

Foreigners Act, 1946

Section 3 - Power to Make Orders

(1) The Central Government may by order¹ make provision, either generally or with respect to all foreigners or with respect to any particular foreigner or any prescribed class or description of foreigner, for prohibiting, regulating or restricting the entry of foreigners into ² [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, orders made under this section may provide that the foreigner--

(a) shall not enter ² [India] or shall enter ² [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 prescribed;

(b) shall not depart from ² [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 prescribed;

(c) shall not remain in ² [India], or in any prescribed area therein;

³ [(cc) shall, if he has been required by order 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];

(d) shall remove himself to, and remain in such area in ² [India] as may be prescribed;

(e) shall comply with such conditions as may be prescribed or specified--

(i) requiring him to reside in a particular place;

(ii) imposing any restrictions on his movements;

(iii) 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 prescribed or specified;

(iv) requiring him to allow his photograph and finger impressions to be taken and to furnish specimens of his handwriting and signature to such authority and at such time and place as may be prescribed or specified;

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

(vi) prohibiting him from association with persons of a prescribed or specified description;

(vii) prohibiting him from engaging in activities of a prescribed or specified description;

(viii) prohibiting him from using or possessing prescribed or specified articles;

(ix) otherwise regulating his conduct in any such particular as may be prescribed or specified;

(f) shall enter into a bond with or without sureties for the due observance of, or as an alternative to the enforcement of, any or all prescribed or specified restrictions or conditions;

⁴ [(g) shall be arrested and detained or confined;] and may make provision ³ [for any matter which is to be or may be prescribed and] for such incidental and supplementary matters as may, in

the opinion of the Central Government, be expedient or necessary for giving effect to this Act.

[3](#) [(3)Any authority prescribed in this behalf may with respect to any particular foreigner make orders under clause (c) [5](#) [or clause (f)] of sub-section (2).]

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1. For Foreigners Order, 1948, see Gazette of India, 1948, Pt. I. p. 198.
 2. Substituted by Act 38 of 1947, section 2, for "British India" (w.e.f.15-12-1947).
 3. Inserted by Act 38 of 1947, section 4 (w.e.f. 15-12-1947).
 4. Inserted by Act 42 of 1962, section 3 (24-11-1962). Earlier the brackets, letter and words "(g) shall be arrested and detained or confined;" were omitted by Act 11 of 1957, section 3 (w.r.e.f. 19-1-1957).
 5. Substituted by Act 11 of 1957, section 3 for "clause (f) or clause (g)" (w.r.e.f. 19-1-1957).
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