foreign country [other than Bangladesh, Nepal and Pakistan] [Substituted by G.S.R. 1208, dated 6.11.1980.] it shall have been [endorsed by a proper Indian] [Substituted by G.S.R. 1661, dated 21.11.1966.][* * *] [Certain words omitted by S.O. 448(E), dated 16.6.1984 (w.e.f. 18.6.1984).] [diplomatic consular or passport authority or by such authority as may be authorised in this behalf by the Central Government] [Substituted by G.S.R. 1661, dated 21.11.1966.], by way of visa for India in one or other of the following kinds, namely:-(a)a single journey visa, valid for such period not exceeding ones [five years] [Substituted by G.S.R. 20(E), dated 17.1.1990 (w.e.f. 17.1.1990).] as may be specified therein and for only journey to India;(b)a transit visa, valid for such period not exceeding one year or the period of validity of the visa for the country of ultimate

destination, as may be specified therein, and for one or more direct journeys through India undertaken for the sole purpose of reaching any place or country outside India, permitting on each such journey sojourn of not more than fifteen days in India unless specially extended by competent authority; and(c)an ordinary visa, valid for such period not exceeding ones [five years] [Substituted by G.S.R. 20(E), dated 17.1.1990 (w.e.f. 17.1.1990).] as may be specified therein, and for any number of journeys to India;(d)[a multiple entry, life long visa for journey to India to persons registered as Overseas Citizen of India under the provisions of the Citizenship Act, 1955;] [Inserted by G.S.R. 224(E), dated 11.4.2005 (w.e.f. 11.4.2005).][(iv-a) nothing in clause (iv) shall apply to, or in relation to, any person holding the diplomatic or official passport issued by the Government of Denmark;] [Substituted by S.O. 871(E), dated 28.11.1986.][(iv-b) Nothing in clause (iv) shall apply to, or in relation to, any person the duration of whose stay in India does not exceed ninety days and who is in possession of a passport issued by, or on behalf of, the Government of Maldives:Provided that the aforesaid period of ninety days shall include any prior period of stay of such person in India during a period of six months immediately before the date of his entry into India.] [Inserted by G.S.R. 95(E), dated 26.2.1990 (w.e.f. 26.2.1990).][(iv-c) Nothing in clause (iv) shall apply to, or in relation to, any person of South Asian Association for Regional Cooperation Countries, namely, Bangladesh, Bhutan, Maldives, Nepal, Pakistan and Sri Lanka who is,-(a)a Judge of the Supreme Court or of the highest Court; or(b)a Member of Parliament or of a similar highest legislative body; or(c)a Head of National level university; or(d)Ministers of Foreign or External Affairs of Member States; or(e)Foreign Secretaries or Permanent Secretaries dealing with foreign affairs of Member States; or(f)SAARC Secretary-General and Directors of the SAARC Secretariat; or(g)Presidents of National Chambers of Commerce and Industry of the Member States; or(h)Permanent Secretaries in Trade Ministries and upto three other officials concerned with promotion of intra-SAARC trade and economic cooperation from each Member States as nominated by them, or;(i)Vice Presidents and Members of the Executive Committee of the SAARC Chamber of Commerce and Industry; or(j)Members of the Executive Committee of the National Federations of Chambers of Commerce and Industry; or(k)Members of SAARC Preferential Trading Arrangement (SAPTA) Committee of Participants; or(l)All Central Government Ministers/Ministers of State/Deputy Ministers/Assistant Ministers in Member States; or(m)Secretaries/Administrative Heads of Ministries of equivalent rank dealing with the Subjects handled by eleven SAARC Technical Committee; or(n)Secretaries involved in the SAARC tier poverty alleviation mechanism Finance, Planning Rural Development, Urban Development; or(o)Heads of National Radio and TV Organisations; or(p)Heads of National Sports Authorities and Federations; or(q)Chairmen of National and International Airlines; or(r)Heads of National academies and Institutions in the field of Art and Culture and of National Museums; or(s)Heads of Boards of Customs and Revenue; or(t)SAARC National Focal Points (Head of SAARC Division of Ministries of Foreign/External Affairs); or(u)President and Vice-Presidents of SAARC "LAW"; and(v)Dependent children below 18 years of age and spouse or spouses of the above categories while accompanying them:Provided that they are in possession of valid visa Endorsement of South Asian Association for Regional Cooperation Countries and respective national passports.Explanation .-National level universities are those as are centrally funded or the national level academic body or bodies as set up by the national Governments;] [Inserted by G.S.R. 56(E), dated 30.1.1999 (w.e.f. 30.1.1999).] [(iv-d) Nothing in clause (iv) shall apply to or in relation to any person holding Person of Indian Origin Card issued by the Central Government or by an Indian diplomatic, consular or passport authority or by such

authority as may be authorised in this behalf by the Central Government;(iv-e) The Central Government may for the purposes of clause (iv-d) issue Persons of Indian Origin Card to a person being a foreign citizen of Indian Origin settled outside India subject to such conditions as it may specify in this behalf.] [Inserted by G.S.R. 223(E), dated 26.3.1999 (w.e.f. 26.3.1999).] (iv-A) that when issued by or on behalf of the Government of Pakistan, shall have been endorsed by a proper Indian diplomatic, consular or passport authority or by such authority as may be authorised in this behalf by the Central Government with a visa for India of any of the following categories, namely:-(a)(i) a Diplomatic Visa valid for multiple entries and stay in India for such period not exceeding one year as may be specified therein;(ii) a Diplomatic Visa valid for single entry and stay in India for such period not exceeding one month as may be specified therein;(b) a non-Diplomatic Visa valid for multiple entries and stay in India for such period not exceeding one year as may be specified therein;(c) an official visa valid for single entry and stay in India for such period not exceeding one month as may be specified therein;(d)(i) a visitor visa valid for single entry and stay in India for such period not exceeding three months as may be specified therein;(ii) a visitor visa valid for multiple entries and stay in India for such period not exceeding one year as may be specified therein;(e) a transit visa for single entry and stay in the city or port of entry in India for such period not exceeding 72 hours as may be specified therein.] (iv-B) that when issued by or on behalf of the Government of Nepal, it shall be specifically valid for entry into India or shall have been specifically endorsed by a competent authority as valid for entry into India:[Provided that in the case of a person entering India over the Tibetan or Bhutanese Frontier, it shall also be endorsed by a proper Indian Diplomatic, consular or passport authority by way of a visa or a transit visa;] [Added by G.S.R. 333, dated 23.2.1963.] (iv-C) that when issued by or on behalf of the Government of Bangladesh, shall have been endorsed by a proper Indian diplomatic, consular or passport authority with a visa for India of one or more of the following kinds namely:-(a) a Diplomatic or an official visa for single journey or a specified number of journeys to India, valid for stay for such period not exceeding one year as may be specified therein;(b) a short-term visa for a single journey to India, valid for stay for such period not exceeding three months as may be specified therein;(c) a long-term visa for a single journey or a specified number of journeys, valid for stay for such period not exceeding one year;(d) a transit visa for one district journey through India undertaken for the purpose of reaching any place or country outside India, permitting breaks of journey, subject to a total sojourn in India not exceeding 15 days from the date of entry into India;(e) a re-entry visa valid for re-entry into India;](v) that it shall not have been obtained by misrepresentation or fraud.

5A. [

Any diplomatic, consular or passport authority referred to in] [Inserted by G.S.R. 4(E), dated 5.1.1973.] [clause (iv), clause (iv-A), clause (iv-B) or clause (iv-C)] [Substituted by G.S.R. 1208, dated 6.11.1980.][of rule 5 may, at any time and without assigning any reason make an order that the endorsement by way of visa] [Inserted by S.R.O. 1627, dated 12.7.1956.] [made on a passport] [Substituted by G.S.R. 1367, dated 12.10.1962.][shall be of no effect and may for this purpose require the production of the passport before it and cancel the visa endorsement made thereon.] [Inserted by S.R.O. 1627, dated 12.7.1956.]

6. Any person who-

(a) contravenes or abets the contravention of the provisions of Rule 3, or (b) does, or attempts to do, any act in contravention of any condition prescribed under sub-rule (2) of rule 4, [or] (c) [enters or attempts to enter, India on a forged passport or visa,] [Inserted by S.O. 1794, dated 18.7.1960.][shall be punishable with imprisonment for a term which may extend to five years, or with fine which may extend to fifty thousand rupees, or with both] [Substituted by G.S.R. 322(E), dated 2.5.2001 (w.e.f. 2.5.2001).].[6A. [Inserted by G.S.R. 322(E), dated 2.5.2001 (w.e.f. 2.5.2001).] Whoever having been convicted of an offence under any rule or order made under the Passport (Entry into India) Act, 1920 (34 of 1920), is again convicted of an offence under the said Act, shall be punishable with double the penalty provided for the later offence.] [Substituted by G.S.R. 6(E), dated 14.1.1975.] Ministry of Home Affairs Notification New Delhi, the 21st July, 2010 G.S.R. 611(E). - In pursuance of of clause (i) of sub-rule (1) and sub-rule (2) of rule 4 of the Passport (Entry into India) Rules, 1950 and of all other powers thereto enabling and in supersession of the notification of the Government of India, in the Ministry of Home Affairs number G.S.R. 1265, dated the 28th June, 1968, the Central Government being of the opinion that it is necessary and expedient in the public interest so to do, hereby exempts from the provisions of rule 3 of the said rules, every member of the hill tribes, who is either a citizen of India or a citizen of the Union of Myanmar and who is ordinarily resident of any area within sixteen kilometers on either side of the India-Myanmar Border, entering India across the said border, subject to the following conditions, namely :-(a) If he/she is a citizen of India, -(i) who has departed to Myanmar on the basis of permit issued in accordance with the notification of the Government of India in the Ministry of External Affairs No, SI/108/166, dated the 28th June, 1968 he/she shall be in possession of such permit which is valid and effective at the time of re-entry, and (ii) in any other case in possession of a permit (which is in the form given in the Schedule thereto annexed and valid and effective at the time to re-entry) issued by the Government of India or the State Government or by such authority as the Government may specify in this behalf. (b) If he/she is a citizen of Union of Myanmar, he/she shall be in possession of -(i) a permit or other like document issued by any authority empowered under the law for the time being in force in Myanmar, or by such other authority in Myanmar as the Government of Myanmar may specify for the purpose, or (ii) a permit (which is in the form given in the Schedule hereto annexed and valid and effective at the time of re-entry) issued by the Government of India or the State Government or by such authority in India as the Government of India or the State Government, may specify for the purpose, and he/she shall not, on the basis of that permit move into area in India which is beyond sixteen kilometers from the aforesaid frontier.

2. This notification shall come into force one month after the date of its publication.

Schedule

Permit (See notification of Government of India, Ministry of Home Affairs, No. 25022/14/2007-Imm., dated 21st July, 2010)

Photograph of the permit holder

1. Name (in full)

2. Father's /husband's Name

3. Age/date of birth

4. Place of birth

5. Sex

6. Nationality

7. Permanent Address

8. Tribe and Occupation

9. Marks of identification

10. Places intended to be visited

11. Purpose of visit

12. The amount of cash and merchandise being carried across the international border

13. Route

(a)for inward journey(b)for return journey

14. Signature or thumb impression of holder

This permit is valid for 24 hours/48 hours/72 hours (strike off whichever is not applicable) from the date and time of issue.Date.....(Issuing Authority)Time

.....SealSignaturePlace.....(Name in block letters)Designation