

The Foreigners Law (Application and Amendment) Act, 1962

(ACT NO. 42 OF 1962)

[*As on the* 15*th August,* 2026]

AMENDING ACT

The Repealing and Amending Act, 1974 (56 of 1974).

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LIST OF ABBREVIATIONS USED

Cl., cls.	*for*	Clause, clauses.
Ins.	„	Inserted.
Notifn.	„	Notification.
S., ss.	„	Section, sections.
Sch.	„	Schedule.
Subs.	„	Substituted.
w.e.f.	„	with effect from.

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THE FOREIGNERS LAW (APPLICATION AND AMENDMENT) ACT, 1962

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title.
2. Application of Act 16 of 1939 and Act 31 of 1946 to certain persons.
3. [*Repealed*.]
4. Repeal and saving.

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THE FOREIGNERS LAW (APPLICATION AND AMENDMENT) ACT, 1962

ACT NO. 42 OF 1962

[24*th November,* 1962.]

An Act to apply the Registration of Foreigners Act, 1939 and the Foreigners Act, 1946 to certain persons to whom they do not at present apply and further to amend the Foreigners Act, 1946.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Foreigners Law (Application and Amendment) Act, 1962.

2. Application of Act 16 of 1939 and Act 31 of 1946 to certain persons.—Notwithstanding anything contained in any other law for the time being in force, the provisions of the Registration of Foreigners Act, 1939, and the Foreigners Act, 1946, and of the rules and orders made thereunder shall apply to and in relation to any person who, or either of whose parents, or any of whose grand-parents was at any time a citizen or subject of any country at war with, or committing external aggression against, India or of any other country assisting the country at war with, or committing such aggression against, India, as they apply to and in relation to foreigners as defined for the purposes of those Acts.

3. [*Amendment of Act of* 31 *of* 1946.] *Section* 3 *rep. by Repealing and Amending Act,* 1974 (56 *of* 1974), *s*. 2 *and Sch., I* (*w.e.f.* 20-12-1974).

4. Repeal and saving.—(*1*) The Foreigners Law (Application and Amendment) Ordinance, 1962 (5 of 1962), is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act, as if this Act and commenced on the 26th October, 1962.

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STATEMENT OF OBJECTS AND REASONS

In view of the present emergency, it is necessary that powers should be available to deal with any person not of Indian origin who was at birth a citizen or subject of any country at war with, or committing external aggression against, India or of any other country assisting the country at war with, or committing such aggression against, India but who may have subsequently acquired Indian citizenship in the same manner as a foreigner. It is also necessary to take powers to arrest and detain or confine these persons and the nationals of all such countries under the Foreigners Act, 1946, should the need arise.

2. Since the Parliament was not in session and immediate action had to be taken in the interests of national security, an Ordinance called the Foreigners Law (Application and Amendment) Ordinance, 1962, was promulgated on the 30th October, 1962, to take the above powers. The object of the Bill is to convert this Ordinance into an Act of Parliament.

NEW DELHI;
The 7th November, 1962.

LAL BAHADUR.

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