

IndiaCode

The Immigration and Foreigners Act, 2025

(ACT NO. 13 OF 2025)

[*As on the* 10*th* September, 2025]

LIST OF ABBREVIATIONS USED

G.S.R.	*for*	General Statutory Rules.
S.O.	,,	Statutory Order.
Notifn.	,,	Notification.

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THE IMMIGRATION AND FOREIGNERS ACT, 2025

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THE IMMIGRATION AND FOREIGNERS ACT, 2025

ACT NO. 13 OF 2025

[4*th April,* 2025.]

An Act to confer upon the Central Government certain powers to provide for requirement of passports or other travel documents in respect of persons entering into and exiting from India and for regulating matters related to foreigners including requirement of visa and registration and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(*1*) This Act may be called the Immigration and Foreigners Act, 2025.

(*2*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. **Definitions.—**In this Act, unless the context otherwise requires,—

(*a*) "accommodation" means a temporary or permanent premises of any nature, where a foreigner is accommodated;

(*b*) "carrier" means a person or entity, including any association of persons or company, whether incorporated or not, who is engaged in the business of transporting passengers or cargo by air, water or land by aircraft or ship or any other mode of transport;

(*c*) "civil authority" means such authority as may be appointed by the Central Government in this behalf for such area as it thinks fit;

(*d*) "entry" means entry by air, water or land;

(*e*) "exit" means exit by air, water or land;

(*f*) "foreigner" means a person who is not a citizen of India;

(*g*) "immigration function" means any one of the functions relating to—

(*i*) the visa issuance and regulation of entry into;

(*ii*) transit through;

(*iii*) stay in; or

(*iv*) movement within and exit from,

India, under the provisions of this Act or rules or orders or directions made thereunder;

(*h*) "Immigration Officer" means any officer authorised by the Central Government to carry out immigration functions or such other functions as may be prescribed and includes the Chief Immigration Officer;

(*i*) "immigration post" means the point of entry into and exit from India for the purpose of immigration functions as may be notified by the Central Government;

(*j*) "keeper of accommodation" means the person in charge of the management of an accommodation and includes any person authorised by him to perform the duties of the keeper of the accommodation;

1. 1st day of September, 2025, *vide* notification No. S.O. 3981 (E), dated 31st August, 2025, *see* Gazette of India, Extraordinary, Part II, sec. 3 (*ii*).

(*k*) "notification" means a notification published in the Official Gazette and the expressions "notify" and "notified" shall be construed accordingly;

(*l*) "order" means the instructions issued under any of the provisions of this Act or the rules made thereunder;

(*m*) "other travel document" means the Emergency Certificate or Certificate of Identity or such other travel document which has been issued by or under the authority of the Central Government or Government of a foreign country or any other organisation as may be recognised for this purpose by the Central Government, subject to such conditions as may be prescribed;

(*n*) "passport" means a passport issued or deemed to have been issued under the provisions of the Passport Act, 1967 (15 of 1967) and includes a passport which have been issued by or under the authority of the Government of a foreign country subject to such conditions as may be prescribed;

(*o*) "prescribed" means prescribed by rules made under this Act;

(*p*) "Prohibited place" means any place as the Central Government may, by order, specify in this behalf;

(*q*) "Protected area" means any area contiguous with India's international border or any other area, as the Central Government may, by order, specify in this behalf;

(*r*) "Registration Officer" means a Registration Officer authorised by the Central Government in this behalf for such area as it thinks fit and includes such officer authorised by him with the approval of the Central Government to perform the duties of the Registration Officer on his behalf;

(*s*) "Restricted area" means any area within India and outside the protected area, as the Central Government may, by order, specify in this behalf;

(*t*) "visa" means an authorisation by such authority as may be prescribed in this behalf, permitting a foreigner to enter into or transit through or stay in or exit from the territory of India.

CHAPTER II

MATTERS RELATED TO IMMIGRATION

3. **Requirement of passport or other travel document and visa.—**(*1*) No person proceeding from any place outside India shall enter, or attempt to enter, India by air, water or land unless he is in possession of a valid passport or other travel document, and in case of a foreigner, also a valid visa, and any foreigner while present in India shall also be required to possess valid passport or other valid travel document and valid visa, unless exempted under section 33 or through intergovernmental agreements:

Provided that notwithstanding anything contained in this sub-section, no foreigner shall be allowed to enter into or stay in India, if he is found inadmissible to do so on account of threat to national security, sovereignty and integrity of India, relations with a foreign State or public health or on such other grounds as the Central Government may, specify in this behalf:

Provided further that the decision of the Immigration Officer in this regard shall be final and binding.

(*2*) Notwithstanding anything contained in section 3 of the Passports Act, 1967 (15 of 1967), no person shall depart or attempt to depart from India by air, water or land unless he is in possession of a valid passport or other travel document and in case of a foreigner, also a valid visa:

Provided that notwithstanding anything contained in this sub-section, no person shall be allowed to depart or exit from India, if his presence is required in India by any authorised agency or on such grounds as the Central Government may, by order, specify in this behalf:

Provided further that the decision of the Immigration Officer in this regard shall be final and binding.

(*3*) The Immigration Officer may examine the passport or other travel document and visa of a foreigner during his entry into, transit through, stay in, movement within India and also require him to furnish such information as may be necessary and appropriate.

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(*4*) The Immigration Officer may seize a passport or other travel document of any person which has been declared as lost or stolen or considered as damaged or forged or fraudulently obtained or on the direction of the passport issuing authority or courts.

(*5*) The overall supervision, direction and control on visa and related matters shall vest in and be exercised by the Central Government.

4. Immigration posts for entry or exit.—(*1*) The Central Government may notify the designated immigration posts for entry into or exit from India at such places as may be specified.

(*2*) A designated immigration post for entry into or exit from India shall be manned by an Immigration Officer or such other officers as may be specified by the Bureau of Immigration constituted under section 5.

5. **Bureau of Immigration.—**(*1*) There shall be constituted a Bureau called the Bureau of Immigration for performing the immigration functions and such other functions as may be prescribed.

(*2*) The Bureau of Immigration referred to in sub-section (*1*) shall consist of such number of officers appointed by the Central Government in such manner as may be prescribed.

(*3*) The general supervision, directions and control of the Bureau of Immigration, shall vest in and be exercised by the Central Government and the overall supervision of the immigration functions and such other functions as may be prescribed, shall vest in the officer appointed by the Central Government as Commissioner of Bureau of Immigration.

(*4*) The Commissioner, Bureau of Immigration shall, in discharge of his duties under this Act, be assisted by the Foreigners Regional Registration Officers, Foreigners Registration Officers, Chief Immigration Officers and such Immigration Officers as may be authorised by the Central Government in this behalf.

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CHAPTER III

MATTERS RELATED TO FOREIGNERS

6. **Registration of foreigners.—**The foreigners on arrival in India shall be required to register with the Registration Officer concerned, subject to such conditions and in such manner as may be prescribed.

7. **Power to issue orders, directions or instructions.—**(*1*) The Central Government may, by an order or direction or instruction, make provisions, either generally or with respect to all foreigners or with respect to any particular foreigner or any specified class or description of foreigner, for prohibiting, regulating or restricting the entry of foreigners into India or, their departure therefrom or their presence or continued presence therein.

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

(*a*) shall not enter India, or shall enter 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 specified;

(*b*) shall not depart from 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 specified;

(*c*) shall not remain in India or in any specified area therein;

(*d*) shall, if he has been required by order or direction or instruction under this section not to remain in India, meet from any resources at his disposal the cost of his removal from India and of his maintenance therein pending such removal;

(*e*) shall remove himself to, and remain in, such area in India as may be specified;

(*f*) shall comply with such conditions as may be specified—

(*i*) requiring him to present himself for examination, for such information in such manner, at such time, as may be required;

(*ii*) requiring him to reside in a particular place;

(*iii*) imposing any restrictions on his movements;

(*iv*) 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 specified;

(*v*) requiring him to allow his photograph and biometric information, as may be specified, to be taken and to furnish specimens of his handwriting and signature to such authority and at such time and place as may be specified;

(*vi*) requiring him to submit himself to such medical examination by such authority and at such time and place as may be specified;

(*vii*) prohibiting him from association with persons of a specified description;

(*viii*) prohibiting him from engaging in activities of a specified description;

(*ix*) prohibiting him from using or possessing specified articles;

(*x*) regulating his conduct in any such particular as may be specified.

(*3*) In addition to the foregoing, the Central Government may make provision for any matter which is to be or may be specified and for such incidental and supplementary matters as may be expedient or necessary for giving effect to this Act.

(*4*) Any authority specified in this behalf may, with respect to any particular foreigner, issue order or direction or instruction under clause (*f*) of sub-section (*2*).

8. **Obligation of keeper of accommodation and others to furnish particulars.**—(*1*) It shall be the duty of the keeper of accommodation to submit to the Registration Officer such information in respect of foreigners accommodated in such accommodation and in such manner as may be prescribed:

Provided that subject to provisions of sub-section (*3*), provisions of this of this sub-section shall not be applicable to residential premises of non-commercial nature.

(*2*) Every foreigner accommodated in such accommodation shall furnish to the keeper of accommodation thereof such particulars as may be required by him.

(*3*) If in any area as may be specified in this behalf, the civil authority so directs, it shall be the duty of every person occupying or having under his control any residential premises to submit to the Registration Officer in such manner such information in respect of foreigner accommodated in such premises as may be specified.

9. Obligation of Universities and Educational Institutions.—Every University and Educational Institution or any other institution admitting any foreigner shall furnish information to the Registration Officer in respect of such foreigner in such manner as may be prescribed.

10. **Obligation of hospital, nursing home or any other medical institution.**—Every hospital, nursing home or any other such medical institution providing medical, lodging or sleeping facility in their premises shall furnish information in respect of any foreigner taking indoor medical treatment or their attendant for whom such lodging or sleeping facility has been provided to the Registration Officer in such manner as may be prescribed.

11. **Visit to Protected or Restricted area or Prohibited places.**—No foreigner shall enter or stay in Protected area or Restricted area or Prohibited place without a special permit or permission granted by such authority as may be specified by an order published in the Official Gazette in this behalf and subject to such conditions as specified therein.

12. **Change of name of foreigner in India.**—(*1*) No foreigner who was in India on the date on which this Act came into force shall, while in 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, except where a specific permission for change of name has been granted by such authority in such manner as may be prescribed.

(*2*) No foreigner who has entered into India after the date on which this Act came into force shall, while in India after the date of his entry, 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 of entry, except where a specific permission for change of name has been granted by such authority as may be prescribed.

(*3*) For the purpose 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.

(*4*) Nothing contained in this section shall apply to the assumption or use by any married woman, of her husband's name.

13. **Foreigners whose movements are restricted.**—(*1*) Any foreigner in respect of whom there is in force an order under clause (*f*) of sub-section (*2*) of section 7 requiring him to reside at a place set apart for the residence under supervision, for a number of foreigners, shall, while residing therein, be 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 by order determine.

(*2*) No person shall—

(*a*) knowingly assist such a foreigner to escape from custody or the place set apart for his residence, or knowingly harbour any such foreigner; or

(*b*) give such a foreigner any assistance with intent thereby to prevent, hinder or interfere with the apprehension of such a foreigner.

(*3*) The Central Government may, by order, provide for regulating access to, and the conduct of persons in, places in India where such a foreigner whose movements are restricted is lodged, and for prohibiting or regulating the dispatch or conveyance from outside such places to or for such a foreigner therein of such articles as may be prescribed.

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14. **Power to control places frequented by foreigners.**—(*1*) The civil authority may, subject to such conditions as may be prescribed, direct the owner or keeper having control of any premises frequented by any foreigner—

(*a*) to close such premises either entirely or during specified periods;

(*b*) to use or permit the use of such premises only under such conditions as may be specified; or

(*c*) to refuse admission to such premises either to all foreigners or to any specified foreigner or class of foreigners.

(*2*) A person to whom any direction has been given under sub-section (*1*) shall not, while such direction remains in force, use or permit to be used any other premises for any of the aforesaid purposes, except with the previous permission in writing of the civil authority and in accordance with any conditions which that authority may think fit to impose.

(*3*) Any person to whom any direction has been given under sub-section (*1*) and who is aggrieved thereby may, within thirty days from the date of such direction, appeal to the Central Government, and the decision of the Central Government in the matter shall be final.

15. **Foreigner who is national of more than one foreign country.**—When a foreigner, while in India with a valid passport or other travel document and valid visa, is recognised as a national by the law of more than one foreign country, the civil authority or Immigration Officer may, after due verification of all available documents and inquiry, treat that foreigner as the national of the country on whose passport or travel document he had entered into India or with which he appears to be most closely connected for the time being and the decision of civil authority or Immigration Officer in this regard shall be final:

Provided that the Central Government, either of its own motion or on an application by the foreigner concerned, may revise any such decision.

16. **Burden of proof.**—If in any case, not falling under section15, any question arise with reference to this Act or any rule or order made or direction given thereunder, whether any person is or is not a foreigner of a particular class or description, the onus of proving that such person is not a foreigner or is not a foreigner of such particular class or description, as the case may be, shall, notwithstanding anything contained in the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023), lie upon such person.

CHAPTER IV

LIABILITY OF CARRIERS

17. **Obligation of carriers and like.**—(*1*) The carrier landing or embarking at a port or place in India shall furnish to a civil authority or Immigration Officer—

(*i*) the passenger and crew manifest;

(*ii*) the advance passenger information data of passengers and crew on board of such aircraft, vessel or other mode of transport, as the case may be; and

(*iii*) the passenger name record information of passengers arriving or departing,

in such form, containing such particulars, in such manner and within such time, as may be prescribed.

(*2*) For the purposes of sub-section (*1*), the expression "passenger name record information" means the records prepared by an operator of any aircraft or vessel or other mode of transport or his authorised agent for each journey booked by or on behalf of any passenger.

(*3*) Where the information referred to in sub-section (*1*) is not furnished to civil authority or Immigration Officer within the prescribed time and manner or false information is furnished and if civil authority or Immigration Officer is satisfied that there was no sufficient cause for such delay in furnishing the information or in the manner prescribed, the carrier shall be liable to such penalty specified in section 18 for each such information:

Provided that no penalty shall be imposed without giving the carrier an opportunity of being heard in the matter.

(*4*) Any person aggrieved by the penalty imposed under sub-section (*3*), may prefer an appeal to such authority in such form, manner and accompanied by such fee as may be prescribed.

(*5*) Every such appeal shall be preferred within a period of thirty days from the date of the order appealed against:

Provided that the appellate authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, permit the appellant to prefer the appeal within a further period not exceeding thirty days.

(*6*) On receipt of any such appeal, the appellate authority shall, after giving the parties an opportunity of being heard and after making such inquiry as it deems proper, make such order, as it may think fit, confirming, modifying or reversing the order appealed against.

(*7*) Any District Magistrate or any Commissioner of Police or, where there is no Commissioner of Police, any Superintendent of Police or the civil authority or Immigration Officer may, for any purpose connected with the enforcement of this Act or any rule or any order made thereunder, require the carrier to furnish such information as may be prescribed in respect of passengers or members of the crew on such aircraft, vessel or other mode of transport, as the case may be.

(*8*) Any passenger on such carrier and any member of the crew of such carrier shall furnish to the carrier, any information required by him for the purpose of furnishing the information referred to in sub-section (*1*) or for furnishing the information required under sub-section (*7*).

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(*9*) If any foreigner whose entry has been refused, such foreigner shall be handed over to the carrier by the Immigration Officer and it shall be the responsibility of that carrier to ensure his removal from India without delay.

(*10*) If any foreigner enters into India in contravention of any provisions of this Act or any rule or order made thereunder, the civil authority or Immigration Officer may, within two months from the date of such entry, direct the carrier on which such entry was effected to provide accommodation, otherwise than at the expense of Central Government, on such aircraft or a vessel or any other mode of transport for the purpose of removing the said foreigner from India.

(*11*) The carrier which is about to carry passengers from a port or place in India to any destination outside India, if so directed by the Central Government and on tender of payment therefor at the current rates, shall provide on the aircraft or vessel or any other mode of transport, accommodation to such port or place outside India, being a port or place at which the aircraft or vessel or any other mode of transport is due to call, as the Central Government may specify, for any foreigner ordered under section 7 not to remain in India and for his dependents, if any, travelling with him.

(*12*) The carrier shall not cause or permit the aircraft or vessel or any other mode of transport to depart from a port or place in India until a clearance has been obtained from the Immigration Officer on submission of general declaration in such form, manner and with such particulars, as may be prescribed.

(*13*) For the purposes of this section,—

(*a*) "carrier" shall also include pilot of aircraft, master of vessel, or company representative or station manager or operator of such aircraft or vessel or any other mode of transport or any person authorised by such carrier to discharge on his behalf any of the duties imposed on him by this section;

(*b*) "passenger" means any person not being a *bona fide* member of the crew, travelling or seeking to travel on an aircraft or a vessel or any other mode of transport.

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CHAPTER V

OFFENCES, PENALTIES AND APPEAL

18. **Liability of carrier to pay penalty.**—The carrier, for contravention of the provisions of section 17, shall be liable to a penalty which may extend to fifty thousand rupees.

19. **Liability of carriers for passengers brought into India.**—(*1*) Where the civil authority or Immigration Officer is of the opinion that any carrier has brought a person, in contravention of the provisions of section 3 and rules or orders made thereunder, into India, he may, by order impose a penalty which shall not be less than two lakh rupees, but may extend to five lakh rupees, on such carrier:

Provided that no order shall be passed without giving the carrier an opportunity of being heard in the matter.

(*2*) Any person aggrieved by an order made under sub-section (*1*), may prefer an appeal to such authority in such form, manner and accompanied by such fee as may be prescribed.

(*3*) Every such appeal shall be preferred within a period of thirty days from the date of the order appealed against:

Provided that the appellate authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, permit the appellant to prefer the appeal within a further period of thirty days.

(*4*) On receipt of any such appeal, the appellate authority shall, after giving the parties a reasonable opportunity of being heard and after making such inquiry as it deems proper, make such order, as it may think fit, confirming, modifying or reversing the order appealed against.

(*5*) Where any penalty imposed under this section is not paid, the civil authority or Immigration Officer may recover the penalty so payable by—

(*a*) seizing or detaining the aircraft or the ship or any other mode of transport of the carrier;

(*b*) seizing, detaining or selling any goods or properties belonging to the carrier; or

(*c*) such other means as may be notified.

20. **Contravention or attempts to contravene provisions of Act.**—(*1*) Any person who contravenes or attempts to contravene, or abets or attempts to abet, or does any act preparatory to a contravention of, any of the provisions of this Act or of any rule or 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 Act.

(*2*) Any person who, knowing or having reasonable cause to believe that any other person has contravened the provisions of this Act or of any rule or 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 a betted that contravention.

(*3*) The carrier, by means of which any foreigner enters or leaves India in contravention of this Act or any rule or order made thereunder, or direction given in pursuance of section 7 shall, unless he proves that he exercised all due diligence to prevent the said contravention, be deemed to have contravened this Act.

21. Penalty for entry without valid passport or other travel document.— Any foreigner who enters into any area in India without a valid passport or other travel document, including visa required for such entry in contravention of provisions of section 3 of this Act or of any rule or order made thereunder or any direction given in pursuance thereof, shall be punishable with an imprisonment for a term which may extend to five years or with fine which may extend to five lakh rupees or with both.

22. **Penalty for using or supplying forged or fraudulently obtained passport or other travel document and visa.**—Whoever knowingly uses or supplies a forged or fraudulently obtained passport or other travel document or visa for entering into India or staying in or exiting from India, shall be punishable with an imprisonment for a term which shall not be less than two years, but may extend to seven years and shall also be liable to fine which shall not be less than one lakh rupees, but may extend to ten lakh rupees:

Provided that any attempt for above mentioned use of forged or fraudulently obtained passport or any other travel document or visa found for such entry or exit from India shall also be treated as an offence under this section.

23. **Penalty for contraventions of other provisions of this Act.**—Whoever,—

(*a*) being a foreigner, remains in any area in India for a period exceeding the period for which the visa was issued to him or stays in India without a valid passport or other valid travel document in contravention of provisions of section 3 or does any act in violation of the conditions of the valid visa issued to him for his entry and stay in India or any part thereunder;

(*b*) contravenes any other provisions of this Act, other than sections 17 and 19, or of any rule or order made thereunder or any direction or instruction given in pursuance of this Act or such order or direction or instruction for which, no specific punishment is provided under this Act,

shall be punishable with an imprisonment for a term which may extend to three years or with a fine which may extend to three lakh rupees or with both.

24. **Penalty for abetment.** — (*1*) Whoever abets any offence punishable under sections 21 or 22 or 23 shall, if the act abetted is committed in consequence of the abetment, be punishable with the same punishment as provided for those offences.

(*2*) For the purposes of this section,—

(*i*) an act or offence is said to be committed in consequence of the abetment, when it is committed in consequence of the instigation, or in pursuance of the conspiracy, or with the aid which constitutes the offence;

(*ii*) the expression "abetment" shall have the same meaning as assigned to it under section 45 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).

25. Compounding of certain offences.—(*1*) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), any offence punishable under sections 21, 23 or section 24 whether committed by an individual or a company or an organisation or any officer or employee or a representative thereof, may, either before the institution of prosecution or during trial, be compounded by such officers or authorities and for such sums as the Central Government may, by notification, specify in this behalf:

Provided that the sum so specified shall not, in any case, exceed the maximum amount of the fine which may be imposed under sections 21 or 23 for the offence so compounded.

(*2*) Nothing contained in sub-section (*1*) shall apply to an offence committed, by an individual or a company or an organisation or any officer or employee or representative thereof within a period of three years from the date on which a similar offence committed by it or him was compounded under this section.

(*3*) Every officer or authority referred to in sub-section (*1*) shall exercise the powers to compound an offence, subject to the directions, control and supervision of the Central Government.

(*4*) Where any offence is compounded before the institution of any prosecution or before commencement of trial, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.

(*5*) Where the compounding of an offence is made after the institution of prosecution or during trial, such compounding shall be brought by the authority specified for such compounding in writing, to the notice of the court in which the prosecution or trial is pending and on such notice of the compounding of offences being given, the individual or the company or the organisation or any officer or employee in relation to whom the offence is so compounded shall be discharged.

(*6*) For the purposes of this section, any second or subsequent offence committed after the expiry of a period of three years from the date on which the offence was previously compounded, shall be deemed to be a first offence.

26. **Power to arrest.**—Any officer of police, not below the rank of a Head Constable may arrest without warrant any person who has contravened or against whom a reasonable suspicion exists that he has contravened section 3 or any rule or order made thereof and the provisions of section 58 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023) shall, so far as may be, apply in the case of any such arrest.

CHAPTER VI

MISCELLANEOUS

27. **Power to give effect to orders, directions, and like.**—(*1*) Any authority empowered by or under or in pursuance of the provisions of this Act or rule or order made thereunder to give any direction or to exercise any other power may, in addition to any other action expressly provided for in this Act, take or cause to be taken such steps and use, or cause to be used, such force as may, in its opinion, be reasonably necessary for securing compliance with such direction or for preventing or rectifying any breach thereof, or for the effective exercise of such power, as the case may be.

(*2*) Any police officer, not below the rank of Head Constable, may take such steps and use such force as may, in his opinion, be reasonably necessary for securing compliance with any rule or order made or direction given under or in pursuance of the provisions of this Act or for preventing or rectifying any breach of such rule or order or direction.

(*3*) The power conferred by this section shall be deemed to confer upon any person acting in exercise thereof a right of access to any land or other property whatsoever.

28. **Power to delegate authority.**—The Central Government may, by notification, direct that any power or functions which may be exercised or performed by it under this Act or by any rule or order made thereunder, subject to such conditions, if any, as it may specify in such notification, be exercised or performed—

(*a*) by such officer or authority subordinate to the Central Government;

(*b*) by any State Government or by any officer or authority subordinate to such Government or any officer or authority authorised by such Government.

29. **Power of removal.**—The Central Government may, by general or special order, direct the removal of a foreigner from India for contravention of any of the provisions of this Act or any rule or order made thereunder or an adverse security report, and thereupon any officer of the Government shall have all reasonable powers necessary to enforce such directions.

30. **Power to make rules.**—(*1*) The Central Government may, by notification, make rules for carrying out the purposes 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*) such other functions to be carried out by Immigration Officer under clause (*h*) of section 2;

(*b*) the conditions subject to which the other travel document issued under clause (*m*) of section 2;

(*c*) the conditions subject to which the passport issued under clause (*n*) of section 2;

(*d*) the authority authorised to grant visa under clause (*t*) of section 2;

(*e*) such other functions to be performed by the Bureau of Immigration under sub-section (*1*) of section 5;

(*f*) the manner of appointment of officers of the Bureau of Immigration under sub-section (*2*) of section 5;

(*g*) the other functions which shall vest in the officers appointed by the Central Government as Commissioners of the Bureau of Immigration under sub-section (*3*) of section 5;

(*h*) the conditions and the manner subject to which the foreigners on arrival in India shall be required to register with the Registration Officer under section 6;

(*i*) the manner of submission of the information of foreigners to the Registration Officer by the keeper of accommodation under section 8;

(*j*) the manner of submission of the information of foreigners to the Registration Officer by the Universities and Educational Institutions under section 9;

(*k*) the manner of submission of the information of foreigners to the Registration Officer by the hospitals, nursing homes and other medical institutions under section 10;

(*l*) the authority and the manner for change of name of a foreigner subject to a specific permission under sub-sections (*1*) and (*2*) of section 12;

(*m*) the restriction of the dispatch of such articles to or for a foreigner under sub-section (*3*) of section 13;

(*n*) the conditions subject to which the civil authority may exercise the power to control places frequented by foreigners under section 14;

(*o*) the form, particulars, the manner and the time within which the information to be furnished by carrier to the civil authority or Immigration Officer under sub-section (*1*) of section 17;

(*p*) the appellate authority, form, manner and the fee to be accompanied for filing an appeal under sub-section (*4*) of section 17;

(*q*) the information to be required by District Magistrate or any Commissioner of Police from the carrier under sub-section (*7*) of section 17;

(*r*) the form, manner and such particulars to be submitted by the carrier to the Immigration Officer under sub-section (*12*) of section 17;

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(*s*) the appellate authority, form, manner and the fee to be accompanied for filing an appeal under sub-section (*2*) of section 19;

(*t*) any matter which is to be or may be prescribed or in respect of which provision is to be made by rules.

31. **Rules to be laid before Parliament.**—Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

32. **Protection of action taken in good faith.**—No suit or any other proceeding shall lie against any person for anything done, or intended to be done in good faith under this Act or any rule or order made thereunder.

33. **Power to exempt in certain cases.**—(*1*) The Central Government may, by order published in the Official Gazette, declare that all or any of the provisions of this Act or of any rule or order made thereunder shall not apply, or shall apply only in such circumstances or with such exceptions or modifications or subject to such conditions as may be specified in such order, to or in relation to—

(*a*) the citizens or class of citizens of any such country as may be so specified; or

(*b*) any other individual foreigner or class or description of foreigner.

(*2*) The Central Government may, if it is of the opinion that it is necessary or expedient so to do in the public interest or to fulfil the international obligation, by order published in the Official Gazette and subject to such conditions as may be specified therein, exempt any carrier or class of carriers from the operations of all or any of the provisions of this Act and may, as often as may be necessary, revoke or modify such order.

(*3*) A copy of every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

34. **Application of other laws not barred.**—The provisions of this Act shall be in addition to, and not in derogation of the provisions of any other law for the time being in force.

35. **Power to remove difficulties.**—(*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of three years from the date of commencement of this Act.

(*2*) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

36. **Repeal and saving.**—(*1*) The Passport (Entry into India) Act, 1920 (34 of 1920), the Registration of Foreigners Act, 1939 (16 of 1939), the Foreigners Act, 1946 (31 of 1946) and the Immigration (Carriers' Liability) Act, 2000 (52 of 2000) (hereinafter referred to as repealed Acts) are hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken, including any rules, orders, directions, instructions, regulations or any proceedings made or issued or taken or given or any penalty or fine imposed under the repealed Acts shall, in so far as it is not inconsistent with the provision of this Act, be deemed to have been done or taken under the corresponding provisions of this Act.

(*3*) The mention of the particular matters referred to in sub-section (*2*) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 (10 of 1897) with regard to the effect of repeal.

STATEMENT OF OBJECTS AND REASONS

The matters relating to foreigners and immigration are presently administered through the Foreigners Act, 1946 (31 of 1946) and the Immigration (Carriers' Liability) Act, 2000 (52 of 2000). The Foreigners Act, 1946 was enacted to confer upon the Central Government certain powers in respect of foreigners. The Immigration (Carriers' Liability) Act, 2000 was enacted to make the carriers liable in respect of passengers brought by them into India in contravention of the provisions of the Passport (Entry into India) Act, 1920 (34 of 1920) and the rules made thereunder and matters connected therewith. The other relevant Acts relating to foreigners and immigration are the Passport (Entry into India) Act, 1920 and the Registration of Foreigners Act, 1939 (16 of 1939). These two Acts were enacted with a view to take power to require passports of persons entering into India; and to provide for the registration of foreigners in India.

2. The Acts, namely the Passport (Entry into India) Act, 1920, the Registration of Foreigners Act, 1939 and the Foreigners Act, 1946 are not only of pre-Constitution period, but also, they were brought into extraordinary times of first and second world wars. While there is an underlying continuity and commonality of objectives among the four Acts, there are some overlapping provisions among the said Acts.

3. In view of the reasons mentioned in the preceding paragraphs, there is a necessity to repeal all the aforesaid four Acts and to enact a new comprehensive legislation, namely the Immigration and Foreigners Bill, 2025. The proposed legislation is to be enacted with a view to confer upon the Central Government certain powers to provide for requirement of passports or other travel documents in respect of persons entering into and exiting from India and for regulating matters related to foreigners including requirement of visa and registration and for matters connected therewith or incidental thereto. The proposed legislation is being enacted to avoid multiplicity and overlapping of laws on the same or related subject and to comply with the Government of India's policy of simplification of laws.

4. The Immigration and Foreigners Bill, 2025, inter alia, provides for the following, namely:—

(*i*) the matters relating to immigration, namely the functions of Immigration Officer, the requirement of passport and visa and other matters;

(*ii*) the matters relating to foreigners and their registration;

(*iii*) the provisions relating to obligation of universities and educational institutions admitting any foreigner;

(*iv*) the obligation of hospital, nursing home or any other medical institution admitting the foreigners;

(*v*) the provisions relating to foreigners whose movements are restricted;

(*vi*) the power of civil authority to control places frequented by foreigners;

(*vii*) the provisions relating to liability of carriers and its obligations;

(*viii*) the offences and punishment for contravention of certain provisions of the proposed legislation and composition of offences;

(*ix*) the power of Central Government to issue orders for removal of foreigners, to delegate and exempt; and

(*x*) to repeal the existing four Acts relating to foreigners and immigration.

5. The Notes on clauses explain in detail the various provisions contained in the Bill.

6. The Bill seeks to achieve the above objectives.

AMIT SHAH.

NEW DELHI;
The 4*th February*, 2025.

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