

## **FOREIGNERS (PROTECTED AREAS) ORDER, 1958**

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## **FOREIGNERS (PROTECTED AREAS) ORDER, 1958**

For STATEMENT OF OBJECTS AND REASONS - "At present the only permanent measures governing foreigners specifically are the Registration of Foreigners Act of 1939 and the Foreigners Act. 1864. The Act of 1939 provides for the making of rules to regulate registration of foreigners and formalities connected therewith, their movement in, or departure from, India. The Act of 1864 provides for the expulsion of foreigners and their apprehension and detention pending removal and for a ban on their entry into India after removal ; the rest of the Act which provides for report on arrival, travel under a licence and certain incidental measures, can be enforced only on the declaration of an emergency. The powers under this Act have been found to be ineffective and inadequate both during normal times and during an emergency. The needs of the war emergency were met by the enactment of a Foreigners Ordinance in 1939 and the promulgation under It of the Foreigners Order and the Enemy Foreigners Order. Even at that time the need

for more satisfactory permanent legislation was recognised but it was decided to postpone consideration of such a measure until after the war. The Ordinance was, therefore, replaced by the Foreigners Act, 1940, the life of which was to expire on the 30th September, 1946, but has recently been extended by the Foreigners Act (Amendment) Ordinance, 1946, up to the 25th March, 1947. Meanwhile the question of permanent legislation, more or less on the lines of the Act of 1940 has been examined, in consultation with the Provincial Governments. All Provincial Governments agree that such permanent legislation in repeal of the Act of 1864, is necessary. The Bill in the main reproduces the provisions of the Foreigners Act of 1940.

### **1. Short title, commencement and application :-**

The inner line runs as follows : of Upshi thence West of road Upshi Manali upto Chumikgiarsa on Ladakh/Himachal Pradesh Border.

## **2 \ Definitions**

.-In this Order,-

(a) "protected areas" means any border areas falling beyond the inner line as described in Schedule 1.

(b) "Schedule" means a Schedule to this Order.

### **3. Restrictions on entry into protected areas :-**

**1** "From Chumikriarsa 32° 56' 48" 77° 35' 56" along the Himachal Pradesh-Jammu and Kashmir boundary Eastward connecting points 5588. 5780, 5792, then moving Southward and leaving Himachal Pradesh-Jammu and Kashmir boundary and moving into Himachal Pradesh territory connecting point 6157, then moving to-Taking La (5775) and further moving Southward along the ridge up to the Parangia Pass (18800)-then Southward along the ridge connecting point 16600 and point 20800-then follow the ridge South-Eastward between the rivers Kheukh Shame,-crossing the Lingti river between Liung and Zingiu river confluences,-the connecting point 19362 (Kamalank Peak),-then further Southward crossing the Spiti river near Poh-then connecting point 18837 Pon Peak.-then moving Southward and connecting Peak Point 6223m-then following Southward along the ridge connecting point 6223m-then Manirang Pass-then moving South up to Tharnsa Peak (5092m/6707m)-then meeting point 4724m-then meeting Hindustan-Tibet road and Sutlej river at the confluence of Lipa river and Sutlej at the Lipa

river bridge-then following further South-East connecting points, 4459m, 6095m/20090/Sessarang-then proceeding/southward and connecting Village Charang,-then further Southward connecting point 5705m-then moving South-Westward connecting point 4920m/15142/-then crossing Glacier meeting point 5235m/19171/-then meeting the 40 Km belt at point 5424m on Khimlay pass which happens to be the point on the Himachal Pradesh-Uttar Pradesh border-then moving further Westward along the Himachal Pradesh-Uttar Pradesh border upto the point Rupi Guend Stream, upto Sewa Dogri: 31° 10' 42" 78° 04' 20" on Himachal Pradesh-Uttar Pradesh border.

#### **4 \ Form of permit**

.-A permit issued under paragraph 3 shall be in the form specified in Schedule II [\* \* \*]<sup>1</sup> and shall contain the following particulars, namely,-

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

1. Omitted by G.S.R. 1186, dated 21.10.1974.

#### **5. Foreigner Orders, 1948 not affected :-**

"Western side (upto Indo-Pak Border) of National Highway number 15 running from Sriganganagar to Sanchore via Sriganganagar, Suratgarh, Lunkaransar, Bikaner, Gajner, Kolayat, Phalodi, Khera, Ram Devra, Pokaran, Lathi, Jaisalmer, Sangad, Fatehgarh, Sheo, Bhadewa, Kapoordi, Barmer, Hathitala Sanwara, Lookhoo, Gandhwa, Dhamuna, subject to the following exceptions :-

- (i) the peripheral areas of cities, towns and villages on the National Highway number 15 though which it passes ;
- (ii) the city limits of Suratgarh, Bikaner, Phalodi, Pokaran, Jaisalmer, Barmer and Sanchore; and
- (iii) the following villages and areas of tourist interest in the district of Jaisalmer : Amarsagar, Ludrawa, Kuldara, Bada Bagh, (Black Bar) Akal, Sam and Udha."

#### **5 \ Foreigner Orders, 1948 not affected**

.-The provisions of this Order are in addition to, and not in derogation of, the

provisions of Paragraph 9 of the Foreigners Order, 1948 .

Note :-Paragraph 9 of the Foreigners Order, 1948 speaks that as under "the Central Government or, with its prior sanction, a civil authority may by order declare any area to be a protected area for the purpose of this order."

#### SCHEDULE 1

#### SCHEDULE

### **1. JAMMU AND KASHMIR :-**

The inner line runs as follows : of Upshi thence West of road Upshi Manali upto Chumikgiarsa on Ladakh/Himachal Pradesh Border.

### **2. STIPULATIONS :-**

Notwithstanding anything contained herein above, a foreigner shall be permitted to,-

(a) travel along National Highway 1-A between the border of Punjab/Jammu and Kashmir and Jammu-Akhnur Road subject to his complying with the following conditions,-

(i) his movement from Jammu to Akhnur shall be confined to the road west of Ranbir Canal ; and

(ii) his movement in Jammu and Akhnur towns shall be restricted to the municipal limits of these towns ;

(b) visit Gompas at Tia Timosgam, Rizong, Likir, Phyang. Sankar. Chernre. Gya. Miru and Rumtse subject to such conditions as may be specified by the Central Government in this behalf.

### **3. HIMACHAL PRADESH :-**

<sup>1</sup> "From Chumikriarsa 32° 56' 48" 77° 35' 56" along the Himachal Pradesh-Jammu and Kashmir boundary Eastward connecting points 5588. 5780, 5792, then moving Southward and leaving Himachal Pradesh-Jammu and Kashmir boundary and moving into Himachal Pradesh territory connecting point 6157, then moving to-Taking La (5775) and further moving Southward along the ridge up to the Parangia Pass (18800)-then Southward along the ridge connecting point 16600 and point 20800-then follow the ridge South-Eastward between the rivers Kheukh Shame,-crossing the Lingti river between Liung and Zingiu river confluences,-the connecting point 19362 (Kamalank Peak),-then further Southward crossing the Spiti river near Poh-then connecting point 18837 Pon Peak.-then moving Southward and connecting Peak Point 6223m-then following

Southward along the ridge connecting point 6223m-then Manirang Pass-then moving South up to Tharnsa Peak (5092m/6707m)-then meeting point 4724m-then meeting Hindustan-Tibet road and Sutlej river at the confluence of Lipa river and Sutlej at the Lipa river bridge-then following further South-East connecting points, 4459m, 6095m/20090/Sessarang-then proceeding/southward and connecting Village Charang,-then further Southward connecting point 5705m-then moving South-Westward connecting point 4920m/15142/-then crossing Glacier meeting point 5235m/19171/-then meeting the 40 Km belt at point 5424m on Khimlay pass which happens to be the point on the Himachal Pradesh-Uttar Pradesh border-then moving further Westward along the Himachal Pradesh-Uttar Pradesh border upto the point Rupi Guend Stream, upto Sewa Dogri: 31° 10' 42" 78° 04' 20" on Himachal Pradesh-Uttar Pradesh border.

1. Substituted by S.O. 283(E). dated 13.4.1992.

#### **4. STIPULATIONS :-**

Notwithstanding anything contained herein above and subject to such conditions as may be specified by the Central Government in this behalf, foreign tourists may be permitted to enter and stay in groups consisting of four or more persons sponsored by a recognised Travel Agency in India with predrawn itinerary to travel along the road from the inter-section of the Lippa Kud bridge of Hindustan-Tibet road (opposite village Moorang in Kinnaur District)-to Pooh.-to Dubling bridge over Sutlej river.-to further Khab, to Sumdho.-to Tabo,-to Dhankar Gompa,- to Kaza on the basis of the permit issued by the Government of Himachal Pradesh or an officer of the Indo-Tibetan Border Police, not below the rank of a Deputy Superintendent of Police, incharge of the check post.

#### **5. RAJASTKAN :-**

"Western side (upto Indo-Pak Border) of National Highway number 15 running from Sriganganagar to Sanchore via Sriganganagar, Suratgarh, Lunkaransar, Bikaner, Gajner, Kolayat, Phalodi, Khera, Ram Devra, Pokaran, Lathi, Jaisalmer, Sangad, Fatehgarh, Sheo, Bhadewa, Kapoordi, Barmer, Hathitala Sanwara, Lookhoo, Gandhwa, Dhamuna, subject to the following exceptions :-

(i) the peripheral areas of cities, towns and villages on the National Highway number 15 though which it passes ;

(ii) the city limits of Suratgarh, Bikaner, Phalodi, Pokaran,

Jaisalmer, Barmer and Sanchore; and

(iii) the following villages and areas of tourist interest in the district of Jaisalmer : Amarsagar, Ludrawa, Kuldara, Bada Bagh, (Black Bar) Akal, Sam and Udha."

**6. SIKKIM :-**

The inner line follows the southern border of Sikkim.

**7. ARUNACHAL PRADESH :-**

The inner line follows the southern and western borders of Arunachal Pradesh upto the point of tri-junction of Arunachal Pradesh, Nagaland and Assam.

**8. NAGALAND :-**

From the tri-junction of Arunachal Pradesh, Nagaland and Assam, the inner line follows the western borders of Nagaland upto the point of tri-junction of Nagaland, Manipur and Assam, except that in Dimapur Railway Station area, the inner line lies along the Dhansiri River where it leaves the border of Nagaland in the North upto where it joins the border in the South.

**9. MANIPUR :-**

From the tri-junction of Nagaland, Manipur and Assam, the inner line follows the western borders of Manipur, upto the point of tri-junction of Manipur, Mizoram and Assam.

**10. MIZORAM :-**

borders.

**SCHEDULE 2**

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Registration No..... Date..... [Under para 3 of the Foreigners (Protected Areas) Order, 1958] Mr./Mrs./Miss.....a.....national, residing at..... holder of a Passport No.....dated the.....is hereby permitted to enter the protected areas via .....and to reside in the protected area for purposes of.....at place(s) from.....to... 2. He/She shall while, residing in the said areas, comply with the conditions specified below. 3. Mr./Mrs./Miss.....shall not remain in the said areas after the..... unless he/she has obtained the prior permission of authority who issued the permit. Application for any extension of the period of this permit must be made atleast seven days before its expiry. (Issuing Authority). Place..... Date..... \ \ \ \ \ \ \ \Seal. [ * * * * ]
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