

GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

RAJYA SABHA  
UNSTARRED QUESTION NO.393

TO BE ANSWERED ON THE 27<sup>TH</sup> FEBRUARY, 2013/PHALGUNA 8, 1934 (SAKA)

**AREAS NEEDING SPECIAL PERMISSION FOR ENTRY BY INDIANS AND FOREIGNERS**

393. SHRI SABIR ALI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the areas in the country which need special permission for entry by Indians and foreigners;

(b) what are the rules and regulations made for the purpose;

(c) what are the reasons for prohibiting Indians to enter those areas; and

(d) whether there is any proposal for providing relaxation in the matter and if so, the details thereof?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI R.P.N. Singh)

(a) & (b): Special Permission for entry by Foreigners

Under the Foreigners (Protected Areas) Order, 1958, all areas falling between the 'Inner line' and the "International Border of the State" have been declared as Protected Area. Currently, Protected Areas are located in the following States:-

- (i) Whole of Arunachal Pradesh
- (ii) Parts of Himachal Pradesh
- (iii) Parts of Jammu & Kashmir
- (iv) Parts of Rajasthan
- (v) Whole of Sikkim (partly in Protected Area and partly in Restricted Area)

Further, under the Foreigners (Restricted Areas) Order, 1963, the following areas have been declared as 'Restricted Areas':-

- (i) Andaman & Nicobar Islands - Entire Union Territory
- (ii) Sikkim - Part of the State

A foreigner is not normally allowed to visit a Protected/Restricted Area unless it is established to the satisfaction of the Government, that there are extraordinary reasons to justify such a visit. Every foreigner, except a citizen of Bhutan, who desires to enter and stay in a Protected or Restricted Area, is required to obtain a special permit from a competent authority delegated with powers to issue such a special permit to a foreigner. In cases where the powers have not been delegated to any subordinate authority by the Government of India, the application for special permit should be referred to the Ministry of Home Affairs for prior approval.

### Special Permission for entry by Indians

(i) Inner Line Permit (ILP) regulates visit of Indians to States where ILP regime is prevalent under Bengal Eastern Frontier Regulation, 1873. In terms of Section 2 of the Bengal Eastern Frontier Regulations, 1873, the Inner Line Permit system is prevalent in the three North Eastern States, namely, Arunachal Pradesh, Mizoram and Nagaland. Citizens of other States require ILP for visiting these three States.

(ii) According to Section 3(1) of the Criminal Law Amendment Act, 1961, the Central Government may by notification in the Official Gazette, declare any area adjoining the frontiers of India to be a notified area and thereupon on and after such day as may be specified in, and subject to any exemptions for which provision may be made in the said notification, no person who was not immediately before the said day a resident in the area declared to be a notified area by the notification, shall enter or attempt to enter that area or be therein, except in accordance with the terms of a permit in writing granted to him by a person, not below the rank of a Magistrate of the First Class, specified in the said notification

(c): The main aim of ILP system is to prevent settlement of other Indian nationals in the States where ILP regime is prevalent, in order to protect the indigenous/tribal population.

Notification under Section 3(1) of Criminal Law Amendment Act, 1961 is issued in the interest of the safety or security of India or in the public interest.

(d): With a view to promote tourism, some protected/restricted areas, notified by the Government of India from time to time, can be visited by foreign tourists, either in groups, or as a couple in the case of a husband and wife, or by individuals, after obtaining the necessary permit from the competent authority. Powers have been delegated to various authorities to issue the special permit, without the prior approval of the Ministry of Home Affairs, to facilitate foreign tourists subject to the following exceptions:

(i) Special instructions applicable to foreign diplomats and members of the United Nations and International Organisations holding Diplomatic/Official Passport are issued by the Ministry of External Affairs.

(ii) Citizens of Afghanistan, China and Pakistan and foreign nationals of Pakistani origin shall not be issued a special permit without the prior approval of the Ministry of Home Affairs.

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