

Foreigners Act, 1946

Section 5 - Change of Name

(1) No foreigner who was in 1 [India] on the date on which this Act came into force shall, while in 1 [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.

(2) Where, after the date on which this Act came into force, any foreigner carries on or purports to carry on (whether alone or in association with any other person) any trade or business under any name or style, other than that under which that trade or business was being carried on immediately before the said date, he shall, for the purposes of sub-section (1), be deemed to be using a name other than that by which he was ordinarily known immediately before the said date.

(3) In relation to any foreigner who, not having been in 1 [India] on the date on which this Act came into force, thereafter enters 1 [India], sub-sections (1) and (2) shall have effect as if for any reference in those sub-sections to the date on which this Act came into force there were substituted a reference to the date on which he first enters 1 [India] thereafter.

(4) For the purposes 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.

(5) Nothing in this section shall apply to the assumption or use--

(a) of any name in pursuance of a 2 [* * *] licence or permission granted by the Central Government; or

(b) by any married woman, of her husband's name.

1. Substituted by Act 38 of 1947, section 2, for "British India" (w.e.f. 15-12-1947).

2. The word "Royal" omitted by Act 11 of 1957, section 6 (w.e.f. 19-1-1957)
