

Foreigners Act, 1946

Section 6 - Obligations of Masters of Vessels, Etc

(1) The master of any vessel landing or embarking at a port in ¹ [India], passengers coming to or going from that port by sea and the pilot of any aircraft landing or embarking at any place in ¹ [India] passengers coming to or going from that place by air, shall furnish to such person and in such manner as may be prescribed a return giving the prescribed particulars with respect to any passengers or members or the crew, who are foreigners.

(2) Any District Magistrate and any Commissioner of Police or, where there is no Commissioner of Police, any Superintendent of Police may, for any purpose connected with the enforcement of this Act or any order made thereunder, require the master of any such vessel or the pilot of any such aircraft to furnish such information as may be prescribed in respect of passengers or members of the crew on such vessel or aircraft, as the case may be.

(3) Any passenger on such vessel or such aircraft and any member of the crew of such vessel or aircraft shall furnish to the master of the vessel or the pilot of the aircraft, as the case may be, any information required by him for the purpose of furnishing the return referred to in sub-section (1) or for furnishing the information required under sub-section (2).

² [(4) If any foreigner enters ¹ [India] in contravention of any provision of this Act or any order made thereunder, the prescribed authority may, within two months from the date of such entry, direct the master of the vessel or the pilot of the aircraft on which such entry was effected or the owner or the agent of the owner of such vessel or aircraft, to provide, to the satisfaction of the said authority and otherwise than at the expense of Government, accommodation on a vessel or aircraft for the purpose of removing the said foreigner from India.

(5) The master of any vessel or the pilot of any aircraft which is about to carry passengers from a port or place in India to any destination outside India, or the owner or the agent of the owner of any such vessel or aircraft shall, if so directed by the Central Government and on tender of payment therefor at the current rates, provide on the vessel or aircraft accommodation to such port or place outside India, being a port or place at which the vessel or aircraft is due to call, as the Central Government may specify, for any foreigner ordered under section 3 not to remain in India and for his dependents, if any, travelling with him.]

³ [(6) For the purpose of this section--

(a) "master of a vessel" and "pilot of any aircraft" shall include any person authorised by such master or pilot as the case may be, 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 a vessel or aircraft.

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

2. Sub-sections (4) and (5) inserted and the original sub-section (4) re-numbered as sub-section (6) by Act 38 of 1947, section 5 (w.e.f. 15-12-1947).

3. Sub-section (4) re-numbered as sub-section (6) by Act 38 of 1947, section 5 (w.e.f. 15-12-1947).
