MHA order eases passport and visa rules for certain categories of foreigners in India

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News

The Union Home Ministry published the 'Immigration and Foreigners (Exemption) (Amendment) Order, 2026' in the Gazette on 5 November 2026. It exempts certain categories of foreigners living in India from passport and visa requirements. Registered Sri Lankan Tamils who took shelter in India on or before 9 January 2015 are exempt from the general passport and visa requirements. Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan who came due to religious persecution on or before 31 December 2024 are exempt from the passport rule, but must obtain an appropriate visa to stay. Also covered are Tibetans who entered on Indian Embassy (Kathmandu) permits between 1959 and 30 May 2003, certain Pakistani nationals unable to renew passports for want of a Pakistani CNIC, and persons of Indian origin holding expired Malaysian/Singaporean passports. Indian, Nepalese and Bhutanese citizens travelling directly between these countries may use an identity document listed in the 'Visa Manual'; armed forces personnel on duty are also exempt.

Key facts for the exam

Point	Details
Instrument	Immigration and Foreigners (Exemption) (Amendment) Order, 2026
Issued by	Ministry of Home Affairs – Gazette, 5 Nov 2026

Point	Details
Parent law	Immigration and Foreigners Act, 2025 (in force 1 Sept 2025)
Sri Lankan Tamils	Registered; arrived on/before 9 Jan 2015
Minorities (Afg., Bangladesh, Pak.)	6 communities; arrived by 31 Dec 2024
Tibetans	Kathmandu-embassy permits, 1959 – 30 May 2003
Nepal / Bhutan	ID listed in the Visa Manual suffices
Laws replaced by 2025 Act	Four Acts of 1920, 1939, 1946 and 2000

Background

- Immigration and Foreigners Act, 2025: passed in the Budget session, it received Presidential assent on 4 April 2025 and came into force on 1 September 2025. It replaced the Passport (Entry into India) Act 1920, the Registration of Foreigners Act 1939, the Foreigners Act 1946 and the Immigration (Carriers' Liability) Act 2000. Forged passports/visas attract 2–7 years' jail and a fine of Rs 1–10 lakh.
- Constitution: Part II (Articles 5–11) deals with citizenship; Article 11 empowers Parliament to regulate citizenship by law. In the Seventh Schedule's Union List, Entry 17 is 'citizenship, naturalisation and aliens' and Entry 19 is 'admission into, and emigration and expulsion from, India; passports and visas'.
- Comparison: the Citizenship (Amendment) Act 2019 (CAA) offers fast-track citizenship to the same six communities who arrived by 31 December 2014. This order does not grant citizenship; it only gives passport/visa exemption for staying in India (cut-off 31 Dec 2024).
- Tibetans: the Dalai Lama took refuge in India in 1959; the Central Tibetan Administration functions from Dharamshala, Himachal Pradesh. Nepalese and Bhutanese citizens may enter India without a visa owing to special ties such as the 1950 India–Nepal Treaty of Peace and Friendship.

Tamil Nadu link: Sri Lankan Tamils are among the main beneficiaries of this order. Tamil Nadu renamed its Sri Lankan Tamil 'refugee camps' as 'Sri Lankan Tamil Rehabilitation Camps' in August 2021 (announced in the Assembly); at that time 58,822 people lived in the camps and 34,087 lived outside after registering with the police.

Frequently asked questions

What is this news about?

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What are the key facts to remember for the exam?

Instrument: Immigration and Foreigners (Exemption) (Amendment) Order, 2026; Issued by: Ministry of Home Affairs – Gazette, 5 Nov 2026; Parent law: Immigration and Foreigners Act, 2025 (in force 1 Sept 2025); Sri Lankan Tamils: Registered; arrived on/before 9 Jan 2015.

What is the background to this news?

Immigration and Foreigners Act, 2025: passed in the Budget session, it received Presidential assent on 4 April 2025 and came into force on 1 September 2025.

Practice questions (with answers)

1. Which of these laws was replaced (repealed) by the Immigration and Foreigners Act, 2025?

A) Foreigners Act, 1946

B) Citizenship Act, 1955

C) Passports Act, 1967

D) Extradition Act, 1962

Answer: A – Explanation: Foreigners Act, 1946 – along with the Acts of 1920, 1939 and 2000. The Passports Act, 1967 (for Indians) continues.

2. Where do 'passports and visas' figure in the Seventh Schedule of the Constitution?

A) State List

B) Concurrent List

C) Residuary powers

D) Union List

Answer: D – Explanation: Union List, Entry 19 – admission, emigration, expulsion, passports and visas; so the Centre frames these rules.

3. In 2021, Tamil Nadu renamed its Sri Lankan Tamil refugee camps as what?

A) Welfare camps

B) Transit camps

C) Rehabilitation camps

D) Shelter homes

Answer: C – Explanation: 'Sri Lankan Tamil Rehabilitation Camps' – announced in the Assembly in August 2021.

4. Where in India is the Central Tibetan Administration based?

A) Gangtok

B) Leh

C) Dharamshala

D) Darjeeling

Answer: C – Explanation: Dharamshala, Himachal Pradesh – set up after the Dalai Lama took refuge in India in 1959; based at Dharamshala since 1960.

5. Which Article of the Constitution empowers Parliament to regulate citizenship by law?

A) Article 11

B) Article 14

C) Article 19

D) Article 32

Answer: A – Explanation: Article 11 – Part II (Articles 5–11) covers citizenship; the Citizenship Act, 1955 was enacted under it.

Sources: News On AIR; ThePrint/PTI; Business Standard; Millennium Post; Deccan Herald; Constitution of India. © Shanmugam IAS Academy.